

GRYLLS & PAIGE

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CHILDREN ISSUES

PROHIBITED STEPS AND SPECIFIC ISSUE ORDERS

A Prohibited Steps Order

A Prohibited Steps Order seeks to limit one parent's ability to exercise his or her Parental Responsibility or to stop or 'prohibit' something happening to a child.

A Specific Issue Order

A Specific Issue order contains directions to resolve a particular issue in dispute in connection with a child/children where the parents cannot otherwise agree between themselves.

The two Orders are often confused with each other and can often be used by both parties over the same thing. For example where there is a dispute about one parent taking child outside the UK for a holiday, one may apply for a Specific Issue Order to gain 'permission' to go, whilst the other parent may apply to the Court for a Prohibited Steps Order to prevent the other parent travelling.

A prohibited steps or specific issue order could be obtained when there is a dispute as to the child's/children's education, determining whether the child/children can be taken abroad, or preventing a parent from seeing that child/children.

The court does not grant either of these orders lightly. They are never granted in order to put unwarranted obstacles to contact or other issues by one parent against the other.

Whenever an order is made under the Children Act 1989 the court must be satisfied that the Order is being made in the child's best interests. As far as possible the court would prefer parents to work difficulties out for themselves, but can intervene using one of these Orders where the parents cannot reach agreement and it is necessary for the child's welfare that a resolution is obtained.

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