



It's Summertime - The Complications of Separated Parents and Holiday's Abroad

As summer is fast approaching, many parents will be looking forward to their holidays abroad with their children. In the case of separated parents however, this is one area which causes many issues and disputes, with some cases even leading to Court proceedings.

In the case of separated parents, if a parent decides to take their child out of the country they do require the consent of everyone who has parental responsibility for that child. If they do take the child out of the country without consulting the other parent, this will be classed as child abduction. If however there is a Child's Arrangements Order in place, which specifically states that the child lives with you, then you are able to take the child out of the country for up to one month without the consent of the other parent or anyone with parental responsibility.

Many parents book holidays without consulting the other parent and believe they have every right to take their child out of the country but this is not the case at all. If a parent does take a child out of the country without the consent of the other parent, an application can be made to the court for the child to be returned.

Bhini Phagura, a Family Law specialist at leading regional law firm Pictons says "I advise all parents to provide all details including flight numbers, times, and accommodation details of the planned trip and give this information to the other parent. If the other parent still does not agree, I would advise them to attend Mediation to resolve any issues in the first instance. If Mediation does not work and no agreement is reached, as a last resort I would advise an application to the court for permission for the parent to take the child away for the holiday period.

"We all look forward to our summer holidays, especially the children, and it is heart-breaking if separated parents cannot come to amicable arrangements concerning their children beforehand. It can really spoil a much cherished family holiday and what should be happy memories that can last a lifetime."

If you wish to discuss any family matters, please call Bhini or one of the Family Law Team on 0870 263 7505* or email info@pictons.co.uk

*local rates apply - mobiles may be higher