

Global Research on Relocation

Nicola Taylor
University of Otago, New Zealand

Marilyn Freeman
University of Westminster, England

*15 Years of the HCCH Washington Declaration: Progress
and Perspectives on International Family Relocation*

Washington DC, 2-4 April 2025



University
of Otago
OTĀKOU WHAKAIHU WAKA
NEW ZEALAND

UNIVERSITY OF
WESTMINSTER

Introduction

2010

International Judicial Conference on Cross-Border Family Relocation

N. Taylor and M. Freeman, “International research evidence on relocation: Past, present and future”, *Family Law Quarterly*, 44(3), 2010, 317-339.

Washington Declaration on International Family Relocation

2025

Updated review of the **global research evidence**

Links between **relocation & international child abduction**

Abduction cases “are, in effect, *ex post facto* relocation disputes” (Schuz, 2024, p. 130)

Children’s **right to identity** in relocation & abduction contexts

The International Research Evidence on Relocation in 2010

3 different types of studies reviewed:

Cohort/survey-based studies

Qualitative studies: family members' perspectives on relocation disputes: Australia, England, NZ

Case law adjudication trends → 'success rates' for relocation applications

Mixed / Equivocal Findings

Relocation led to → Beneficial effects / Detrimental or harmful outcomes

... whether a relocation will actually be harmful or not for an individual child depends on the combination of risk and protective factors that may be present (Austin, 2008.p. 140)

Child's relationship with relocating parent OR meaningful relationships with both parents

Fact-driven disputes → Contextual assessment → Need for reality testing

The International Research Evidence on Relocation in 2025



Much less research activity 2010-2025

- Further publications from Australia/NZ qualitative datasets
- Children's perspectives

New qualitative research on parents' perspectives:

- *George, Gallwey & Bader (2016)*: 34 parents involved in relocation disputes in English courts
- *GlobalARRK (Keen, Momah & Osborne, 2024)*: mental health effects on 75 participants of being a 'stuck parent'

HCCH Forum 2024 on DV & Operation of Article 13(1)(b), South Africa → **2025 Forum** should include a facilitated discussion on relocation 4

Links Between Relocation & International Child Abduction

Many Common Features

- Parental relationship breakdown, familial tensions, possibly including conflict and/or violence
- Physical change of locality, perhaps country and/or continent, perhaps language
- Formal proceedings involving Lawyers, Mediators, Judges

→ Leading to a Range of Challenges

- Relationships with non-moving family
- Adjustment to absence of familiar people and important features in their lives
- Possible cultural bereavement
- Threats to identity
- Lack of support following the move to help with the challenges faced

Links Continued

Significant Differences Between Relocation and International Child Abduction:

- Secrecy
- Ability to trust
- No opportunity to say farewells, to prepare in advance, to access continuing support of left-behind family
- Occasional, but not rare, change of identity for abducted child → living 'under the radar'
- Threat to identity and selfhood in post-abduction return often completely unrecognised
- Perhaps creating greater likelihood of identity development disruption, maladjustment or psychopathology

→ However, the challenges for a child of moving do not disappear simply because the move has been agreed by parents or approved by a court

Child's Right to Identity

EDITED BY
MARILYN FREEMAN
NICOLA TAYLOR

**CHILDREN'S RIGHT TO
IDENTITY, SELFHOOD
AND INTERNATIONAL
FAMILY LAW**

- **Article 8 UNCRC:** “The right of the child to preserve his or her identity, including nationality, name and family relations as recognised by law without unlawful interference”
- Article 8 is not limited to the named identity elements, but is largely interpreted that way
- **‘Family relations’** imperilled by a child’s move away, but scant attention to date in relocation and abduction fields where a child's identity may be profoundly affected with potential for life-changing impact

[See Taylor & Freeman, Ch 8, Relocation and international child abduction: The impact on children’s identity \(May 2025\)](#)

CONCLUSIONS

- **Research on child outcomes** to include different jurisdictional approaches now guiding best interests' determinations in relocation cases globally
- Greater consideration to **possible link between relocation jurisdiction & abduction cases**
- **Impact on child's identity** as an integral element in legal decision-making processes including those relating to relocation and international child abduction