

THE CENTRE
FOR FAMILY LAW
AND PRACTICE

Patron: Baroness Hale of Richmond



Conference Programme

INTERNATIONAL CHILD ABDUCTION, RELOCATION AND FORCED MARRIAGE

THREE LINKED TOPICS AND THE GLOBAL PERSPECTIVES

30 June 2010 – 2 July 2010

Location:

London Metropolitan University,
16 Goulston Street,
London, E1 7TP

www.londonmet.ac.uk/flp

CPD points available for both Barristers and Solicitors

The Ministry of Justice and The Foreign and Commonwealth Office have been consulted in the planning of this conference, and support both the aims of the conference and the work being undertaken by The Centre for Family Law and Practice.



reunite is very pleased to see the establishment of The Centre for Family Law and Practice and to be able to work in partnership with The Centre in the furtherance of the best interests of children in situations of international family conflict. **reunite** is also pleased to be able to support and participate in this very important conference.



WEDNESDAY 30TH JUNE

08.30	Registration, Tea & Coffee -The Atrium	
Session Chair: Frances Burton , Co-Director, Centre for Family Law and Practice, London Metropolitan University		
09.00	KEYNOTE ADDRESS Title: tbc	The Rt Hon Baroness Hale of Richmond Patron of the Centre for Family Law and Practice
09.40	Welcome to the Centre for Family law and Practice	The Co-Directors, Dr Marilyn Freeman, and Frances Burton, London Metropolitan University
PLENARY SESSIONS		
09.45	The 2010 International Family Law Lecture. International Child Abduction: Keeping the 1980 Convention on Child Abduction Up to Speed. Is it time for a Protocol?	Professor William Duncan, Deputy Secretary General, The Hague Conference on Private International Law
10.15	International Child Abduction: Child Abduction after Brussels II Revised	Henry Setright, Q.C. and David Williams, 4 Paper Buildings, London
10.45	Tea & Coffee- The Atrium	
11.05	Forced Marriage: The operation of The Forced Marriage (Civil Protection) Act 2007.	Minister of State (tbc)
11.25	Forced Marriage: British Initiatives and International Approaches	Anne-Marie Hutchinson, OBE, Partner, Dawson Cornwell
11.55	Forced Marriage: The risk factors and the effect of raising the minimum age for a sponsor, and of leave to enter the UK as a spouse or fiancé(e).	Professor Marianne Hester, NSPCC Professor of Child Exploitation, School for Policy Studies, Bristol University
12.25	Panel Discussion	
12.55	Lunch – The Atrium	

13.55	BREAK OUT DISCUSSION SESSIONS		
	(1) International Child Abduction	(2) Relocation	(3) Forced Marriage
Title	Further thoughts on the need for a protocol	How should we determine a child's best interests in a case where one parent wants to live in a different place from the other parent?	Forced Marriage and Immigration
Chair	Professor William Duncan, The Hague Conference on Private International Law	Professor Mark Henaghan, Dean, Law Faculty, Otago University, Dunedin, New Zealand	Professor Judith Masson, Professor of Socio-legal Studies, University of Bristol, Academic member of the Family Justice Council
Rapporteur	The Hon. Justice John Faulks, Deputy Chief Justice, Australia	Judge Mary O'Dwyer, Family Court, New Zealand	TBC
14.55	Tea & Coffee – The Atrium		

PARALLEL SESSIONS			
	(A) Child Abduction		(B) Relocation
Session Chair	Duncan Ranton, Kingsley Napley	Session Chair	Dr Nicola Taylor, Centre for research on Children and Families, University of Otago, Auckland Centre, New Zealand
15.15	State responsibility and the child's right to protection from abduction Dr. Ruth Farrugia, Advocate and Senior Lecturer, University of Malta and Legal Consultant to the commissioner for Children, Malta	15.15	Children's perspectives and outcomes in the aftermath of relocation disputes Dr Judy Cashmore, Associate Professor of Law, University of Sydney
15.45	Ordering or opposing the child's return in abduction cases: A comparative analysis Professor Peter De Cruz, Liverpool John Moore's University	15.45	Language and Culture in South African relocation decisions: Do they make a difference? Julia Sloth Nielson, Dean of Law Faculty, University of Western Cape, South Africa The Honourable Mrs Justice Belinda Van Heerden, Judge of Appeal, Supreme Court of Appeal, South Africa
16.15	Parental Expectations- Welfare and Policy. Achieving the balance in practice. Julia Thackray, Penningtons	16.15	Relocation to Islamic States Edward Devereux, Harcourt Chambers

