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What rights does a father have to see his child? Many fathers following separation or [divorce](https://www.kabirfamilylaw.co.uk/divorce-specialists/) often hold the opinion that English Law favours mothers when matters concerning [child contact](https://www.kabirfamilylaw.co.uk/how-do-i-get-a-child-contact-order/) and child custody arise. This often leads many fathers to believe that they do not have any rights to seeing their children.

A father living in the UK is entitled to have a say in the care of their child. If this cannot be agreed with the mother, then the [father can take steps to secure their rights to see their children.](https://www.kabirfamilylaw.co.uk/child-custody-for-fathers/) So exactly what rights does a father have to see his child?

Fathers rights over child are as much rights as a mother to see their child

## The law holds the view that parents have responsibilities towards their children and that it is the child that has a right to have an ongoing and meaningful relationship with both of the parents. The court will usually take the child’s right to a relationship with both parents seriously as long as this is in the best interests and welfare of the child. A fathers rights over child are therefore just as much as the mother in the eyes of the law.

## Many separating parents are often unable to reach an agreement between them on how much contact a father will have with the child due to the tensions and issued following a separation. In such circumstances the father may need to make an application to the family court to legally obtain contact with his child.

What does the court consider when looking at fathers rights over child contact?

As with all child law matters the courts will consider the welfare of the child and the child’s best interests under the Children Act 1989. The court’s will consider what is in your child’s best interests and not necessarily what either of the parents want. Therefore, if the mother will not allow contact the courts will disregard the mother’s wishes and focus on the child. Ultimately for a child to maintain a good, close and loving relationship with both of parents is in the child’s best interests and a court will make orders to ensure that happens.

The only time when a court will not be inclined to assist the fathers contact with the child is where there is a concern surrounding the welfare and safety of the child. This usually applies where there the father is abusive, or there are issues surrounding drug and alcohol abuse. In such instances the court will usually instruct for Cafcass to carry out safeguarding checks and gather evidence.

The courts will then look at all the evidence as well as listening to the father before reaching its decision on awarding child contact to the father. It is therefore clear that the courts seek to promote an active relationship of the child with both parents. This right is only taken away from the child where there are concerns regarding the welfare of the child.

Arrange a FREE consultation to better understand what rights does a father have to see his child

If you are concerned father or wanting to better understand what rights does a father have to see his child contact us today on 0330 094 5880 or [let us call you back](https://www.kabirfamilylaw.co.uk/contact-us/) to arrange an initial consultation with one of our [family lawyers in York](https://www.kabirfamilylaw.co.uk/offices/kabir-family-law-york/) or Newcastle, London or across the country will be able to assist in dealing with your enquiry.