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SOLICITOR'S JAIL WARNING OVER COURT ORDER BREACH

Parents could face tough action if they breach court orders concerning their children. That's the warning from Martin Lambert, a solicitor in the family team department of Devon law firm Wollen Michelmore.

He has revealed that a mother or father failing to comply with a Child Arrangements Court Order could even end up in jail.

The Family Court has far-reaching powers if orders are not followed.

It can impose a fine – it can make a Compensation Order for financial loss if, for example, the father has booked a holiday for him and the children and the mother will now not allow the children to go.

The Court can also vary the terms of the original order or refer the parent to a separated parenting information programme or mediation.

It even has the authority to order the person in breach of an order to undertake unpaid work in the community which can be between 40 and 200 hours or to invoke a prison sentence.

For a Court to impose such powers a warning notice on the original order is required and the welfare of the child must be taken into account.

The court must also be satisfied that making an Enforcement Order is necessary to secure the mother or father's compliance and is proportionate to the breach.

Mr Lambert said: "This all goes to show that it is very important for both the mother and father to abide by the terms of a Child Arrangements Order or otherwise there are serious consequences."

If you'd like more information about this article, please contact Martin Lambert on martin.lambert@wmlegal.co.uk 01271 341000