

As a grandparent, what are your legal rights?

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Community Legal Centres has called for increased funding for seniors legal services throughout Queensland.

Maria Teijeiro

IN LIGHT of the recent attempted drowning of one boy and the drowning of his brother by their mother soon after release from jail, Community Legal Centres has made a call for increased funding for seniors legal services to be expanded throughout Queensland.

Suncoast Community Legal Service solicitor and Queensland Law Society's Elder Law Committee chair Kirsty Mackie said in recent times, grandparents had been forced to take on a larger role in their grandchildren's lives due to working parents and increasing costs of childcare.

Ms Mackie said grandparents were also being relied upon by the Department of Child Safety as alternatives to parents who had substance abuse issues, were in prison or who were experiencing domestic violence.

Without a formal parenting order in place, they can't obtain financial family assistance, access Medicare, open a school banking account, obtain a passport or even be authorised to apply for a birth certificate.

"Part of the problem is the growing issue of drug use in regional Queensland, in particular ice, which causes parents to completely disengage from all activities including being a fit and proper parent to their children," Ms Mackie said.

"Sometimes parents are in prison or 'disappear' due to drug-taking binges and don't participate in mediation or consent to formal parenting orders.

"The grandparents are left with no option than filing a contested application in the Federal Circuit Court for parenting orders.

"This is complex, time consuming and can take up to 18 months to finalise as the parents often engage in the court process and then disengage which causes multiple adjournments of the

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court process."

Ms Mackie said it was not uncommon for DVOs between grandparents and their own children when grandchildren were involved.

"In some instances, parents turn up to their grandparents' home, leave the children and often don't return for several months and, when they do, they demand that their children be returned to them," she said.

"Parents often become violent when under the influence of drugs and alcohol and grandparents are exposed to family violence when they try to step in and protect their grandchildren from their own parents.

"Unfortunately, only half of the people who contact one of our community legal centres are able to get the help they need," she said.

"The remaining 50% are turned away because we just don't have the resources we need to provide help for everyone who qualifies.

"In July this year, the Commonwealth Government will cut almost 30% of funding to community legal centres across Australia.

"Community Legal Centres Queensland is calling on Malcolm Turnbull and George Brandis to reverse this decision to ensure grandparents get the legal help they need and the protection they deserve."

Find out more on this and other legal issues at www.communitylegalqld.org.au.

