## Project Settings

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| --- | --- |
| **Last modified at:** | Fri, 03 Mar 2017 13:25:55 GMT |
| **Last updated by:** |  |
| **Title:** | Leave to Remove eLearning |
| **Display Title:** | Leave to Remove eLearning |
| **Body:** | <p style="text-align:center">Welcome to the&nbsp;Leave to Remove&nbsp;module. &nbsp;Please scroll down and click on the first box to begin.</p> |
| **Shared with others:** | no |
| Extensions |
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| **\_pageFooterNavigation** |

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| --- | --- |
| **\_hideUpButton** | false |
| **\_hideHomeButton** | false |
| **\_displayOptions** | always |
| **upButtonText** | Up |
| **homeButtonText** | Home |
| **prevButtonText** | Previous |
| **nextButtonText** | Next |
| **\_isEnabled** | true |

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| **\_glossary** |

|  |  |
| --- | --- |
| **\_glossaryItems** |  |
| **itemNotFoundMessage** | No results found |
| **searchWithInDescriptionLabel** |  |
| **searchPlaceholder** |  |
| **description** |  |
| **title** |  |
| **\_isEnabled** | false |

 |
| **\_resources** |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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| **\_resourcesItems** |

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| **\_link** | http://intranet4cafcass/departments/legalservices/Pages/default.aspx |
| **description** |  |
| **title** | Legal Services intranet page |
| **\_type** | link |

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| **\_link** | http://intranet4cafcass/departments/legalservices/Pages/Help-and-Information-on-Different-Legal-Topics.aspx |
| **description** |  |
| **title** | Legal Page - Help and Information on different topics |
| **\_type** | link |

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| --- | --- |
| **\_link** | course/assets/d24a90044d49aae96c65cd5df2ea9d273fe7c198.pdf |
| **description** | Legal Alert |
| **title** | The Court of Appeal revisits leave to remove applications |
| **\_type** | document |

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| --- | --- |
| **\_link** | course/assets/4e09906aaaab0d2e0f70dd558e089374a330686b.pdf |
| **description** | Legal Alert |
| **title** | Leave to remove - Security for compliance with orders for contact |
| **\_type** | document |

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| **\_link** | http://intranet4cafcass/departments/Documents/Forms/AllItems.aspx?RootFolder=%2Fdepartments%2FDocuments%2FPolicy%2FPublic%20law  |
| **description** |  |
| **title** | Enquiries Abroad – updated travel abroad procedure |
| **\_type** | link |

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| --- | --- |
| **\_link** | http://intranet4cafcass/operatingframework/privatelaw/Pages/default.aspx  |
| **description** | Link to the international police check request |
| **title** | International police checks |
| **\_type** | link |

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| **\_filterAria** |

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| --- | --- |
| **linkAria** | View resource links |
| **mediaAria** | View media resources |
| **documentAria** | View document resources |
| **allAria** | View all resources |

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| **\_filterButtons** |

|  |  |
| --- | --- |
| **link** | Links |
| **media** | Media |
| **document** | Documents |
| **all** | All |

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| **description** | Click here to view resources for this course |
| **title** | Resources |
| **\_isEnabled** | true |

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| **\_pageLevelProgress** |

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| **\_showPageCompletion** | true |
| **\_isEnabled** | true |

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## Page - 1

|  |  |
| --- | --- |
| **Title** | Introduction |
| **Display Title** | Introduction |
| **Body** |  |
| **Duration** |  |
| **Graphic** |

|  |  |
| --- | --- |
| **Source** |  |
| **Alt** |  |

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### Article - 1

|  |  |
| --- | --- |
| **Title** | Welcome to the Leave to Remove Module |
| **Display Title** | Welcome to the Leave to Remove Module |
| **Body** |  |

### Block - 1

|  |  |
| --- | --- |
| **Title** | Block title |
| **Display Title** |  |
| **Body** |  |

### Component - 1

|  |  |
| --- | --- |
| **Title** | Welcome to the Leave to Remove eLearning module |
| **Display Title** |  |
| **Body** | This eLearning has been designed to give staff all the updated information regarding Leave to Remove cases.To progress through this eLearningkeep scrolling your screen downand complete all of the activities which appear.When you reach the end you'll see a message telling you how to ensure you have completed everything.**If you have any queries on any of the information contained in this eLearning please contact legalcafcass@cafcass.gsi.gov.uk or if you need more urgent help with a specific case,  please contact the Cafcass Legal Duty Advice Line on 07776 470065, Monday-Friday, 9.00am-5.00pm.** |
| **Layout** | full |
| **Component** | graphic |
| Properties |
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| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **\_graphic** |

