

Haywards were successful in the Court of Appeal (Civil Division) before the Chancellor of the High Court (Lord Justice Etherton), Bean and King LJ on appeal from a decision of HHJ Yelton in the Family Court at Cambridge in the case of Re S (Child Arrangements Order: Effect of long-term supervised contact on welfare) 2015 EWCA Civ 689.

The case concerned contact in private child law proceedings. The Court of Appeal held that there is no general principle that direct contact is not in the best interests of a child where long term supervision will be necessary. Such an approach is wrong in law. Secondly, the Court of Appeal stressed, as the courts have said many times, that “contact is almost always in the interests of a child”. Consequently, any “disturbance” of the caring parent or child by the introduction of contact is not a reason for refusing contact other than in the most extreme cases.

John Simpson represented the father before His Honour Judge Yelton and he prepared the skeleton argument which was adopted by Lady Justice King in the Court of Appeal.