

3rd March, 1987

ROYAL COURT

Matrimonial Causes Division

Before Mr. Commissioner Dorey, assisted by Jurats Coutanche and Myles

Between	Mr M	Petitioner
And	Mrs M	Respondent

Mr Commissioner Dorey: We will make an Order in the terms of Advocate Messervy's open letter of the 27th February, 1987; "Children will be present for collection without the presence of the respondent at the car park near the first entrance to Elysée Estate at 2.00 p.m. and will be returned there at 6.00 p.m. Through-out access, an adult person known to the children will be present so far as it is practicable, and staying access is to be arranged by the Supervising Officer, Miss Ahier, when she is satisfied that this is appropriate to do so."

Now would you stand up please, Mrs. M . I want you to understand very very clearly Mrs M , that this is a Court Order and it must be complied with strictly. The penalty, the effect of dis-obeying a Court Order is that the person who disobeys is committing a contempt of Court and in this case it has been established by now that a contempt of Court will be punished by imprisonment, and the fact that you are a lady and are the mother of small children would not save you from imprisonment if you were in deliberate breach of this Order. Do you understand that? Right. And Mr. M you too must continue to do your part in complying with the Court Order. I realise you understand that. Thank you. Anything about costs?

Indistinct discussion regarding the matter of costs.

We make no order for costs in the circumstances due to the financial status of both parties. It would only cause another irritant. Well, I am grateful to

Counsel, especially to Mr. Messervy who comes to the case comparatively new, for resolving this difficulty. I hope that any further friction will be sorted out by Counsel without needing any Court of Appeal. Thank you.

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