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| --- | --- |
| **attribution** |  |
| **small** | course/assets/61d27cc8c2d4bbba8d20d37c4dbbb9c679e5957f.jpg |
| **large** | course/assets/61d27cc8c2d4bbba8d20d37c4dbbb9c679e5957f.jpg |
| **alt** | Welcome |

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| **instruction** |  |

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| Extensions |
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| **\_search** |

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| --- | --- |
| **keywords** |  |

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### Block - 2

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| **Title** | Block title |
| **Display Title** |  |
| **Body** |  |

### Component - 1

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| --- | --- |
| **Title** | Make sure your learning is recorded by the system |
| **Display Title** | Make sure your learning is recorded by the system |
| **Body** |  |
| **Layout** | left |
| **Component** | graphic |
| Properties |
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| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **\_graphic** |

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| --- | --- |
| **attribution** |  |
| **small** | course/assets/bf855d6ab11b04f641abdd53365f473e7b318dd6.jpg |
| **large** | course/assets/bf855d6ab11b04f641abdd53365f473e7b318dd6.jpg |
| **alt** |  |

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| **instruction** |  |

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| Extensions |
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| **\_pageLevelProgress** |

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| --- | --- |
| **\_isEnabled** | true |

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### Component - 2

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| --- | --- |
| **Title** | Make sure your learning is recorded |
| **Display Title** |  |
| **Body** | It is very important that you follow the instructions below to make sure your completion of this module is recorded on the system.**To ensure the programme remembers your progress be sure to click the exit activity button in the bottom left of your screen rather than just closing the tab the eLearning is in** (you may need to click the home button to see this). When you do this please wait for the following page to save your progress then log out of mySkills (in the top right hand corner of the screen). This should ensure that the system records and remembers your progress.Links to all the resources referred to in this eLearning can be found by clicking the 3 lines symbol in the top right-hand corner of your screen.  These will also be available on the Legal core eLearning mySkills page. |
| **Layout** | right |
| **Component** | text |
| Properties |
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| --- | --- |
| **instruction** |  |

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| Extensions |
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| **\_pageLevelProgress** |

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| **\_isEnabled** | true |

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### Block - 3

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| --- | --- |
| **Title** | Block title |
| **Display Title** |  |
| **Body** |  |

### Component - 1

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| --- | --- |
| **Title** | Component title |
| **Display Title** |  |
| **Body** | You have now reached the end of this page.  Please click on Next to continue or Home and exit activity to exit this eLearning |
| **Layout** | full |
| **Component** | text |
| Properties |
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| --- | --- |
| **instruction** |  |

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| Extensions |
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| --- | --- | --- | --- |
| **\_pageLevelProgress** |

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| --- | --- |
| **\_isEnabled** | true |

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## Page - 2

|  |  |
| --- | --- |
| **Title** | Leave to Remove |
| **Display Title** | Leave to Remove |
| **Body** |  |
| **Duration** |  |
| **Graphic** |

|  |  |
| --- | --- |
| **Source** |  |
| **Alt** |  |

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### Article - 1

|  |  |
| --- | --- |
| **Title** | Leave to Remove |
| **Display Title** | Leave to Remove |
| **Body** |  |

### Block - 1

|  |  |
| --- | --- |
| **Title** | Leave to remove - the general position |
| **Display Title** |  |
| **Body** |  |

### Component - 1

|  |  |
| --- | --- |
| **Title** | Component title |
| **Display Title** |  |
| **Body** | Leave to remove looks at cases where one parent wishes to take their child abroad either for a visit or to stay permanently.In this section we will take a look at developments in the case law and practical tips to help you navigate what can be a complex social work assessment. |
| **Layout** | full |
| **Component** | narrative |
| Properties |
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| **\_items** |

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| **strapline** | Consent |
| **\_graphic** |

|  |  |
| --- | --- |
| **alt** | woman and children in airport |
| **src** | course/assets/9bab8fd94322280ac98b641cf897149aa884ea8a.jpg |

 |
| **body** | One parent acting alone is unlikely to be able to arrange a child’s emigration without the consent of the other parent or by court order. |
| **title** | Consent |

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| --- | --- |
| **strapline** | Child Abduction Act 1984 |
| **\_graphic** |

|  |  |
| --- | --- |
| **alt** | man and child on ferry |
| **src** | course/assets/b25736099daed35afb8d5d8340c5cb2a14ea6851.jpg |

 |
| **body** | It is a criminal offence under the Child Abduction Act 1984 for a person “connected to the child” to take or send them out of the UK without the appropriate consent. |
| **title** | Child Abduction Act 1984 |

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| --- | --- |
| **strapline** | Leave to remove application |
| **\_graphic** |

|  |  |
| --- | --- |
| **alt** | woman and children in car |
| **src** | course/assets/55ed7d31d39cbd499713b6cfc07cfa51c8d12395.jpg |

 |
| **body** | A leave to remove application under s.13(1) Children Act 1989 is a freestanding application and not a type of s8 application. |
| **title** | Leave to remove application |