PLENARY SESSION

Session Chair: **The Honourable Mrs Justice Belinda Van Heerden**, Judge of Appeal, Supreme Court of Appeal, South Africa

16.45	The Hague Children's Conventions: Co-operative efforts in private international law on behalf of children	Professor Linda Silberman, Martin Lipton Professor of Law, New York University
17.15	The Continuing Search for Common Principles	Lord Justice Thorpe, Head of International Family Justice, High Court, London
17.45	End of day	

Evening Social Event: Reception, 29 Bedford Row

THURSDAY 1ST JULY

09.00	Registration, Tea & Coffee -The Atrium	
09.15	Welcome to the second day at London Metropolitan University and the Centre for Family law and Practice	Dr. Marilyn Freeman, Co-Director, The Centre for Family Law and Practice, London Metropolitan University
PLENARY SESSION: INTERNATIONAL CHILD ABDUCTION		
Session Chair: Anne-Marie Hutchinson, OBE , Dawson Cornwell, London		
09.20	International Disorder and the Child Abduction Convention	Professor Frank Bates, The University of Newcastle, New South Wales, Australia
09.50	Reflections on the Communitarisation of Child Abduction Law	Professor Peter McEleavy, University of Dundee
10.20	The Influence of the UN Convention on the Rights of the Child on the implementation of the 1980 Hague Child Abduction Convention	Dr. Rhona Schuz, Co-director, Centre for the Rights of the Child and Family, Sha'arei Mishpat College, Israel
10.50	Tea & Coffee – The Atrium	
PLENARY SESSION: RELOCATION		
Session Chair: Henry Setright, Q.C. 4 Paper Buildings, London		
11.10	Relocation: The International Context Themes from the reunite relocation research	Dr Nicola Taylor, University of Otago, Dr. Marilyn Freeman, London Metropolitan University Dr Marilyn Freeman, Head of the reunite Research Unit
11.40	The New Zealand relocation research	Professor Mark Henaghan, Dean Law Faculty, Otago University, Dunedin, New Zealand and Dr. Nicola Taylor, University of Otago Auckland Centre, Megan Gollop, Otago University, Dunedin, New Zealand.
12.10	What happens when the relocation dispute is over? Findings from a prospective longitudinal study	Professor Patrick Parkinson, University of Sydney
12.40	Have Judges been missing the point and allowing relocation too readily?	Justice Peter Boshier, Principal Family Court Judge, New Zealand
13.10	Lunch – The Atrium	

14.10	BREAK OUT DISCUSSION SESSIONS		
	(1) International Child Abduction	(2) Relocation	(3) Forced Marriage
Title	The Children's Rights Perspective	Beyond polarisation: finding the middle ground in policy about relocation	The Issue of Consent. Introduced by the Forced Marriage Unit (Foreign and Commonwealth Office/Home Office)
Chair	Professor Jane Fortin, Sussex University	Professor Patrick Parkinson, University of Sydney	David Hodson, Solicitor & Mediator, The International Family Law Group, London. DDJ at PRFD
Rapporteur	The Hon. Justice John Faulks, Deputy Chief Justice, Australia	Judge Mary O'Dwyer, Family Court, New Zealand	TBC
15.10	Tea & Coffee – The Atrium		

