

HABITUAL RESIDENCE IN WRONGFUL REMOVAL APPLICATIONS UNDER THE 1996 HAGUE CONVENTION

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WRONGFUL REMOVAL
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Practice Areas:

Publications

Standish v Standish [2024] EWCA Civ 567 | 25th Jul 2024

[Family Law Week](#) has published a case summary by pupil barrister [Mahnoor Javed](#): Standish v Standish [2024] EWCA Civ 567

The Court of Appeal determined cross-appeals, which concerned the determination of (i) whether property is matrimonial and how it might become 'matrimonialised' and (ii) how to apply the sharing principle to matrimonialised property.

Read the entire case summary below:

<https://www.familylawweek.co.uk/judgments/standish-v-standish-2024-ewca-civ-567/>

#FamilyLawWeek #FourBrickCourt

Yaa Dankwa – Family Law Week | 17th Jun 2024

[Yaa Dankwa Ampadu-Sackey](#) has the latest article in Family Law Week on QLRs in Practice: A Case for Improvement.

Click the link below to access the full article.

Re GG (A Girl) & Anor [2024] EWFC 101 (B) | 03rd Jun 2024

[Family Law Week](#) has published a case summary by pupil barrister [Mahnoor Javed](#): Re GG (A Girl) & Anor [2024] EWFC 101 (B).

HHJ Vincent, in a decision of considerable weight, declined to conclude a 'finely balanced' case in which the applicant's mother had only had one brief contact with the children since 2019.

Read the entire case summary below:

<https://www.familylawweek.co.uk/judgments/re-gg-a-girl-anor-2024-ewfc-101-b/>

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[240520 – GG \(A Girl\) & Anor, Re \[2024\] EWFC 101 \(B\)\(FLW\) | 21st May 2024](#)

Jacqui Gilliatt – Family Law Journal | 01st May 2024

[Jacqui Gilliatt](#), our DHoC, has the latest published article in the [Family Law Journal](#) on **Judicial Reasons: An Analysis [2024] Fam Law 428 April 2024**.

Click [here](#) to access the full article.

Family Law

The title of reference and record in the field of family law since 1970

- ♦ The Brief: Financial Remedy Update from 4PB *Charles Hale KC, Rhiannon Lloyd, Olivia Gaunt and Kieran Ball*
- ♦ Obligations and responsibilities – the mosquito in the bedroom *Stephen Wildblood KC and Luke Nelson*
- ♦ On judicial reasons: an analysis *Jacqui Gilliatt*
- ♦ Pension apportionment: resisting the straight-line orthodoxy *Fiona Hay and David Lockett*
- ♦ Fair shares: providing evidence to counter the financial remedy myths *Professor Emma Hitchings, Caroline Bryson and Professor Gillian Douglas*
- ♦ What About Me? It's My Life Too! *Lisa Parkinson*
- ♦ Schedule 1 revisited *Caroline Holley, Farrer & Co*
- ♦ Vaccination, religion and the interference of the State *Niamh Daly*
- ♦ Now is the time to reassess presumption of parental involvement in cases involving domestic abuse *Lea Levine*

AW v RH (Financial Remedy Proceedings) [2024] EWFC 64 (B) | 22nd Apr 2024

[Family Law Week](#) has published a case summary by pupil barrister [Mahnoor Javed](#): AW v RH (Financial Remedy Proceedings) [2024] EWFC 64 (B).

HHJ Willans determined the outcome of financial remedy proceedings, which was predominantly shaped by the parties' needs.

[AW v RH \(Financial Remedy Proceedings\) \[2024\] EWFC 64 \(B\)](#)

A Mother v A Father (Re Schedule 1 of the Children Act 1989) [2024] EWFC 63 | 12th Apr 2024

[Financial Remedies Journal](#) has published a case summary by pupil barrister [Mahnoor Javed](#): A Mother v A Father (Re Schedule 1 of the Children Act 1989) [2024] EWFC 63.

