

Four 4PB members in Court of Appeal case looking at the return of a child under the tensions of refugee status.

16th September 2020

In a case looking at the interplay between obligations of the state, under the 1980 Hague Convention and under immigration law the Convention and Protocol relating to the Status of Refugees.

This case notably looks at the apparent tension between the objective of the 1980 Hague

Convention to return a wrongfully removed or retained child to his home jurisdiction and the principle of the Convention and Protocol relating to the Status of Refugees, that refugees should not be refouled. This case also raised issues as to the rights of children in the context of such situations.

[Henry Setright QC](#) and [Michael Gratton](#), instructed by A&N Care Solicitors, acted for the Respondent Mother.

[Sam King QC](#) and [Charlotte Baker](#), instructed by Goodman Ray Solicitors, acted for the Fourth Intervener

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