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 |
| **\_setCompletionOn** | inview |
| **\_hasNavigationInTextArea** | false |
| **mobileInstruction** | Click the arrows and click the plus symbol above each picture to read more.  |
| **instruction** | Click the arrows to read more |

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| Extensions |
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| **\_pageLevelProgress** |

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| **\_isEnabled** | true |

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### Block - 2

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| --- | --- |
| **Title** | Different rules for different types of order |
| **Display Title** | Different rules for different types of order |
| **Body** | There are different leave to remove rules which apply for different court orders. For example under the terms of a ‘live with’ order made under CAP 2014: removal for 1 month is permitted, however, the parent should still notify the other parent, particularly if it is likely to impact on the contact arrangements for the child. Longer than this and the written consent of everyone with PR or leave of the court is needed |

### Component - 1

|  |  |
| --- | --- |
| **Title** | Component title |
| **Display Title** |  |
| **Body** |  |
| **Layout** | left |
| **Component** | graphic |
| Properties |
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| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **\_graphic** |

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| --- | --- |
| **attribution** |  |
| **small** | course/assets/91453ea00487b4083eaad3c2b652c52ef6e4552b.jpg |
| **large** | course/assets/91453ea00487b4083eaad3c2b652c52ef6e4552b.jpg |
| **alt** |  |

 |
| **instruction** |  |

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| Extensions |
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| **\_pageLevelProgress** |

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| --- | --- |
| **\_isEnabled** | true |

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### Component - 2

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| --- | --- |
| **Title** | Different rules for different types of order |
| **Display Title** |  |
| **Body** | We have listed 3 other types of order below. Can you choose the "leave to remove" rule that goes with each of them? |
| **Layout** | right |
| **Component** | matching |
| Properties |
|

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| --- | --- |
| **instruction** | Select the correct option from the drop down for each type of order |
| **\_attempts** | 1 |
| **\_canShowModelAnswer** | true |
| **\_shouldDisplayAttempts** | false |
| **\_isRandom** | true |
| **\_questionWeight** | 1 |
| **\_recordInteraction** | true |
| **placeholder** | Please select an option |
| **\_items** |

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| **text** | Child subject to a special guardianship order |
| **\_options** |

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| --- | --- | --- | --- | --- | --- |
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| --- | --- |
| **\_isCorrect** | false |
| **text** | An order from the court is needed |

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| **\_isCorrect** | true |
| **text** | Removal is permitted for 3 months |

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| **\_isCorrect** | false |
| **text** | Removal for one month permitted (consent should still be sought from the other parent though) |

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| **text** | Child is a ward of the court |
| **\_options** |

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| --- | --- |
| **\_isCorrect** | false |
| **text** | Removal is permitted for 3 months |

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| 2 |

|  |  |
| --- | --- |
| **\_isCorrect** | true |
| **text** | An order from the court is needed |

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| 3 |

|  |  |
| --- | --- |
| **\_isCorrect** | false |
| **text** | A temporary visit abroad would be permitted but for a permanent placement outside the jurisdiction an order will be needed |

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| **text** | A child is the subject of a care order  |
| **\_options** |

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| --- | --- |
| **\_isCorrect** | false |
| **text** | Removal is permitted for 3 months |

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| --- | --- |
| **\_isCorrect** | false |
| **text** | An order from the court is needed |

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| **text** | A temporary visit abroad would be permitted but for a permanent placement outside the jurisdiction an order will be needed |
| **\_isCorrect** | true |

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| **\_feedback** |

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| --- | --- |
| **correct** | Well done this is correctIn the case of Special guardianship orders **removal is permitted for 3 months**If a child is a ward of court then **an order from the court is needed**          If a child is the subject of a care order then **a temporary visit abroad would be permitted but for a permanent placement outside the jurisdiction an order will be needed** |
| **\_incorrect** |

|  |  |
| --- | --- |
| **final** | I'm afraid this isn't correct. The correct answer is below:In the case of Special guardianship orders **removal is permitted for 3 months**If a child is a ward of court then **an order from the court is needed**          If a child is the subject of a care order then **a temporary visit abroad would be permitted but for a permanent placement outside the jurisdiction an order will be needed** |
| **notFinal** |  |

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| **\_partlyCorrect** |

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| --- | --- |
| **final** |  |
| **notFinal** |  |

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| **\_buttons** |

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| **\_submit** |

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| --- | --- |
| **buttonText** |  |
| **ariaLabel** |  |

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| **\_reset** |

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| --- | --- |
| **buttonText** |  |
| **ariaLabel** |  |

