

## **CHRISTMAS CONTACT WITH YOUR CHILDREN**

It is a sobering fact that half of all lone parent families are headed by divorced or separated mothers. 10% of lone parent families are headed by single mothers, and 2% headed by fathers. The overall figures show that 22% of families have only one parent to head them.

As you can imagine, this has led to a great increase in the amount of litigation involving contact with children. Non-resident or absent parents feel the need to get court orders in the absence of being able to agree contact with their children.

### **CHRISTMAS CONTACT**

Christmas is a time of joy, and a time of hope for us all. For children, it is a very special time – a time of wonder and excitement. However, Christmas can bring great tensions over contact by the non-resident parent. That is the particular time in the year when all non-resident parents (usually the father) feel a real need to see their children.

Here are a few helpful tips which I hope can make life easier, and enable contact to run as smoothly as possible.

#### **1. Plan it properly**

Holidays are really important times for cementing relationships with children. This is particularly so at Christmas, but also at Easter, half term breaks, and the summer break. By planning it properly and by arranging a timetable, much of the worry can be taken out of the equation. So plan well in advance. Be prepared at all times to be flexible for the sake of your children. Keep each other fully informed.

## 2. **Communicate properly**

The simple message is to communicate at all times. A telephone call to your former partner will make sure that Christmas presents, for example, are not replicated. It will also stop the children perhaps having to eat two Christmas dinners within hours of each other! Your child will benefit by good communication. As one expert has said “ten minutes now can save days (or weeks) of fuming later”.

## 3. **Sort out next Christmas as soon as possible**

By doing this, everyone knows well in advance what is to happen. It will mean that any conflict can be kept to an absolute minimum. It will mean that the fraught eleventh hour negotiations can be cut out altogether. It will hopefully avoid any uncertainty, and will lead to clarity and a degree of satisfaction that the following Christmas should contain fewer (if any) unpleasant surprises.

## 4. **Keep the extended family in the loop**

The extended family is very important in a child's life. It is therefore of vital importance to keep them in the loop, and fully aware of what is happening. It might mean that you refuse some invitations to enable contact with the extended family to run smoothly. Your family's help and understanding is often the key to happiness at Christmas. So don't surprise or ignore them – you will need them.

## 5. **Sort out the details**

Details are a must. So prepare a schedule of where the children will be. Make sure that you give details of where they will be staying, the times they will be staying there, and how the exchanges will take place. Who will be doing the fetching and carrying? Are there any special needs which need to be included? Make sure nothing is left to chance. This will definitely work to the children's advantage. It will make them feel secure. It will help to avoid worry and possible disappointment for them.

## 6. **Give encouragement**

If the children live with you, make sure that you encourage them to have a really good time with mum or dad. Children always want to please the parent they live with, and look for the right signals from that parent to enable them to see the other parent with their blessing. Your children deserve their holiday. This is so even if it might mean that you are spending part of the Christmas holiday without them.

## 7. **New traditions**

Children always love new things happening around them. They also like to see new traditions. By establishing new traditions for the period they are with you, they can look forward to these special rituals and shared memories. So make sure that you establish new traditions, and that they are meaningful. When the children are older and look back, they will do so with affection and a sense of enjoyment.

Christmas and the New Year are about a fresh start. The Christmas period is a time of giving. You should also see it as a time for forgiving. If there have been complications over contact in the past, particularly at these special holiday periods, now is the time to put those problems behind you.

## **IF THINGS GO PEAR SHAPED**

Sometimes unfortunately Christmas becomes a battle of wills between parents, with neither prepared to give way. The resident parent (usually mum) very often thinks that they have the whip hand and can dictate when, how and where their child should see the other parent. Often they fail to appreciate that they have no greater rights over their children than does the non-resident parent. By seeking to assert they have greater rights, they are doing themselves and their children no favours.

Therefore if there is this kind of unremitting conflict, there is now a very well trained family mediation service. The service is operated by highly skilled mediators. These mediators will sit down with parents in conflict to try to resolve all outstanding issues,

and get committed to writing an agreement as to what should happen over contact issues.

If mediation breaks down, or if a parent is reluctant to go to mediation, then the courts will intervene. No parent should feel shy about making an application to the court to have the court sort out residence and contact issues.

### **ACTION**

If problems persist then, always consider taking legal advice. For many people Legal Aid may very well be available. Some firms like mine also offer a free first interview. If court proceedings are not necessary but detailed advice (including the writing up of an agreement) are necessary, then Legal Help may be available under the government's Legal Help Scheme. Always feel free to get in touch with me on **01288 35 9000** should you need help.

### **HAPPY CHRISTMAS**

We wish all our clients a very happy Christmas and New Year. We look forward to being of help to you in 2010.

**John Busby**