



What does Brexit mean for families and children?

Relocation and abduction?

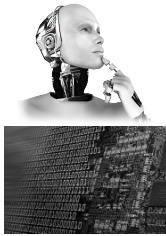
David Williams QC
Anne-Marie Hutchinson QC OBE

Nuala Mole
Anna Worwood

The Betterhof-Inne Family



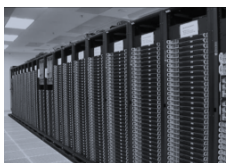
Phil Inne



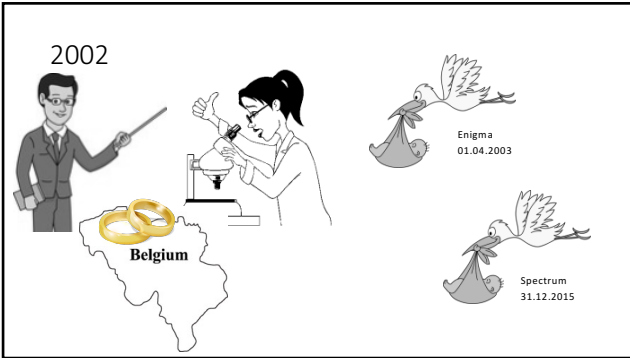
LongBerg

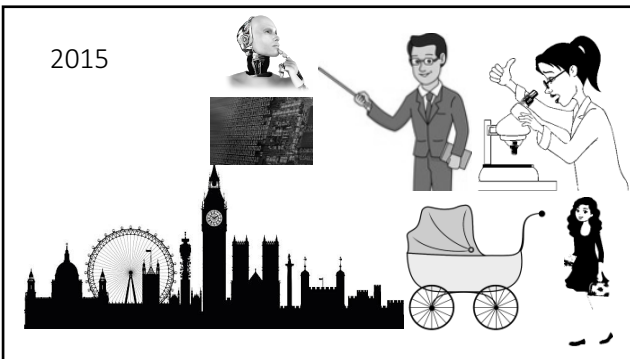


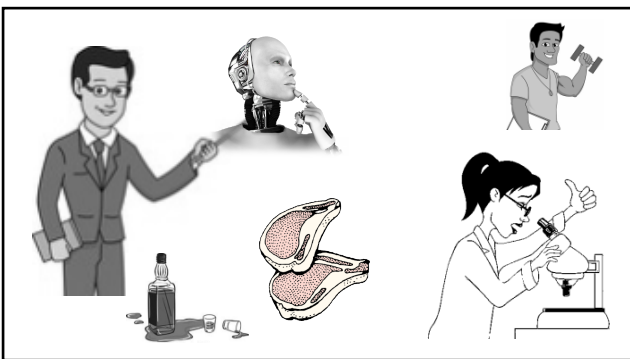
Sowmuch Betterhof

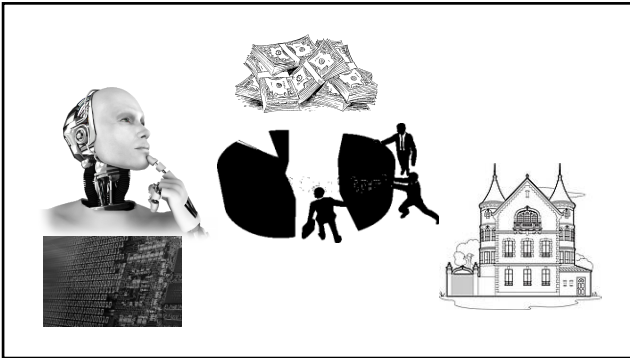


Luxembourg










9 June 2017



EUMS





 Phil,
The atmosphere in England after Brexit and the General Election is unbearable.
I can't stay in England anymore. The courts will be biased against me.
I've had enough of your abuse, we're starting afresh.
Sowmuch




Applies for return of children to England under Hague Convention and B11a.


Claims Art 13(b) defence and relies on Enigma's objections.




Applies for a Child Arrangements Order for the children to live with him and Specific Issue Order for return of the children.



I want to live here in EUMS.
Dad is violent to all of us.




Applies for permission to relocate permanently to EUMS with the children.




Mum showed me the court stuff.
It's true Dad gets drunk.
He also plays Britpop really loudly, I don't like it.
Sometimes he calls mum names.

CAFCASS

EUMS court refuses the Hague application
Phil appeals
Contact initiated through EJM




Applies to English court for an order under Art 11 (6 – 8) for return of the children.




Questions

1. What effect is Art 11(4) BIIa supposed to make? (Does BIIa Recast change that? What will the position be if we leave the EU?)
2. If the EUMS court makes orders:
 - i. Governing occupation of the home
 - ii. Domestic abuse protection
 - iii. Restricting contact
 How quickly can protective measures be obtained in the UK?
3. How will Enigma's views be canvassed in England? What weight will they carry? In the Hague process? In England?
4. What is the process for the court using the Art 11(6-8) mechanism?
5. Will the court make a summary return order in England?
6. In the relocation case if the English court makes a shared 'live with' order how can that be enforced in EUMS? Can jurisdiction be retained in England?
7. What difference will it make if there is a 'Deal or No Deal'?



Discussion

- Part 1: Speakers to discuss their answers to LongBerg's questions



- Part 2: Audience participation

Thank you for listening
