

Contact Do's and Don'ts

Your relationship has broken down. In the case of a marriage, it may end in divorce in the future or may already have ended. Your resulting relationship with your former partner will lie somewhere between bitter and amicable.

The purpose of this sheet is to remind you that there is a second aspect of your relationship with your former partner which has not ended. You both remain parents. Your children remain to be brought up and educated. You both have vital contributions to make to this task.

Whatever your relationship with your former partner, you must remember that your children have to maintain a relationship with both of you. This can be extremely difficult and distressing for them if there are frictions and fights between you as parents. The children are caught up in the middle and can be emotionally torn apart in the attempt to work out and balance their loyalties to both parents.

The purpose of this sheet is to try and facilitate co-operation as parents between yourself and your former partner so far as it lies within your power to do so. We have no doubt that the best interests of your children will be served by such co-operation.

It is to this end that we set out below various do's and don'ts in relation to contact firstly on the part of the party with residence, secondly on the part of the party exercising reasonable contact and thirdly on the part of both.

1. Party With Residence (i.e. children are living with you)

✓ Do's

- **Be Positive About Contact**

It is the responsibility of the parent having residence to prepare the children mentally, emotionally and physically for contact. This is done by expressing positive views about contact and encouraging the children to participate fully and wholeheartedly. You may not **feel** this way, but nevertheless it is in the children's best interests if you convey to them this view or desire.

- **Have The Children Ready On Time**

It will assist the smooth working of the contact if you have the children ready for collection at the arranged time.

- **Supply Necessary Attire**

The children should be sent for contact in clothing and footwear suitable to the time of year. Also, if contact involves staying overnight, they should have with them necessary changes of clothing, nightwear, toothbrush, etc. The precise requirements will depend upon the arrangements with your former partner.

X Don'ts

- **Don't Change The Contact Arrangements Arbitrarily**

The contact collection arrangements will be at a specific time from a specific place. The same will be true of the return arrangements. Please stick to these arrangements unless it is absolutely necessary to make a change. Any such change should be after sufficient notice to the former partner.

If you would like to discuss any issues raised in this update or any other family related matter please do not hesitate to contact our Family Team on 01279 755777 or email family@nockolds.co.uk

Disclaimer: This article has been prepared for general interest and it is important to obtain legal advice on specific issues. We believe the information contained in it to be correct at the time of print. While all possible care is taken in the preparation of the article, no responsibility for its accuracy or for loss or damage occasioned by any person acting or refraining from acting as a result of the material contained herein can be accepted by the firm. February 2010

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2. Party Exercising Contact

✓ Do's

- **Be Regular**

Make sure to keep the contact arrangements. Otherwise, you will risk causing great disappointment to the children and damaging your relationship with them. It is very distressing for the children if you turn up sometimes and not at others.

- **Be Punctual**

Late collection and return will cause inconvenience to your former partner and will result in unnecessary frictions and difficulties in respect of contact.

- **Be Responsible**

Make the contact a special time with the children. Give them your time and attention. Do things of interest with them. Do not treat the contact as a burden or chore. Do not dump the children on some other person such as a grandparent. The contact has the purpose of building and maintaining YOUR relationship with the children.

- **Return The Children In A Clean And Tidy Condition**

Children will be children and will get dirty. However, as far as possible, you should try to return them in a clean and tidy condition. The return of disheveled and dirty children will not do anything for the relationship and co-operation with your former partner!

✗ Don'ts

- **Don't Undermine The Residential Parent's Authority**

The residential parent has to discipline the children on a day to day basis. You should not undermine the discipline. Rather, you should support and add to it to the best of your ability. It is not in the children's best interests if they are able to play one parent against the other. They need to be faced with a united front.

- **Don't Overtreat The Children**

It is a temptation on contact visits to spoil the children. This temptation should be avoided. It is not helpful if the children see you as the parent providing the 'treats' and the residential parent as the one who disciplines them. Such treatment may boost your ego or fulfill your view of your relationship with the children BUT it will do nothing for their fundamental upbringing and training.

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3. Both Parents

✓ Do's

- **Keep The Arrangements**

The arrangements which have been agreed for reasonable contact should be treated as very important and given due priority. You should make every effort to stick to the arrangements. Any cancellation or alteration should only be for a good reason.

- **Notice Of Change**

Inevitably occasions will arise when for good reason one party will need to cancel or alter the contact arrangements on a particular day. If you need to do so, then please give your former partner as much notice as possible. This is only normal courtesy. No-one likes to be messed around at the last minute. Hopefully, your former partner will observe the same courtesy.

- **Communicate**

Difficulties over contact are best sorted out directly between the parties if at all possible. This means building communication between you. You may have to work at this. Suspicion, distrust, resentment, hurt may all have to be overcome. Be positive, be open to communication, be reasonable.

If you reach a point where it is proving impossible to sort out difficulties directly, you should both consider consulting the Conciliation Service. This is a voluntary organisation whose function is to help former partners work out the differences and difficulties between them.

Alternatively, or as a last resort, you can consult solicitors who can advise upon the options, correspond with the former partner's solicitors and/or make appropriate applications to the Court.

✗ Don'ts

- **Don't Use The Children As Pawns**

You may have been very hurt by your former partner. He or she may have made you very angry or bitter. However, please try not to use the children as 'pawns' in your relationship with your former partner. In other words, don't use the children, and in particular the contact arrangements, to get back at your former partner. There can be a great temptation to do so but such actions are at the least upsetting and at the worst very damaging. Above all they are upsetting and damaging to the children. Please think of the children before giving vent to any resentment or desire for revenge against your former partner by involving the children.

- **Don't Poison The Children Against Your Former Partner**

The children have to maintain a relationship with both parents. It is not helpful to them if one parent is constantly criticizing and belittling the other. Whatever your personal feelings about your former partner may be, please try to keep them to yourself. If you cannot say a good word about him or her, then at least keep your mouth shut and say nothing.

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- **Don't Interrogate The Children**

Sometimes one parent asks the children a lot of questions about the other partner - what he or she is doing, who they are seeing, etc. This kind of interrogation should be avoided. It is again involving the children unnecessarily in the relationship problems between the parents.

- **Don't Cause Unnecessary Frictions**

Even in ordinary circumstances, the smooth working of contact arrangements can be difficult to achieve. It becomes all the harder to achieve if one parent is being unreasonable and causing unnecessary frictions. Please avoid unnecessary friction. Rather, do everything you can to promote good relations and the smooth working of contact arrangements.