

Celebrating National Children's Day: A Spotlight on child arrangements in the UK

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National Children's Day in the UK is an occasion to celebrate children and a pivotal moment to focus on their well-being and rights. On this day, we examine how couples can handle child arrangements after a separation or divorce and promote practices that prioritise the children's best interests.

Understanding child arrangements

Child arrangements in England and Wales refer to decisions about where the children will live, how much time they will spend with each parent, and how parents will raise them. These arrangements can also include specifics about schooling, religious education, and medical care, among other aspects of a child's upbringing.

The ultimate goal of these arrangements is to provide a stable and supportive structure for children following their parents' separation.

Why and when are child arrangements necessary?

Separating couples have plenty of matters that they must resolve and agree upon. How to care for your child/children, how much time they spend with each parent and on what days of the week are all things that separating couples need to think about and often find difficult to agree on.

Couples who cannot find a middle ground and reach a mutual agreement can seek to apply for a child arrangements order.

Agreeing a child arrangements order can help create a predictable and stable environment for the children, minimise disruption to their lives, and ensure that both

parents maintain a meaningful relationship with their children.

Three ways to resolve child arrangements out of court

Mediation

Mediation involves a neutral third party being appointed (a mediator) who assists parents in reaching an agreement on child arrangements without going to court. This method is often faster, less stressful, and more cost-effective than court proceedings. It also allows parents to maintain control over the decisions affecting their children rather than handing these decisions over to a judge.

Collaborative practice

Another out-of-court option is a collaborative practice, where each parent hires their own collaborative trained solicitor. You will both have a solicitor supporting you throughout the process and all the parties, including the solicitors, will meet face-to-face to try to reach an agreement. All parties agree to work cooperatively to resolve issues without going to court. However, your collaborative solicitor can no longer represent you if the discussions break down and the matter proceeds to court. This approach can help maintain a more amicable relationship between the parents' post-separation.

Solicitor negotiations

Parents can also have their solicitors negotiate the terms of the child arrangements on their behalf. Negotiation can be effective when direct communication between parents is challenging. The solicitors will work with their clients to find a solution that both parties can accept to keep matters out of the court system.

Resolving child arrangements in court

If out-of-court discussions fail, or if the situation involves issues like domestic abuse or significant parental conflict, court intervention may be necessary. Resolving child arrangements in court should be the last resort.

Solicitors play a critical role in preparing their clients for court by gathering evidence, preparing witness statements, and outlining clear arguments for why their proposals best serve their clients' children's interests.

In court, a judge will consider all evidence presented and decide based on the child's best interests. They will use the welfare checklist in the [Children Act 1989](#) to help guide them with their decision-making. The resulting child arrangements order will specify with whom the child will live, their time with each parent, and any other specifics concerning the child's upbringing.

Child arrangements are a fundamental aspect of family law that solicitors deal with regularly. Whether through mediation, collaborative approaches, negotiation, or court proceedings, our family law solicitors strive to achieve arrangements that respect the child's best interests while also considering the parents' rights and responsibilities.

Speak to [Pippa Marshall](#) or [Maheen Khalid](#) today to organise a **FREE** initial family law consultation.

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Note: This article is not legal advice; it provides information of general interest about current legal issues.