PARALLEL SESSIONS			
	(A) International Child Abduction	(B) Relocation	(C) Forced Marriage
Session Chair	Timothy Scott QC, 29 Bedford Row	Mr Justice Ben Stephens, High Court of Northern Ireland	Denise Carter OBE, Director reunite
15.30	Linking Child Abduction and the Free movement of Persons in European Law. Ruth Lamont, Centre for Law in its International Context, Sheffield University.	Motherhood, Autonomy, and Post-Separation Parenting Law. Professor Susan B Boyd, Chair in Feminist Legal Studies, University of British Columbia, Canada	The Importance of Tafriq Ian Edge, Co-Director Centre of Islamic Middle Eastern Law, SOAS
16.00	Developments in New Zealand Practice in cases of International Child Abduction. Emma Parsons and Alex Ashmore, Legal Practitioners, New Zealand	Balancing Interests of Parents and Children in International Relocation Cases. Professor Linda D. Elrod, Richard S. Righter Distinguished Professor of Law and Director, Children and Family Law Center, Washburn University School of Law, Kansas, USA	Nullity and how it works Russell Bywater, Solicitor, Dawson Cornwell
16.30	The US Perspective on the 1980 Hague Child Abduction Convention. Stephen J. Cullen, Kelly Powers, Attorneys, Miles & Stockbridge, United States.	Relocation following earlier abductions Carolynn Usher, Partner, International Family Law Group, London	Why nullity is so important Victim of Forced Marriage, tbc
17.00	What to Expect in an Australian Abduction Case: A look at the differences between English and Australian law, practice and procedure in international child abduction cases. Michael Nicholls QC, 1 Hare Court, Former Head of the Lord Chancellor's Child Abduction Unit	The Interventionist approach of the Australian courts in relocation cases Associate Professor Lisa Young, Murdoch University, Australia.	Life after forced marriage Shahien Taj, Chief Executive, Henna Foundation
17.30	End of day		

Evening Reception - The Terrace Pavilion, The House of Commons

FRIDAY 2ND JULY

09.00	Registration, Tea & Coffee - The Atrium			
09.15	Welcome to the third day at London Metropolitan University and The Centre for Family Law and Practice		Frances Burton, Research Fellow, London Metropolitan University	
PLENARY SESSION: INTERNATIONAL CHILD ABDUCTION				
Session Chair: Marcus Scott Manderson, QC , 4 Paper Buildings, London				
09.20	Conceptualising Family Abduction from the Child's Perspective: Lessons from Take Root		Liss Haviv, Executive Director, Take Root, US organisation providing peer support for former abducted children and education for professionals and public on matters relating to child abduction and its effects.	
09.50	Gendered Perspectives on Interstate and Intrastate Moves		Dr. Ayelet Blecher-Prigat, Shaarei Mishpat Law College, Israel	
10.20	Non-Convention States and International Child Abduction		Dr Adel Omar Sherif, Deputy Chief Justice, Egypt	
10.50	Mediation in cases of International Child Abduction		Denise Carter, OBE, Director, reunite , International Child Abduction Centre.	
11.20	Tea & Coffee – The Atrium			
PARALLEL SESSIONS				
	(A) International Child Abduction	(B) Non-Convention International Child Abduction	(C) Relocation	(D) Forced Marriage
Chair	Pamela Scriven QC 1 King's Bench Walk	Dr. Adel Omar Sherif Deputy Chief Justice, Supreme Constitutional Court, Egypt	Stephen Cobb QC 1 Garden Court.	Rachel Langdale QC 7 Bedford Row
11.40	The Hague Convention and the 'Most Expeditious Means' Test Roshnee Mansingh, Advocate, Johannesburg	International Child Abduction and Non-Convention States, the practical difficulties Lisa Jennians, Head of the Child Abduction Section, Foreign and Commonwealth Office	The Swedish Relocation Position Professor Johanna Schiratzki, Stockholm University	Topic tbc Rani Atma, Chair and Founder, Asian Family Counselling Service