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| **\_showCorrectAnswer** |

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| --- | --- |
| **buttonText** |  |
| **ariaLabel** |  |

 |
| **\_hideCorrectAnswer** |

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| --- | --- |
| **buttonText** |  |
| **ariaLabel** |  |

 |
| **\_showFeedback** |

|  |  |
| --- | --- |
| **buttonText** |  |
| **ariaLabel** |  |

 |
| **remainingAttemptsText** |  |
| **remainingAttemptText** |  |

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| Extensions |
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| **\_pageLevelProgress** |

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| --- | --- |
| **\_isEnabled** | true |

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### Block - 3

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| **Title** | Case Law Roundup |
| **Display Title** | Case Law Roundup |
| **Body** |  |

### Component - 1

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| --- | --- |
| **Title** | Component Title |
| **Display Title** |  |
| **Body** | In F (A Child) [2012] EWCA Civ 1364Munby LJ stated the focus from beginning to end must be on the child's best interests. The child's welfare is paramount. Every case must be determined having regard to the 'welfare checklist', though of course also having regard, where relevant and helpful, to such guidance as may have been given by this court.  |
| **Layout** | left |
| **Component** | graphic |
| Properties |
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| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **\_graphic** |

|  |  |
| --- | --- |
| **attribution** |  |
| **small** | course/assets/c94daf4df931075f487602f8c10efe012c313b10.jpg |
| **large** | course/assets/c94daf4df931075f487602f8c10efe012c313b10.jpg |
| **alt** |  |

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| **instruction** |  |

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| Extensions |
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| **\_pageLevelProgress** |

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| **\_isEnabled** | true |

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### Component - 2

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| **Title** | Component title |
| **Display Title** |  |
| **Body** | In Re K [2011] EWCA Civ 793 – LJ Black said, "I would not expect to find cases bogged down with arguments as to whether the time spent with each of the parents or other aspects of the care arrangements are such as to make the case "a Payne case" or "a Re Y case", nor would I expect preliminary skirmishes over the label to be applied to the child's arrangements with a view to a parent having a shared residence order in his or her armoury for deployment in the event of a relocation application.  |
| **Layout** | right |
| **Component** | graphic |
| Properties |
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| **\_graphic** |

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| --- | --- |
| **attribution** |  |
| **small** | course/assets/c50c4ada7722d907e0272ad3074435e070d9355c.jpg |
| **large** | course/assets/c50c4ada7722d907e0272ad3074435e070d9355c.jpg |
| **alt** |  |

 |
| **instruction** |  |

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| Extensions |
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| **\_pageLevelProgress** |

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| **\_isEnabled** | true |

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### Block - 4

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| **Title** | Block title |
| **Display Title** |  |
| **Body** |  |

### Component - 1

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| --- | --- |
| **Title** | Recent examples of how the court has determined leave applications |
| **Display Title** | Recent examples of how the court has determined leave applications |
| **Body** | There are two Legal Alerts which show how the court has determined leave applications.  Please click on the Resources section in top right corner to view these Alerts. |
| **Layout** | full |
| **Component** | text |
| Properties |
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| **instruction** |  |

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| Extensions |
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| **\_pageLevelProgress** |

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| **\_isEnabled** | true |

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### Block - 5

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| --- | --- |
| **Title** | Guidance the courts use for relocation applications |
| **Display Title** | Guidance the courts use for relocation applications |
| **Body** |  |

### Component - 1

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| --- | --- |
| **Title** | Component title |
| **Display Title** |  |
| **Body** | In the case of NJ v OV [2014] EWHC 4130 (Fam) Application to relocate a child permanently to Sweden. Permission was granted and the court reiterated the following guidance:i) The **welfare** of the **child** is **paramount** and **overbears all other considerations**, however powerful and reasonable they might be.ii) The **guidance** given by the Court of Appeal as to the factors to be weighed in search of the welfare paramountcy, and which directs the exercise of the welfare discretion, **is valuable** and helps the judge to identify which factors are likely to be the most important and the **weight** which should generally be attached to them.iii) The guidance is not confined to classic primary carer applications and may be utilised in other kinds of relocation cases if the judge thinks it helpful and appropriate to do so. |
| **Layout** | full |
| **Component** | text |
| Properties |
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|  |  |
| --- | --- |
| **instruction** |  |

 |
| Extensions |
|

|  |  |  |  |
| --- | --- | --- | --- |
| **\_pageLevelProgress** |

|  |  |
| --- | --- |
| **\_isEnabled** | true |

 |

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### Block - 6

|  |  |
| --- | --- |
| **Title** | Block title |
| **Display Title** |  |
| **Body** |  |

