



Runaway Parents – What Can You Do To Get Your Children Back?

The widely publicised recent case of Rebecca Minnock, the young mum who went on the run with her young son when his father was given primary care by a court judge has probably worried a lot of parents who may be in the process of separating from or divorcing their partner.

In recent years most similar cases tend to have been highlighted when a British mother has lost access to her children because her foreign husband has taken them abroad to live in a different culture, usually with very different laws that tend to favour the father rights over the mother's, no matter the circumstances may be.

[Danielle Messenger](#), a Family Law specialist solicitor at leading regional law firm Pictons says "The Rebecca Minnock case has brought the issue into focus and I've been approached by a mother with young children who is very worried that her ex-partner may try something similar. Apparently he is very volatile and seems to resent the fact that the children have remained with her. She's asked me if she's worrying unnecessarily?"

"I am sure that the Minnock case has put fear in the minds of many parents. However, what they should take away from this case is that it is actually very difficult to remain 'on the run' and the family courts do have a number of options to deal with this situation. This can be very complicated, but the key is acting quickly and trying to make sure that the children are not removed from the country, as this naturally makes matters significantly more difficult.

"If there is any risk of removal from the country, the first thing to do is to apply urgently to the court for a Prohibited Steps Order preventing the removal of a child. This Order is then served on the relevant authorities and if the runaway parent concerned attempts to travel with their child on the child's passport, they are stopped.

"If you are trying to find a parent 'on the run' you can also obtain a Seek and Find Order. The court can order that any person they have reason to believe has any relevant information about the child's whereabouts is to disclose that information to the court. This would usually be against close family members. If they don't disclose relevant information, they could be held to be in contempt of court facing a punishment of a term of imprisonment. Such orders can be made against

authorities such as the Benefits Agency, HM Revenues and Customs and the DVLA to disclose relevant current information.”

Danielle concludes “[Divorce and separation](#) are never easy and we can’t emphasise enough that where children are involved both parties should be thinking of their children’s needs first and not their own. The children didn’t choose the emotionally traumatic situation they have been thrown into – in Rebecca Minnock’s case she only turned herself in to the police when her son begged to be taken home.

“Being a runaway parent does you no favours in the courts. It is essential to bide by their rulings and appeal through the channels available to you. We always advise that the best way forward is mediation and trying as hard as possible to make any split amicable.”

If you are concerned you can contact Danielle Messenger to discuss your issue, call on 0845 263 7505* or email info@pictons.co.uk

*local rates apply, mobiles may be higher.