HHJ Vincent. Schedule 1 matters are determined in light of the child's needs and the strict remit of Schedule 1, notwithstanding the significant disparity between the parents' respective economic positions and living standards.

Read the full case summary below:

<https://lnkd.in/e3pZqjUP>

ES v SS (No 2) [2024] EWFC 59 | 11th Apr 2024

Sir Jonathan Cohen gave judgment in relation to trust property, which was agreed to be matrimonial following the conclusion of the proceedings for financial remedies.

Read the full case summaries below:

<https://www.familylawweek.co.uk/judgments/es-v-ss-no-2-2024-ewfc-59/>

Williams v Williams [2023] EWHC 3479 (Fam) | 04th Apr 2024

[Family Law Week](#) has published a case summary by pupil barrister [Mahnoor Javed](#): Williams v Williams [2023] EWHC 3479 (Fam).

Mr Justice Moor considered an application for the committal to prison of a Respondent's husband following breaches of orders in financial remedies proceedings.

Read the entire case summary below:

<https://www.familylawweek.co.uk/judgments/williams-v-williams-2023-ewhc-3479-fam/>

Re YM (Care Proceedings) (Clarification of Reasons) [2024] EWCA Civ 71 | 28th Mar 2024

[Re YM \(Care Proceedings\) \(Clarification of Reasons\) \[2024\] EWCA Civ 71](#)

Re U (Welfare) [2024] EWHC 583 (Fam) | 28th Mar 2024

[Re U \(Welfare\) \[2024\] EWHC 583 \(Fam\)](#)

SP v QR [2024] EWFC 57 (B) | 22nd Mar 2024

[Financial Remedies Journal](#) has published another article by our pupil barrister [Mahnoor Javed](#): 'SP v QR [2024] EWFC 57 (B)'.

[Mahnoor Javed](#) has experience in financial remedies ranging from 'ultra-high net worth' disputes to modest asset cases.

Read the article

here: <https://financialremediesjournal.com/content/sp-v-qr-2024-ewfc-57-b.d1f365fa1abb4032ab089294aabde1cc.htm>

AW v RH (Preliminary Issue: Third Party Rights), Re [2024] EWFC 54 | 18th Mar 2024

[Financial Remedies Journal](#) has published an article by pupil barrister [Mahnoor Javed](#): 'AW v RH (Preliminary Issue: Third Party Rights), Re [2024] EWFC 54'.

[Mahnoor Javed](#) has experience in financial remedies ranging from 'ultra-high net worth' disputes to modest asset cases.

Read the article

here: <https://financialremediesjournal.com/content/aw-v-rh-preliminary-issue-third-party-rights-re-2024-ewfc-54.062751fa253449ab94334e7a8bcc4a0c.htm>

Orders concerning the appointment of an intermediary – where are we following two important cases? | 05th Mar 2024

[Family Law Week](#) has published an article by pupil barrister [Mahnoor Javed](#): 'Orders concerning the appointment of an intermediary – where are we following two important cases?'.

[Mahnoor Javed](#) looks at where we are with orders concerning the appointment of an intermediary.

Read the article here:

<https://www.familylawweek.co.uk/articles/orders-concerning-the-appointment-of-an-intermediary-where-are-we-following-two-important-cases/>

Black women at the Bar: challenges faced and a fairer future | 19th Feb 2024

[Bibi Badejo](#) wrote the cover article for February's Counsel Magazine edition. The article explores the experiences of Black women barristers at the Bar, and she provides practical advice for Black women navigating the legal profession.

Find the full article at: [CounselMagazine.co.uk](https://www.counselmagazine.co.uk)

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February 2024



H v RH (No 2) (Variation of Interim Arrangements) [2023] EWFC 210 | 15th Feb 2024

[Family Law Week](#) has published an article by pupil barrister [Mahnoor Javed](#): 'A legal misstep of little consequence? H v RH (No 2) (Variation of Interim Arrangements) [2023] EWFC 210'.