### Component - 1

|  |  |
| --- | --- |
| **Title** | The Guidance |
| **Display Title** | The Guidance |
| **Body** |  |
| **Layout** | full |
| **Component** | hotgraphic |
| Properties |
|

|  |  |
| --- | --- |
| **instruction** | The guidance suggests that the following questions be asked and answered (assuming that the applicant is the mother): Click each of the pins to read the questions |
| **\_graphic** |

|  |  |
| --- | --- |
| **src** | course/assets/45ac6bbaf516e48323e5fd9789821f496a9b9372.jpg |
| **alt** |  |

 |
| **mobileBody** | There is guidance issued by the court of appeal which judges can use in cases like this.It helps them to identify which factors in this type of application should carry the most weight.The guidance is not confined to classic primary carer applications and may be utilised in other kinds of relocation cases if the judge thinks it helpful and appropriate to do so. |
| **mobileInstruction** | Click each pin and click the plus sign to read more about each bit of this guidance. |
| **\_hidePagination** | false |
| **\_canCycleThroughPagination** | false |
| **\_useGraphicsAsPins** | false |
| **\_items** |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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| 1 |

|  |  |
| --- | --- |
| **\_top** | 20.262679570837864 |
| **\_left** | 24.707432129145136 |
| **\_classes** |  |
| **\_graphic** |

|  |  |
| --- | --- |
| **\_classes** |  |
| **title** | Is the application realistic? |
| **alt** | Letter B |
| **src** | course/assets/ddadd9e9f3d7e1f255fefcdc050b073daa254713.jpg |

 |
| **strapline** | What's the mother's motivation |
| **body** | Is the mother's application **genuine** in the sense that it is **not motivated by some selfish desire to exclude the father from the child's life**? |
| **title** |  |

 |
| 2 |

|  |  |
| --- | --- |
| **\_top** | 18.987320042863676 |
| **\_left** | 39.356165249520316 |
| **\_classes** |  |
| **\_graphic** |

|  |  |
| --- | --- |
| **\_classes** |  |
| **title** |  |
| **alt** |  |
| **src** | course/assets/9d26b237f51143ff173bd34e0276f96e1eed58b2.jpg |

 |
| **strapline** | Welfare of the child |
| **body** | Is the mother's application **realistically founded** on **practical proposals** both **well researched and investigated**? |
| **title** |  |

 |
| 3 |

|  |  |
| --- | --- |
| **body** | What would be the **impact** on the mother, either as the single parent or as a new wife, **of a refusal of her realistic proposal**? |
| **\_top** | 21.775363970406445 |
| **\_left** | 54.5371807717997 |
| **\_classes** |  |
| **\_graphic** |

|  |  |
| --- | --- |
| **\_classes** |  |
| **title** |  |
| **alt** |  |
| **src** | course/assets/b27c4a6a6cddeb84d329f0b5b6cca1c0affd2b3a.jpg |

 |
| **strapline** | Impact of refusal |
| **title** |  |

 |
| 4 |

|  |  |
| --- | --- |
| **\_top** | 74.99686132503462 |
| **\_left** | 26.96184057545522 |
| **\_classes** |  |
| **\_graphic** |

|  |  |
| --- | --- |
| **\_classes** |  |
| **title** |  |
| **alt** |  |
| **src** | course/assets/eb58ab52a7208897e448c1111f040ca90a6af678.jpg |

 |
| **strapline** | Father's opposition |
| **body** | Is the father's **opposition motivated by genuine concern for the future of the child's welfare or is it driven by some ulterior motive**? |
| **title** |  |

 |
| 5 |

|  |  |
| --- | --- |
| **\_top** | 74.94625622713113 |
| **\_left** | 40.209392838748705 |
| **\_classes** |  |
| **\_graphic** |

|  |  |
| --- | --- |
| **\_classes** |  |
| **title** |  |
| **alt** |  |
| **src** | course/assets/43bdba4f9bf8aecd3b25e70e0ce905dbfe2be193.jpg |

 |
| **strapline** | Detriment to the father |
| **body** | What would be the extent of the **detriment to him and his future relationship with the child were the application granted**? |
| **title** |  |

 |
| 6 |

|  |  |
| --- | --- |
| **\_top** | 73.56014010272447 |
| **\_left** | 55.24755354730117 |
| **\_classes** |  |
| **\_graphic** |

|  |  |
| --- | --- |
| **\_classes** |  |
| **title** |  |
| **alt** |  |
| **src** | course/assets/04ac10e59b673b6c6e4220d355909035f226f5df.jpg |

 |
| **strapline** | Would this be offset? |
| **body** | To what extent would that **detriment be offset** by extension of the **child's relationships with the maternal family and homeland**? |
| **title** |  |

 |

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| Extensions |
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| --- | --- | --- | --- |
| **\_pageLevelProgress** |

|  |  |
| --- | --- |
| **\_isEnabled** | true |

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### Block - 7

|  |  |
| --- | --- |
| **Title** | Block title |
| **Display Title** |  |
| **Body** |  |

