

International Children



**FAMILY
LAW**

**Advice for international
families with children.**



Many families these days have connections with another country.

What happens in respect of the arrangements for the children at a time of relationship breakdown or subsequently?

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ACHIEVING THE BEST OUTCOME FOR YOU

Children should not be moved from one country to another without the consent of both parents. For example, at a time of parental separation and where one parent has connections with a country abroad, perhaps having moved initially to be with the other parent in a relationship, the child should not be taken from the country where they are living unless both parents agree.

Taking a child abroad without the consent of the other parent or keeping a child abroad after an agreed holiday period is classed as child abduction. Both are serious criminal offences and are likely to result in severe repercussions.

Many countries are signatories to the Hague Convention which requires countries to swiftly return an abducted child, abducted by a family member, to the country where the child last lived. The court will not make any orders regarding the best interests of the child nor with whom a child will live as the best interests of the child are met by ordering its immediate return. There are few defences and most will fail.

You should contact us immediately if you find yourself in the following situations:

- If you believe your child has been abducted
- If you believe your child is at risk of being abducted
- If you have taken your child without the permission of the other parent



SPECIALIST ADVICE TO SUIT YOUR SITUATION

As children law experts experienced in working with families across the globe, we can assist with a wide range of children law issues, including:

- Residence and contact arrangements for children (also referred to as child arrangements, or historically custody)
- Based on your particular circumstances, the appropriate country in which to bring proceedings
- International relocation if you or your partner wish to move abroad with a child (also known as leave to remove)
- Child abduction if you or your partner has taken children overseas without permission
- International adoption
- Assisted conception
- Prohibited Steps Orders
- Specific Issue Orders



**See also our separate guide:
International Family Law: Divorce
and Finance**

PERMISSION TO TAKE A CHILD ABROAD

When a relationship breaks down, one parent may want to move abroad and take the child with them. The parent may have been given a job offer abroad, may want to return to their home country, move for life choice reasons or for a new relationship.

Permission from the other parent will always be needed and it is advisable for this to be in writing. If you think they are refusing unreasonably, you can apply to the court for permission to take your child abroad to live with you permanently in another country.

These sorts of parenting matters must be considered very carefully. Advice should always be taken before making any proposals to the other parent as what is discussed may affect the outcome of the case.

INTERNATIONAL ADOPTION

Some parents seek to adopt a child abroad. There are international laws enabling this to happen and for the adoption to be recognised. Invariably it is undertaken through local and international social services. It can take many months. We can explain the process and recommend adoption agencies here and abroad.

INTERNATIONAL SURROGACY

International surrogacy is increasing but there are currently no international laws. There can be many potential problems not only with the surrogacy arrangement itself but also with the status of the child then they are brought back to this country. Specialist advice is essential and should be taken before starting any surrogacy arrangement.

RECOGNITION AND ENFORCEMENT OF CHILDREN ORDERS

Orders regarding children often need to be recognised and enforced abroad. These are governed by several international treaties and specialist advice should be taken regarding when this would apply.

OUR EXPERIENCE

Chambers and The Legal 500 are the two leading independent legal guides. They both rank our Family Law team as the best in the region. We'll apply our experience and insight to help you agree on what's best for you, and then make sure you achieve it.

"Stephens Scown has a clear understanding of the key issues in relation to the matter... All communication from Stephens Scown was efficient and prompt."

Chambers and Partners (2025)

"The individuals really care about the work that they undertake and results from their clients. They put real time and effort into achieving the best outcome possible, while giving realistic advice when prospects are difficult. One gets the sense that they are really invested in the outcome of proceedings for clients and this shows up the quality of work done."

Legal 500 (2025)

"They are exceptional. Stephens Scown has talent at all levels. The partners, trainees and newly qualified lawyers are all impressive. They provide a Rolls-Royce service."

Chambers and Partners (2024)



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AND PARTNERS

MEET THE TEAM



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CONTACT US

We have offices across the South West, in Exeter, Truro, and Taunton, as well as a serviced office in London, all offering facilities for face-to-face and virtual meetings when needed.

Get in touch with our experienced solicitors today.

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