

Re L (Special Guardianship: Surname)

2 FLR 50, CA [2007] EWCA Civ 196

13/03/2007

Barristers

John Tughan KC

Court

Court of Appeal

Summary

The maternal grandparents, who had been made special guardians, appealed the judge's refusal to grant permission to change the child's surname and aspects of the contact order.

Facts

Allowing the appeal on a limited aspect of the contact order, the Court noted that the family must honestly face up to its fractured constitution. The question of identity was a significant feature of the child's welfare. The strength of the family unit between grandparents and child would not be undermined by an honest yet gently age-appropriate presentation to her of her identity and thus those of the other members of her family. The child needed to learn that she was being brought up by her grandparents, not her parents.