

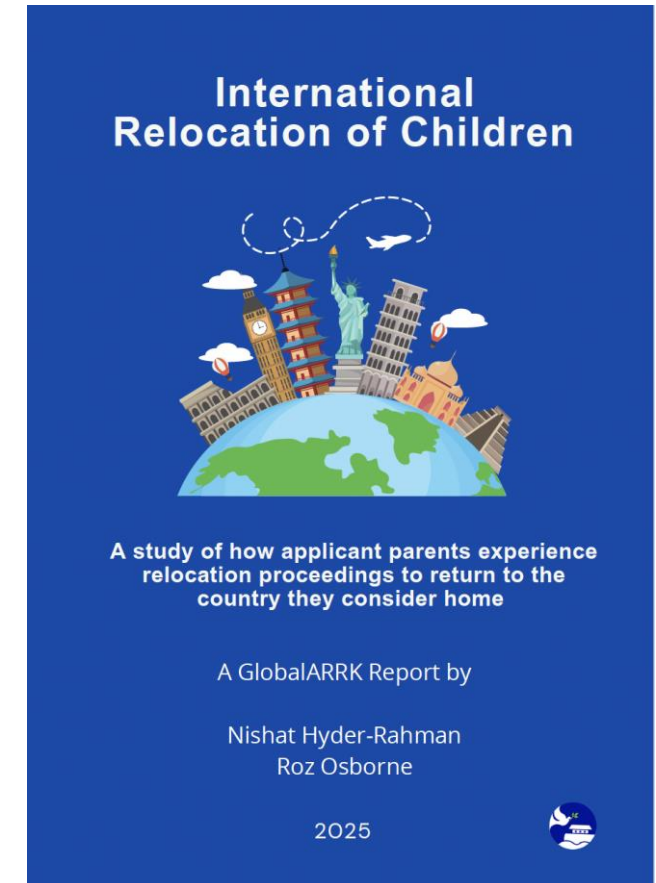
# International Relocation of Children

**A study of how applicant parents experience relocation proceedings to return to the country they consider home**

**A GlobalARRK Report**

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# The Study

AIM: to seek a better, more holistic understanding of how applicant parents, wherever they are in the world, experience the relocation process.

METHODOLOGY: online survey  
open & multiple-choice questions  
target population – stuck parents, worldwide  
May/June 2024 & Dec 2024/Jan 2025  
anonymous, voluntary

# The Survey Questions

- Whether or not they had applied for relocation
- Reasons behind their decision
- Practical matters:
  - length of time
  - cost
  - evidence required
  - experiences of the legal process, main challenges
  - outcome
- Domestic abuse
- Feelings after the relocation proceedings
- Improving relocation procedure

IMPACT

# The Survey Results: an overview

- 168 responses; 3 duplicates = 165 responses
- 160 mothers; 5 fathers
- 153 'stuck'; 8 'maybe stuck'; 4 'not stuck'
- 32 jurisdictions
- 64 respondents had applied for relocation
- 30 working towards an application
- 40 completed relocation applications
  - 16 successful; 23 unsuccessful; 1 out-of-court agreement

# Length of proceedings

*Table 3. Length of time – ongoing proceedings*

<b>Length of time</b>	<b>Number of respondents</b>
0-6 months	14
6-12 months	5
1-1.5 years	3
1.5 – 2 years	5
2 - 3 years	5
3+ years	8

*Table 6. Length of time – completed proceedings*

<b>Length of time</b>	<b>Number of Respondents</b>
0-6 months	4
6-12 months	8
1-1.5 years	7
1.5-2 years	8
2-3 years	8
3-4 years	3
4+ years	2

# Impact of lengthy proceedings

- Mental health: *mentally its extremely hard [R23]*
- Financial (context)

*Also financial struggle, isolation, sadness. Started under a year ago but it has taken me a couple of years to be able to save for the process. [R50]*

*...the financial strain is immense as prior to relocation I had family matters proceedings and then financial matters which has cost us not only our sanity but any money I had left, therefore the children are missing out on things as I cannot afford much. [R36]*