	(A) International Child Abduction	(B) Non-Convention International Child Abduction	(C) Relocation	(D) Forced Marriage
12.10	Stranded Spouses and abduction "Stranded Spouses-a shell of existence" Teertha Gupta, 4 Paper Buildings, London	Indian Civil Aspects of International Child Abduction Bill 2007 and the Indian perspective on International child Abduction Anil Malhotra, Lawyer, Malhotra and Malhotra Associates India	The New South African Children Act and hearing the child's voice Zenobia du Toit, Attorney, Miller du Toit Cloete, South Africa	Forced Marriage - The Indian Perspective Ranjit Malhotra, Lawyer, Malhotra and Malhotra Associates. India.
12.40	Mediating International Parental Kidnapping Cases in the United States: Ethical and Practical Considerations for Mediators on the Front Lines Asst Professor Jennifer Zawid, University of Miami School of Law, USA, & Caroline Langley, Barrister & Attorney at Law, Family Law International, USA.	A Paradise for kidnapping parents, public discourses on Parental Abduction in the Netherlands (1969-2009) Associate Professor Betty de Hart, Radboud University, Nijmegen	Relocation and International Children: A Better Direction for Children Ann Thomas, Solicitor, International Family Law Group, London	The Role of cultural and religious difference in understandings of marriage and sexuality as a factor in forced marriage The Reverend Catherine Shelly
13.10	The Wishes and Best Interest of the Child in Mediation Associate Professor Eva Ryrstedt, Faculty of Law, University of Lund, Sweden	Parental Conduct of Transnational Parental Child Abduction and Disputed Child Custody Disputes: Dutch/ Moroccan and Dutch/ Egyptian Strategies Dr Jessica Carlisle, PHD student, Radboud University, Nijmegen	International Relocation from Canada Professor Rollie Thompson, Dalhousie University, Halifax, Canada	Forced Marriage (Civil Protection) Act 2007: Impact on public and voluntary sector service providers Dr Nazia Khanum, OBE, Equality in Diversity, an independent consultancy in management, research and training
13.40	Lunch – The Atrium			
14.40	The Rt Hon Baroness Hale of Richmond Patron of the Centre for Family Law and Practice			

15.10	BREAK OUT DISCUSSION SESSIONS		
	(1) International Child Abduction	(2) Relocation	(3) Forced Marriage
Title	The Human Rights Perspective	The child focussed issues and evidence that Judges need to decide relocation cases properly	Some Marriages are not Made in Heaven
Chair	Professor Philip Leach The Human Rights and Social Justice Institute, London Metropolitan University	His Honour Judge Peter Boshier Principal Family Court Judge, New Zealand	Mr Justice Singer, The High Court of Justice, England
Rapporteur	The Hon. Justice John Faulks, Deputy Chief Justice, Australia	Judge Mary O'Dwyer, Family Court, New Zealand	TBC
16.10	Tea & Coffee – The Atrium		

PLENARY SESSION: **RELOCATION**

Session Chair: **Stephen Gilmore**, King's College, London

16.30	Court Decisions about Relocation in Australia: An Empirical Study Focussing on Parents' Experiences	Dr. Juliet Behrens, Dr. Rae Kaspiew, Bruce Smyth, The Australian National University College of Law
17.00	Relocation after parental separation in England and The Netherlands. The duty "to parent by doing" versus a parent's right to relocate	Prof. Dr Wendy Schrama and Dr. Machteld Vonk, Molengraaff Institute for Private Law, University of Utrecht, The Netherlands, and University of Antwerp, Belgium
17.30	Children's Welfare in Relocation Disputes: Differing Interpretations in England and New Zealand	Robert George, Lecturer in Law, Jesus College, Oxford
18.00	CLOSE OF CONFERENCE	Dr. Marilyn Freeman and Frances Burton, Co-Directors, Centre for Family Law and Practice, London Metropolitan University

Evening Social Event: Conference Dinner, Lincoln's Inn

Booking Conditions

Although every effort will be made to maintain the current programme, the organisers reserve the right to alter the programme as and when necessary or cancel the conference totally in which case we will refund the full conference fee, but will not cover any other expenses incurred

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