

RE H (Abduction: retention in non-contracting state)

[2019] EWCA Civ 672

16/04/2019

Barristers

Christopher Hames KC
Michael Edwards

Court

Court of Appeal

Practice Areas

International Children Law

A mother appealed against an order for the return of her child to Australia.

The Hague Convention on the Civil Aspects of International Child Abduction 1980 applied to the retention in a non-Convention state of a child who was habitually resident in a Convention state. Although both removal and retention occurred on a specific occasion, that did not mean that they could not continue to be wrongful and within the scope of the Convention if they occurred in a non-Convention state.

To read the full judgment click [here](#)