Read the article here: <https://lnkd.in/e2yYDdsK>

September 2023: In Practice Top tips for managing 'big' family cases – [2023] Fam Law 1122 | 12th Oct 2023

[Top Tips for Managing Big Cases](#)

Subscription Required.

July 2023: In Practice Relaunch of the Public Law Outline Part II – [2023] Fam Law 864 (Wasted Costs) | 14th Jul 2023

[Part II on Wasted Costs](#)

Subscription required

June 2023: In Practice Relaunch of the Public Law Outline Part I [2023] Fam Law 721 | 14th Jun 2023

[Relaunch of the Public Law Outline Part 1](#)

Subscription required

Can We Have An Early Knockout? Ending Care Proceedings Without Judicial Determination | 24th May 2022

Part 1 of two articles about the court's power to require or force a local authority to withdraw care proceedings or otherwise restrict the scope of the findings it is willing to consider is published in the May 2022 edition of the Journal. Part 1 focusses on the situation where the local authority actively invites the court to bring things to an early conclusion.

[Link to article](#)

[Openness in Family Justice: "Where should the balance fall?"](#) | 08th Oct 2009

[Hair Alcohol Tests: How To Make Sure Your Client Does Not Have A Bad Hair Day](#) | 28th Feb 2011

An article looking at hair alcohol testing. Also available in the Solicitors Journal (registration required for full article).

[Testing, Testing: Hair Alcohol Test in the Family Court](#) | 01st Sep 2013

An article for the ALC Newsletter (Summer / Autumn 2011, Issue 48) examining the implications of the decision in Richmond London Borough Council v B, W, B and CB [2010] EWHC 2903. Also available at The Barrister Magazine.

[Draft Letter of Instruction to Experts](#) | 31st Jan 2013

This text takes account of the 2013 Public Law Outline, the Practice Directions relevant to experts in Family Proceedings (PD 25 A-F) & previous Family Justice Council guidance now contained at the end of Practice Direction 25C. At the end of this document is an extract from the case of Re F (Children) (DNA Evidence) [2007] EWHC 3235 on the instructions to DNA experts. The Draft Letter of Instruction to Experts is also available here (click on the picture of the parcel).

Teaching & The Law | 01st Feb 1999

Published by Routledge – Available from [Amazon](#).

The increased accountability of teachers has meant that actions on negligence are a reality. This is a comprehensive guide to all aspects of the law for teachers, covering everything from the employment relationship to lesson content and discipline.

Civil Advocacy: A Practical Guide | 01st Aug 2001

Published by Routledge-Cavendish – Available from [Wildys](#).

A practical guide to practice and procedure in courts and tribunals. It is aimed at the recently qualified practitioner, pupil barristers, trainee solicitors, or lawyers unversed in advocacy and procedure.

Children In Military Custody | 01st Jun 2012

Children in Military Custody assesses the treatment of Palestinian children under Israeli military law, examining each stage in the process: arrest, interrogation, bail hearings and plea bargains, trial, sentencing, detention and complaints.

The report deals with a comparative analysis of Israeli domestic law as it applies to Israeli children and Israeli military law as it applies to Palestinian children. The central questions addressed are: what are the differences between the two systems and is there any justification for these differences.

<http://www.childreninmilitarycustody.org/>

Pre-Nuptial Agreements: Back Where We Were? Kremen v Agrest | 02nd Aug 2012

Article on financial division. [Read the article](#) on the Family Law website.

Children Case Update | 01st Aug 2008

Children Case Update [2008] Fam Law 772. The first in a series of articles bringing together the most useful recent children law cases. Co-authors: Previn Jagutpal & Martha Cover.

Recent Developments in Public Law (Part 2) | 15th Oct 2013

Lecture on developments in care proceedings presented to the members of the London Borough Legal Alliance on 23 October 2013.