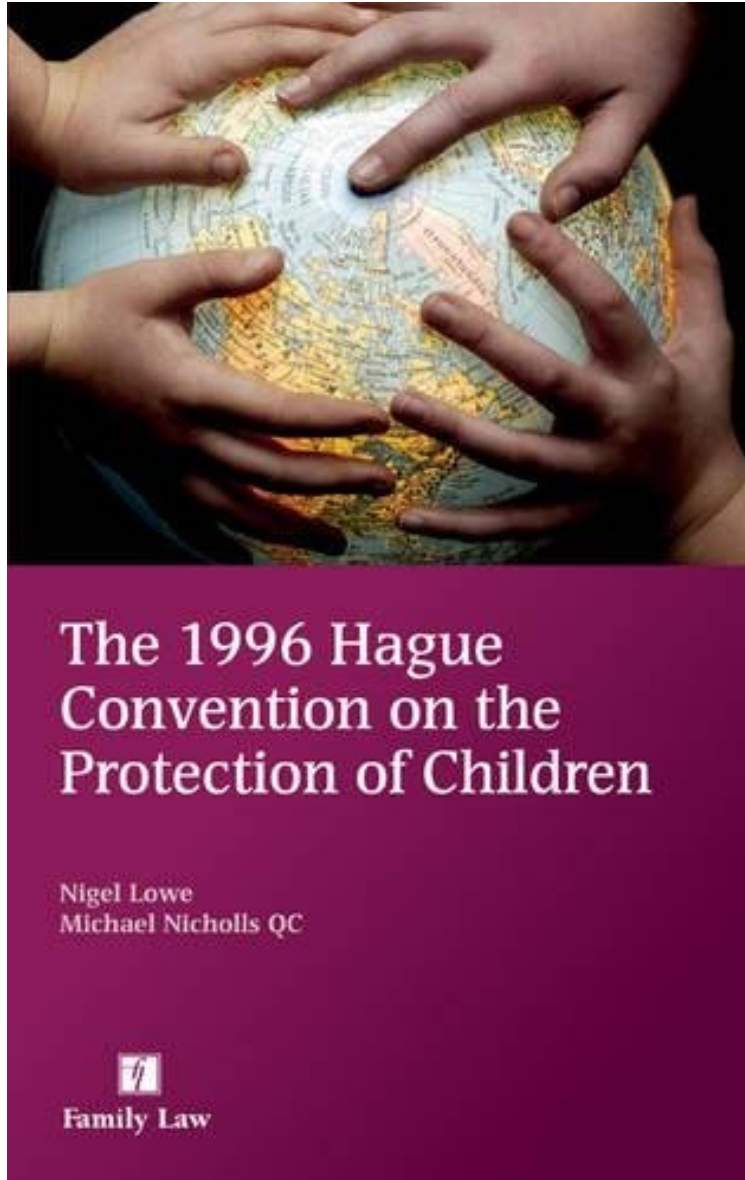


[Free] The 1996 Hague Convention on the Protection of Children

## The 1996 Hague Convention on the Protection of Children

*Nigel Lowe, Michael Nicholls QC*  
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**Nigel Lowe, Michael Nicholls QC : The 1996 Hague Convention on the Protection of Children** before purchasing it in order to gage whether or not it would be worth my time, and all praised The 1996 Hague Convention on the Protection of Children:

1 of 1 people found the following review helpful. For the Family Law practitioner....By Phillip Taylor MBE[[VIDEOID:mo1RVMV0NTGGCWQ]]DEALING WITH CHILDREN IN INTERNATIONAL

SITUATIONS An appreciation by Phillip Taylor MBE and Elizabeth Taylor of Richmond Green Chambers Recently published by Jordans as part of their Family Law series, this is a comprehensive guide to the 1996 Hague Convention which came into force in the UK as at 1 November 2012. It has now been ratified by almost all EU states, the UK included. Designed to improve the legal position of children (up to age 18) involved in cross border disputes, the 1996 Hague Convention is the last of three conventions which include respectively, the 1980 Hague Abduction Convention and the 1993 Hague Convention on Intercountry Adoption. Writing in the Foreword, Diana Bryant, Chief Justice Family Court of Australia mentions that Australia was one of the earlier countries to ratify. The authors have therefore set out the legislation in Appendix 3 and there are references to Australian cases which -- quite importantly for the practitioner -- provide some early jurisprudence. The full implications of the 1996 Convention are yet to be seen. But broadly, families will feel more secure knowing that their legal rights with respect to their children can now be enforced and also, as the authors point out, 'courts and administrators will be faced...with orders made by foreign courts which they must take into account and which define the structure of the family.' An extremely positive result of the 1996 Convention is that it has also been ratified by Australia, Croatia, Morocco, Russian Federation, Switzerland, Ukraine, Uruguay and the US, with Canada and New Zealand seriously considering it. It has therefore developed, say the authors, as 'an important international instrument dealing with issues of increasing global relevance.' Beginning with a history and overview of the Convention, the book deals with such matters, for example, as jurisdictional rules, applicable law, recognition and enforcement. Chapter 7, dealing with a difficult issue, focuses on the impact of the 1996 Convention on International Child Abduction. For the hard pressed family law practitioner dealing with children in international situations, the book is timely -- and fortunately, clearly written and easy to use. Each chapter is prefaced with its own individual table of contents and there's a detailed table of contents at the front. There are extensive tables of cases, statutes, statutory instruments and three appendices containing the full text of the Convention as well as all relevant source material. As a work of reference, this book truly excels. Every family lawyer dealing with children in an international context should acquire a copy. The law is stated as at 1 October 2012.

The 1996 Hague Convention came into force in the UK on November 1, 2012 and is intended to improve the protection of children in international situations. It provides for the recognition and enforcement of orders and other measures intended to protect a child or a child's property in all the Contracting States and the co-operation between them necessary to achieve its purposes. The 1996 Hague Convention covers a wide range of orders about children, including parental responsibility orders, the appointment of guardians and special guardians, residence, contact, specific issue and prohibited steps orders, and injunctions, as well as care and supervision orders. This book provides a comprehensive guide to the complexities of the 1996 Hague Convention, including detailed coverage of the relationship with other international instruments, such as the 1980 Hague Abduction Convention and the revised Brussels II Regulation. The Appendices contain all relevant source material including the full text of the Convention.