### Component - 1

|  |  |
| --- | --- |
| **Title** | Legal advice |
| **Display Title** | Legal advice |
| **Body** | These can be really difficult cases to assess so please contact Cafcass Legal on cafcasslegal@cafcass.gsi.gov.uk for advice on your specific case. |
| **Layout** | left |
| **Component** | text |
| Properties |
|

|  |  |
| --- | --- |
| **instruction** |  |

 |
| Extensions |
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|  |  |  |  |
| --- | --- | --- | --- |
| **\_pageLevelProgress** |

|  |  |
| --- | --- |
| **\_isEnabled** | true |

 |

 |

### Component - 2

|  |  |
| --- | --- |
| **Title** | Component title |
| **Display Title** |  |
| **Body** |  |
| **Layout** | right |
| **Component** | graphic |
| Properties |
|

|  |  |
| --- | --- |
| **instruction** |  |
| **\_graphic** |

|  |  |
| --- | --- |
| **alt** |  |
| **large** | course/assets/7daf10f487625b192f4df3c4beadc743a8dcd736.jpg |
| **small** | course/assets/7daf10f487625b192f4df3c4beadc743a8dcd736.jpg |
| **attribution** |  |

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| Extensions |
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| --- | --- | --- | --- |
| **\_pageLevelProgress** |

|  |  |
| --- | --- |
| **\_isEnabled** | true |

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### Block - 8

|  |  |
| --- | --- |
| **Title** | Block title |
| **Display Title** |  |
| **Body** |  |

### Component - 1

|  |  |
| --- | --- |
| **Title** | Temporary Leave to Remove |
| **Display Title** | Temporary Leave to Remove |
| **Body** | Aside from the general welfare considerations involving an application to take a child abroad, the main issue in temporary international relocation cases is the risk of non-return. The court must assess not only the likelihood of the risk of unlawful retention in the foreign country, but also the consequences to the children and other parent if that does occur. If a child is not returned home and is thereby prevented from having contact with the remaining parent, possibly for many years, he or she is likely to suffer considerable harm.Part of the assessment of risk involves an assessment of the applicant. The court will ask itself questions designed to answer the following points.  Please click on the arrows for details. |
| **Layout** | full |
| **Component** | accordion |
| Properties |
|

|  |  |
| --- | --- |
| **instruction** |  |
| **\_items** |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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| 1 |

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| --- | --- |
| **\_classes** |  |
| **\_graphic** |

|  |  |
| --- | --- |
| **src** |  |
| **alt** |  |

 |
| **body** | Does the applicant parent have a good record of reliability so far as contact or shared residence arrangements are concerned, and more generally? |
| **title** | Reliability |

 |
| 2 |

|  |  |
| --- | --- |
| **\_classes** |  |
| **\_graphic** |

|  |  |
| --- | --- |
| **src** |  |
| **alt** |  |

 |
| **body** | Have the children been taken abroad before and, if so, were they returned on time and without difficulty?  |
| **title** | Returned |

 |
| 3 |

|  |  |
| --- | --- |
| **\_classes** |  |
| **\_graphic** |

|  |  |
| --- | --- |
| **src** |  |
| **alt** |  |

 |
| **body** | What are the ties that the applicant has with this country? If the applicant has a job here, property and family, then it will be less likely that they will abandon everything and remain abroad. Likewise the greater the connections the applicant has with the destination country, the greater the risk of retention. |
| **title** | Ties |

 |
| 4 |

|  |  |
| --- | --- |
| **\_classes** |  |
| **\_graphic** |

|  |  |
| --- | --- |
| **src** |  |
| **alt** |  |

 |
| **body** | In some cases it would be necessary for the court to have expert evidence about the legal system in the proposed destination country. |
| **title** | Legal System |

 |
| 5 |

|  |  |
| --- | --- |
| **\_classes** |  |
| **\_graphic** |

|  |  |
| --- | --- |
| **src** |  |
| **alt** |  |

 |
| **body** | The leading case is the court of appeal case of Re K (Removal from jurisdiction: Practice) [1999]  in which the court gave guidance as to how applications for temporary removal to a non-Convention country will inevitably involve consideration of three related elements which are,a) the magnitude of the risk of breach of the order if permission is given;b) the magnitude of the consequence of breach if it occurs; andc) the level of security that may be achieved by building in to the arrangements all of the available safeguards.It is necessary for the judge considering such an application to ensure that **all three elements** are in focus at all times when making the ultimate welfare determination of whether or not to grant leave.' |
| **title** | Leading case |

 |

 |
| **\_shouldCollapseItems** | true |

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| Extensions |
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| --- | --- | --- | --- |
| **\_pageLevelProgress** |

|  |  |
| --- | --- |
| **\_isEnabled** | true |

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### Block - 9

|  |  |
| --- | --- |
| **Title** | So how have the courts applied this in practice? |
| **Display Title** | So how have the courts applied this in practice? |
| **Body** |  |

