

IN STANFORD COUNTY COURT
Case Number: ST30D00787

IN THE MATTER OF

LUKE DANIEL CHARLES GROVES (DOB 01/02/2005)
SANDY MAY GROVES (DOB 10/08/2011)



MR MATTHEW GROVES
AND
MRS ABIGAIL GROVES

Applicant

Respondent

FINAL STATEMENT BY APPLICANT
For Final Hearing (Date Here)

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1. Update

- 1.1 The father reports that interim contact has progressed well. After week six, he now sees both children every other weekend from 10am Saturday to 5 pm Sunday.
- 1.2 On the first night, Sandy found it hard to settle, but she is now happy and relaxed. She has informed the father that she still regularly sleeps in mum's bed and it is felt that the mother has not taken advice in addressing that issue which remains a concern.
- 1.3 The father has attended both the SPIP and PPP (parenting course), as recommended by the courts.
- 1.4 The father has obtained a letter from the GP, as directed by the court regarding the children's vaccinations, this is attached as **Appendix A**.
- 1.5 Submit with the statement is a letter from his employers confirming his work flexibility in support of child arrangements, this is attached as **Appendix B**.

2. Final Order Proposal:

As a Final Order, I would like to seek the following Order for the children to spend time with me. I accept that the children will 'live' with the mother.

The below represents my position outlining what I believe would be in the best interests of the children and as considered with reference to the Child Welfare Checklist.

2.1 Term Time

- Alternate weekend overnight contact from Friday after school until Sunday at 5pm.
- Alternate Wednesday evenings, on the week when there is no weekend contact, from after school and return to school on Thursday morning.

2.2 Half Terms (1 week in Feb, May and October)

- For each party to have an entire week each for the February and May half terms and alternated each year. If the week is with the father, the father picks up from school on the Friday and returns to Mum at 5pm on the Sunday at the end of the week. For avoidance of doubt, for 2019, the Feb week is with the mother.
- For the October half term to be split equally with a handover at 12.00 midday on the Wednesday. If father has the second half of the week then he will return to mother's at 5pm Sunday. For avoidance of doubt, for 2019, the first half is with the father who will pick the children up from school. This alternates each year.

2.3 Christmas (2 weeks)

- For the Christmas period to be shared as follows: The first period is defined as being from after school at the end of the term to stay with that parent until Midday Boxing Day. The second period is defined as being from Boxing Day to the end of the Christmas Holiday.

The starting period is to be alternated each year, if the father has the second period, then he returns the children to the mother at 5pm on the Sunday before school the following day.

For the next Christmas, the 1st period is with the father.

2.4 Easter (2 Weeks)

For the holiday to be shared equally. The first period is defined as afterschool on the last day of term with the handover at midday on the 7th day. The second period is defined as midday on the 7th day to the end of the holiday.

The starting period is to be alternated each year, if the father has the second period, then he returns the children to the mother at 5pm on the Sunday before school the following day.

For the next Easter Holiday, the first period is with the mother.

2.5 Summer Holiday (6 weeks)

- The father would like a consistent pattern of weeks 2 and 3 to enable him to go abroad for 10 nights. The rest of the time will be spent with the mother.
- The father understands that he will not be seeing the children from end of week 3 until the Term time pattern commences again.
- The father seeks permission to take the children abroad.
- The mother will hold the passports, but they will be made available to the father no later than 2 weeks before any travel date. For any holiday abroad, both parents will provide the other with travel details and the location where they are staying. The father will return the passports to the mother on the first handover following the return abroad.

2.6 Special Occasions / Other

- Children's Birthday: For both children to be together on their birthdays and for the parent not having resident on those days to see the children for 2 hours on a school day or 4 hours on a non-school day.
- Father's Day/Mother's Day: for the children to spend a minimum 4 hours with that parent.
- For indirect contact, Telephone / Email / Skype: That the children be allowed to contact the father at any time they wish and for me to be able to contact them by telephone and/or Skype at least once a week.
- All handovers will take place at Tesco's Carpark on Maple Road. Stanford.

2.7 Other

- For avoidance of doubt, at the start of any holiday period the term time pattern is suspended for that holiday period. When the term time pattern resumes, it resumes on the same continuing pattern as if the holiday period had not happened. This clarification prevents the alternate weekend pattern changing after every 1 week holiday period.

- For inset days or bank holidays, the parent who has the children for that weekend has the additional night. The handover then occurs on that inset day or that Bank Holiday.
- Any Final Order can be varied either temporarily or permanently on the written agreement of both parties.

