

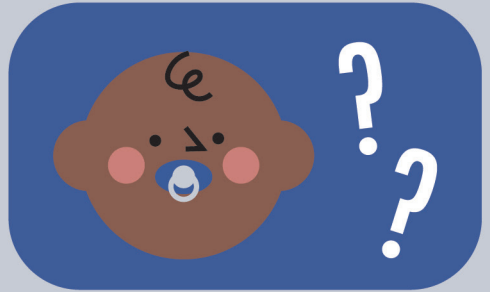
**CCLP**

Chester Community  
Law Project



University of  
Chester

This leaflet has been produced by law  
students at the University of Chester.



**Removal from the jurisdiction:  
Can my ex-partner take our  
children abroad from the UK?**



### Can my ex-partner take our children abroad from the UK?

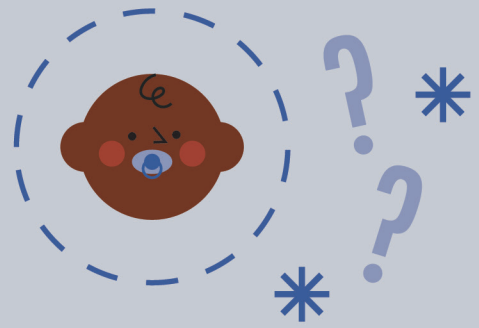
Either parent may wish to move from their home to live abroad and to take their child with them on a permanent basis.

They may also wish to take them abroad temporarily for a holiday, a temporary work placement or secondment, and for visiting family.

In certain circumstances permission - or leave - of the court may be required to allow a parent to remove the child. This is called 'leave to remove'.



# When is leave of the court required?



This will depend on a number of factors including whether another person has parental responsibility for the child and whether they consent to the removal, whether there are any orders in place in relation to the child including a CAO (Child Arrangements Order) and if so, what that order says.

If there is no order in place to allow the removal of the child, consent must be secured from everyone with parental responsibility. Failure to do so could result in a criminal offence.

It is an offence to remove a child under the age of 16 from the UK without appropriate consent. A person connected with the child may obtain the appropriate consent by obtaining consent from each of the following:



The child's mother



The child's father, if he has parental responsibility



Any guardian of the child

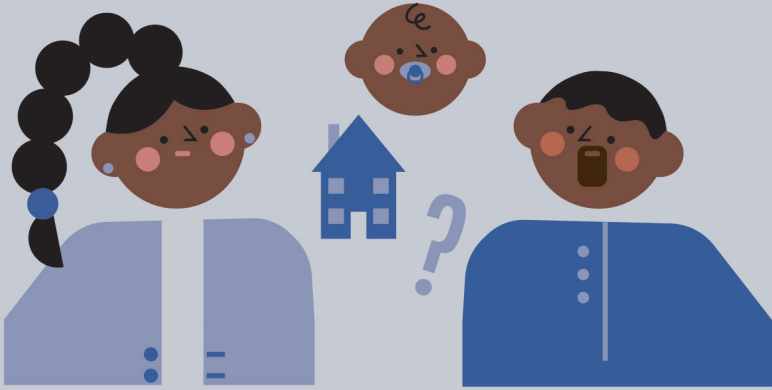


Any special guardian of the child



Any person named in a CAO as a person with whom the child is to live, any person who has custody of the child.

\* Alternatively, the person who wishes to take the child abroad may seek to obtain the leave of the court.



### What if there is a CAO which says who the child lives with?

Where there is a CAO which sets out who the child lives with, that person can take the child out of the UK for up to one month, as can the person named within the CAO as someone who the child will spend time with.

This allows for holidays or other trips abroad without the need to seek the consent of any other person or the permission of the court.

If the trip abroad is for a month or longer, the person the child lives with under the terms of the CAO will need either the written consent of every person who has parental responsibility for the child, or the consent of the court.



Where can I get further information?

\*For further information visit:

<https://www.gov.uk/permission-take-child-abroad>