### Component - 1

|  |  |
| --- | --- |
| **Title** | Re R (Children: Temporary Leave to Remove from Jurisdiction) [2014] EWHC 643 (Fam) |
| **Display Title** | Re R (Children: Temporary Leave to Remove from Jurisdiction) [2014] EWHC 643 (Fam) |
| **Body** |  |
| **Layout** | full |
| **Component** | narrative |
| Properties |
|

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **\_items** |

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| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 1 |

|  |  |
| --- | --- |
| **strapline** | Me and my family |
| **\_graphic** |

|  |  |
| --- | --- |
| **alt** | Young boy reading |
| **src** | course/assets/f2bf25d83c74b7878ee92876a7c5190649d0f52e.jpg |

 |
| **body** | Hello.  My name is Krish and I am 7.  I have 3 brothers and sisters, Anika aged 6, Myra aged 4 and Arjun aged 3. My mum Meera and my dad Deepak aren't together anymore but mum wants to take us to India which is really exciting. |
| **title** |  |

 |
| 2 |

|  |  |
| --- | --- |
| **strapline** | Meera |
| **\_graphic** |

|  |  |
| --- | --- |
| **alt** |  |
| **src** | course/assets/9d58568b85ae60d3dd420bd77474bd1a5ed2989d.jpg |

 |
| **body** | Hi, I'm Meera and I'm 26.  I was born in India and moved to England 8 years ago for my arranged marriage to Deepak.  Unfortunately things haven't worked out and we are divorced now.I really want to take my children to India so they can meet the rest of my family and I have applied for something called "Leave to Remove".  They want me to tell them what safeguards are in place.  I don't really understand it all properly but my Counsel has pointed the Judge to various safeguarding measures used in other reported cases so I'm hoping that will be ok. |
| **title** | Meera |

 |
| 3 |

|  |  |
| --- | --- |
| **strapline** | Deepak |
| **\_graphic** |

|  |  |
| --- | --- |
| **alt** | Deepak |
| **src** | course/assets/810a864811adbec7be703857213cab3bc9d1e40d.jpg |

 |
| **body** | My name's Deepak and I'm 35.  I was born in England and have always lived here.Meera is a good mum but she has been really homesick and I'm really worried that if she takes my kids to India, her family will persuade her to stay and I'll never see them again. I've spoken to the Foreign and Commonwealth Office and they have written back to me indicating that the task of getting my children back, if wrongfully kept in India by Meera, would be lengthy, complex and uncertain.   |
| **title** | Deepak |

 |
| 4 |

|  |  |
| --- | --- |
| **strapline** | The Judge |
| **\_graphic** |

|  |  |
| --- | --- |
| **alt** |  |
| **src** | course/assets/04f598413b98f46a780a0eec3fa002b2a1da0280.jpg |

 |
| **body** | I've been asked to decide on this case and it's a difficult one!My thoughts are as follows:* The risks of non-return are low, but not non-existent.
* The consequences of non-return, however, would be life changing and profoundly damaging for the children.
* When considering the available safeguards, I noted that there were no particular safeguards proposed by the mother, but rather her counsel had pointed to various safeguarding measures used in other reported cases.  This is "not good enough" to simply say to the court "take your pick" of safeguarding measures.

Meera should have set out precisely the safeguarding measures she proposed, with a reasoned analysis of why those safeguards were           (a) the best that can be achieved and           (b) likely to be effective (paragraph 71).It would have really assisted me to have expert evidence on the issue of effective safeguards. |
| **title** | The Judge |

 |

 |
| **\_setCompletionOn** | inview |
| **\_hasNavigationInTextArea** | false |
| **mobileInstruction** | Please tap on the arrows to see the story. |
| **instruction** | Please click on the arrows to see the story. |

 |
| Extensions |
|

|  |  |  |  |
| --- | --- | --- | --- |
| **\_pageLevelProgress** |

|  |  |
| --- | --- |
| **\_isEnabled** | true |

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### Block - 10

|  |  |
| --- | --- |
| **Title** | Block title |
| **Display Title** |  |
| **Body** |  |

### Component - 1

|  |  |
| --- | --- |
| **Title** | Do you think permission was granted or refused? |
| **Display Title** | Do you think permission was granted or refused? |
| **Body** |  |
| **Layout** | full |
| **Component** | mcq |
| Properties |
|

|  |  |
| --- | --- |
| **instruction** | Please select the correct answer. |
| **\_items** |

