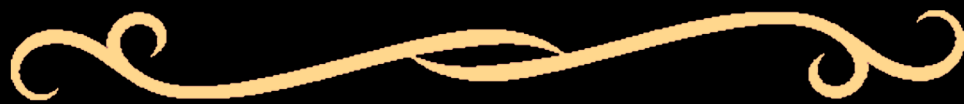


TAKING CHILDREN
ON HOLIDAY:
A GUIDE FOR
SEPARATED PARENTS



INFORMATION
ABOUT TRAVELLING
ABROAD
WITH CHILDREN



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Separated parents may need to obtain permission from the other parent in order to take a child out of the UK for a holiday.

Who has parental responsibility?

The mother will always have parental responsibility. If parents are married or civil partners, they will both have parental responsibility. If not married or civil partners, the father can acquire parental responsibility if he is named on the birth certificate of a child born after December 2003, has a child arrangements order in place that grants parental responsibility to the father, enters into a PR agreement/obtains PR order, adopts the child or becomes the child's guardian. PR rules differ for step parents, same-sex couples and adoptive parents.

How to get permission

Both parents with no order in place: must get written permission from the other parent.

Child Arrangements Order in place specifying who the child is to live with: the parent that the child lives with does not require the written consent of the other parent to take the child outside the UK for less than a month if it does not interrupt arrangements for the child to spend time with the other parent. If the trip is over a month long, written consent will be required from those with parental responsibility, whether they live with the child or not.

Guidelines

- As early as possible provide the other parent with dates of when you are proposing to leave the UK, where you are planning to take your child, and additional periods of time before/after the holiday when the other parent may see the children;
- Give full details of your holiday including the flight times/numbers and the address of the hotel/villa of where you are staying and who you are travelling with;
- Provide an emergency contact number for the other parent whilst you are away;
- If you are proposing to change any contact with the other parent, agree alternative arrangements with the other parent.

Some countries have additional requirements/border checks, so check what is needed before you travel.

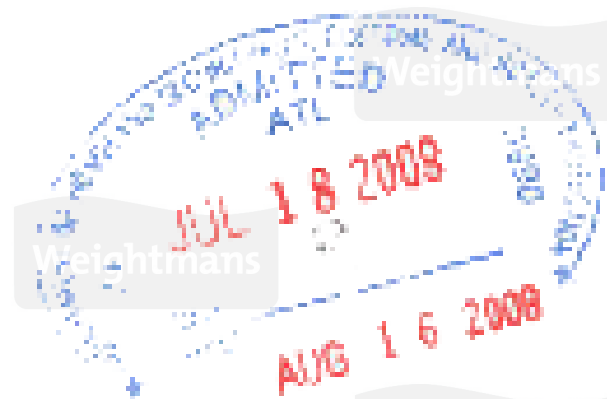
Can't reach an agreement?

If you are the parent planning the holiday and can't get permission, you may need to apply to the Court for a Specific Issue Order requesting permission for you to travel outside of the UK with your child.

If you are the parent who has refused consent and fear that the other parent will still take the child out of the UK you will should make an application to the Court for a Prohibited Steps Order to prevent the child from being taken out of the UK.

When making any decision the court's primary concern is the welfare of the child. The court will consider where you are planning to go, what you plan to do and how long you will be away. In most cases permission is granted for safe and sensible journeys to typical holiday destinations.

However if there is a possibility that the child might not be returned, permission will usually be refused.



This guidance is for parents living in England and Wales. Please seek expert legal advice if you are considering making an application to the court so you can be fully advised on the particular issues specific to your case.

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