3. Specific Issues Order: Vaccinations

3.1 I would also like a Specific Issues Order enabling the children Daniel and Sandy Groves to have the standard recommended NHS Childhood Vaccinations. See Appendix A as recommended by the GP.

4. Specific Issues Order: Schooling

4.1 After careful consideration and concluding that it is in the best interests of Sandy, I wish to withdraw my application for Sandy to attend St Edmunds C of E school.

5. Child Welfare Check List

5.1 The ascertainable wishes and feelings of the child concerned (considered in the light of his age and understanding)

Daniel has expressed a wish that he sees both parents equally, although he recognises that due to work commitments a 50/50 shared care is not possible. The father presents a position that is realistic, balanced and proportional that is felt fully meets the needs of both children. Sandy is of a young age to fully understand the current situation or the implications of any views that she may express.

5.2 The child's physical, educational and emotional needs:

The father has appropriate housing to accommodate the children as per his proposal. The children will have a room each whilst the father will sleep on a sofa bed in the lounge.

The father's position is that he has in essence looked after the children's day to day needs whilst Abigail was unwell with Post Natal Depression. After this period he continued to be engaged with the children, doing the home-work with Daniel and would take the children to their respective clubs. This in no way suggests that Abigail did not also contribute to the upbringing of the family, under difficult circumstances both parents worked together to support the children.

He believes that both parents can fully meet the children's needs and accepts that the way forward is to build positive co-parenting and to follow the guidance offered by Cafcass and the learning from the courses they have attended.

The father regrets the acrimonious environment that developed within the house and understands the harm that this caused both children. He has reflected on his own behaviour and does not in any way deflect from his own responsibilities in this. The PPP course was particularly very informative and he wishes that this was available at the time of the difficulties emerging within the relationship rather, than after it had ended.

The father feels that the midweek overnight on the alternate pattern is particularly important to him. He wants to be fully engaged in the schooling and education of both children. He welcomes being directly involved with the schools and the opportunity to take and collect the children from their schools and to help them with their homework is something that he believes will deepen the relationship with both children, will provide memories and show the children the co-parenting support of both parents.

The father lives 5 miles from the mother and within reasonable travel distance to both children. He would pick up and take Sandy to school first, with a 20-minute journey to pick up Daniel. Cafcass have acknowledged that Daniel is of the age that waiting for 20 minutes at the end of school is safe and appropriate.

5.3. The likely effect of any change in their circumstances:

The children will adapt quickly to having two homes that will both provide loving and stable environments. No risks have been identified as to the father's proposal or any barriers that may cause a negative impact to the children.

The mother has proposed that the children are separated when it comes to contact with limited contact with Sandy, to be taken at her pace. This is a concern, as this will give rise to uncertainty, a lack of routine and the possibility of disagreements as to what Sandy's pace' means which may ultimately result in a return to court. The father believes that this uncertainty would be significantly unhelpful, would prevent both parties and the children moving forward and potentially could be like an 'open wound' that does not heal. Communication needs to improve and discussions based on differing opinions as to what is in Sandy's future best interests will not be helpful.

5.4. The child's age, sex, background and any characteristics of theirs which the Court considers significant:

The full needs of the children can be met. The father has a house that provides for both children to have a bedroom each which is both age and gender appropriate.

5.5 Any harm which the child has suffered or is likely to suffer:

The father understands the harm to the children being party to negative adult conversations/actions and that those previously displayed by the mother and himself in the 3 years prior to separation.

The father feels that now they have separated and settled as living independently, that there should be no opportunity for problems and that both parties need to build a positive co-parenting relationship and to be respectful of each other's parenting differences.

In relation to vaccinations, the father supports the doctor's medical position and also understands the argument of the risks to the wider society if children are not immunized. He offers an explanation that his former support for not immunizing the children was based on an agreement that if the children were not immunized, that he would decide on the children's schooling.

If ordered by the court, the father would be willing to be the parent to ensure that the vaccinations were undertaken.

The father supports Sandy attending the free independent school for French Nationals as he feels that Sandy being supported in her education by both parents agreeing will give her the reassurances, stability and encouragement that she needs. Disagreement only breeds conflict where Sandy would be permanently caught in the middle which would be harmful to her. She needs to enjoy and love her school whilst fully supported by both parents.

5.6 How capable each of the parents and any other person to whom the Court considers the question to be relevant, is of meeting the child's needs:

The father agrees with the position of Cafcass that both parents can both meet the needs of the children.

This statement is to the best of my knowledge and belief true.

Signed

Matthew Groves _____

Date _____