

What Orders can the court make in respect of the children

Child arrangement order:

This order can determine two aspects of a child's care is split between those deemed to have parental responsibility, the first being who the child lives with and how their residency is shared. The second is how and when the child spends their time with the parent or other individuals who have parental responsibility but are not the residential parent. It also lays out provisions for indirect contact to occur through ways such as emails and letters, where deemed appropriate.

One of the key limitations is due to the age of the child. A child arrangement order relating to who a child lives with usually applies until the child is 18. However, the spend-time with element of these orders usually cease to have affect upon the child turning 16. This limits the enforceability of such orders upon children over the age of 16.

Specific issue orders:

This type of order allows the court to decide on a specific question which has, or which may arise in relation to family law proceedings. The order can lay out directions on how the order should be carried out or make provisions to how the court thinks fit to respond to the issue brought by the order.

Specific issue orders have been used for several reasons including but not limited to; the child's education, medical treatment, the child's religious upbringing, and changing the name of the child in the absence of a Child Arrangement Order.

There are limitations on the scope of specific issue orders including that; the order needs to be made on a matter relating to parental responsibility, it cannot be made if it is something that can be answered by a Child Arrangement Order.

Prohibited steps orders:

This order allows the court to prevent or prohibit a party to proceedings from taking a certain action.

Prohibited steps orders have been used for a number of reasons including but not limited to: to prevent unauthorised contact with a child, to prohibit the name change of a child where a CAO is not in force, prohibiting the removal of a child from the united kingdom and prohibiting the relocation of a child with one parent in the UK.

There are limitations on the scope of prohibited steps orders as it cannot be made, it must specifically relate to an aspect of parental responsibility, it must prohibit a clearly defined act, it cannot be used to oust another order, nor can it be used to prevent the child themselves from taking the action if they wish.