- Isolation

*It's exhausting and lonely to go through so far from any and all family. [R98]*

- Child development, experience of childhood, sense of identity & home
- Uncertainty (immigration status, psychologically)

*The not knowing is causing anxiety for everyone, the lengthy times between court dates means you can't start the healing process fully and it's a band aid that is being kept ripped open [R38]*

# Cost: source of funding

+ Table 4. Funding source – ongoing proceedings

Funding source	Number of respondents
I am paying out of my own funds	29
Legal Aid is paying/will pay	7
Women’s Legal Services	1
Self-representing	2
Parents/family	4
Own funds + parents	1
Fundraiser + family	1

Table 7. Funding source – completed proceedings

Funding Source	Number of Respondents
I am paying out of my own funds	22
Legal Aid is paying	11
Legal Aid and own funds	2
Legal Aid and family	1
Parents/family	2
Own funds + family	1
Fundraiser + family	1

# Impact of cost

- Length of proceedings & costs

*Ruined me, psychologically, emotionally, financially. [R90]*

- Paying the costs: draining savings, selling home(s), debt, borrowing

- Effect of financial outlay on children/their future

*I had less to spend on caring for them [the children]. [R18]*

- Poverty, stress, physical health, mental health

*My husband gives us no money. I am going to the foodbank charity. We will soon become homeless. [R77]*



# Domestic Abuse

‘Have/had you or your child suffered any kind of family violence since moving abroad?’

- 93.2% of those who responded to the question said ‘yes’  
(82 – yes; 2 – maybe; 4 – no)

*Table 10. Types of Abuse Experienced*

	<b>Type of Abuse Experienced</b>	<b>Number of respondents</b>
1	Physical	38
2	Emotional	85
3	Financial	69
4	Sexual	35
5	Coercive control	76
6	Psychological	78
7	Verbal	65
8	Preventing breastfeeding	1
9	Creating an unsafe environment	1
10	Abuse via institutions and authorities	2
11	Abuse via child	1

# Impact of DA on relocation applications

- Advised not to disclose DA

*I'm currently preparing for my relocation case, but current advice from my lawyer is not to mention the abuse as part of the relocation case. [R53]*

*My lawyer advised to not paint a bad picture of my ex as to show that we could get along still which would be needed to communicate if relocation was allowed. [R8]*

- Did not disclose

*No, I did not disclose this for fear of more trouble. [R18]*

*I did not mention abuse because they do not believe women if we mention abuse. [R72]*

- Disclosed, for the majority of respondents:

*Had zero weight. [R15]; It fell on deaf ears in court. [R44]*

*Not taken seriously by court at all because I had no bruises. [R68]*

# Main challenges of relocation

- Length & Cost
- Bias & discrimination (gender/gendered roles, nationality, race/ethnicity)

*The racism and biased from the court against me as expat woman. [ R78]*

*Bias. As a woman, an older mom, and an immigrant from a country with unfavorable stereotypes about it, I was assumed to be lying. [R125]*

- Lack of expertise in relocation
- Ongoing DA
- Gathering and presenting evidence
- Mental health, isolation, uncertainty
- Practical challenges (daily life + legal proceedings)

# Recommendations for Procedure

1. **Reduce the length** of relocation proceedings to less than 1 year.
2. Introduce an **expedited procedure** for those applicants who need to leave urgently.
3. **Increase access to Legal Aid** for those applicants whose cases have merit but who lack means.

# Recommendations for Policy & Practice

4. **Weight and prioritise factors used to assess relocation:** i) protecting the child from harm; ii) applicant's ability to live in 'stuck country'; iii) applicant's ability to function as a parent in 'stuck country.'
5. In **DA cases**, the requirement to 'support and facilitate' a relationship with the non-relocating parent must: i) demonstrably be in the child's BI; ii) be implemented in a trauma-informed manner; iii) not prejudice relocation applications.
6. Develop law and policy based on **trauma-informed principles** and **consultation with lived experience**.
7. **Build expertise in international relocation** across the legal profession and commit to overcoming unconscious bias.
8. **Build expertise in DA and trauma** across the legal profession.
9. Aim for **greater global consistency**.

# Thank you for your attention.

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