

Re H (Minors) (Abduction: Custody Rights: Re S (Minors) (Abduction: Custody Rights) (1991)

**(1991) 2 AC 476 : (1991) 3 WLR 68 : (1991) 3 All ER 230 :
(1991) 2 FLR 262 : (1992) FCR 45 : (1991) Fam Law 227 :
(1991) 141 NLJ 891 : (1991) 135 SJLB 52**

13/06/1991

Barristers

Henry Setright KC

Court

House of Lords

Summary

Wrongful removal of boys from mother's custody in Canada before the Act came into force.

Facts

Two appeals concerning claims by mothers of children abducted by their fathers from their habitual places of residence in foreign countries and taken to the UK. Each case was brought before ratification of the Convention of the Civil Aspects of International Child Abduction and its incorporation in the Child Abduction and Custody Act 1985.

Held

HELD: There was accordingly no jurisdiction under s.2(2) of the Act to order the children to be returned in either case.

Permission

Lawtel 