

# 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**

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