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| 1 |

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| --- | --- |
| **feedback** |  |
| **\_shouldBeSelected** | false |
| **text** | Permission was granted for Meera to take the children to India. |

 |
| 2 |

|  |  |
| --- | --- |
| **feedback** |  |
| **\_shouldBeSelected** | true |
| **text** | Meera was refused permission to take the children to India. |

 |

 |
| **\_attempts** | 1 |
| **\_canShowModelAnswer** | true |
| **\_canShowFeedback** | true |
| **\_canShowMarking** | true |
| **\_shouldDisplayAttempts** | false |
| **\_isRandom** | false |
| **\_recordInteraction** | true |
| **\_questionWeight** | 1 |
| **\_selectable** | 1 |
| **\_feedback** |

|  |  |
| --- | --- |
| **correct** | That is correct. Considering the three factors as set out in Re K (magnitude of risk of breach of the courts order, consequences of a breach and the level of security that could be reached) together with the overriding provisions of section 1 of the Children Act 1989, the Judge concluded that the balance fell down on the side of **refusing** permission. Although the court recognised there would be benefits to the children in taking the trip, the consequences of wrongful retention were so great and the safeguarding measures so uncertain that it would not be in their welfare interests for permission to be granted. |
| **\_incorrect** |

|  |  |
| --- | --- |
| **final** | Sorry, that's incorrect.Considering the three factors as set out in Re K (magnitude of risk of breach of the courts order, consequences of a breach and the level of security that could be reached) together with the overriding provisions of section 1 of the Children Act 1989, the Judge concluded that the balance fell down on the side of **refusing** permission. Although the court recognised there would be benefits to the children in taking the trip, the consequences of wrongful retention were so great and the safeguarding measures so uncertain that it would not be in their welfare interests for permission to be granted.  |
| **notFinal** |  |

 |
| **\_partlyCorrect** |

|  |  |
| --- | --- |
| **final** |  |
| **notFinal** |  |

 |

 |
| **\_buttons** |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **\_submit** |

|  |  |
| --- | --- |
| **buttonText** |  |
| **ariaLabel** |  |

 |
| **\_reset** |

|  |  |
| --- | --- |
| **buttonText** |  |
| **ariaLabel** |  |

 |
| **\_showCorrectAnswer** |

|  |  |
| --- | --- |
| **buttonText** |  |
| **ariaLabel** |  |

 |
| **\_hideCorrectAnswer** |

|  |  |
| --- | --- |
| **buttonText** |  |
| **ariaLabel** |  |

 |
| **\_showFeedback** |

|  |  |
| --- | --- |
| **buttonText** |  |
| **ariaLabel** |  |

 |
| **remainingAttemptsText** |  |
| **remainingAttemptText** |  |

 |

 |
| Extensions |
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| **\_pageLevelProgress** |

|  |  |
| --- | --- |
| **\_isEnabled** | true |

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### Block - 11

|  |  |
| --- | --- |
| **Title** | Block title |
| **Display Title** |  |
| **Body** |  |

### Component - 1

|  |  |
| --- | --- |
| **Title** | Case Example: Temporary Removal to Jordan |
| **Display Title** | Case Example: Temporary Removal to Jordan |
| **Body** |  |
| **Layout** | full |
| **Component** | hotgraphic |
| Properties |
|

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **\_items** |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 1 |

|  |  |
| --- | --- |
| **\_top** | 18.503767505923012 |
| **\_left** | 5.3463788415121245 |
| **\_classes** |  |
| **\_graphic** |

|  |  |
| --- | --- |
| **\_classes** |  |
| **title** |  |
| **alt** |  |
| **src** | course/assets/b624e18f933767caa6e12257535194b2a645e81d.jpg |

 |
| **strapline** | Father: Majid |
| **body** | This is Majid. He was born in Kuwait into a Palestinian family, but moved to Jordan as a small child. He is a Sunni muslim. He has a large extended family in Jordan. He has two children who he would like to take for a visit to Jordan to see his family.  |
| **title** |  |

 |
| 2 |

|  |  |
| --- | --- |
| **\_top** | 22.37844443261474 |
| **\_left** | 68.59099729653674 |
| **\_classes** |  |
| **\_graphic** |

|  |  |
| --- | --- |
| **\_classes** |  |
| **title** |  |
| **alt** |  |
| **src** | course/assets/9268af742115de59431808ab57f5eb1c0ae5961d.jpg |

 |
| **strapline** | Mother: Taheem |
| **body** | This is Taheem. She's originally from Afganistan but now lives in Reading. She had two children with Majid. She is also a Sunni Muslim. |
| **title** |  |

 |
| 3 |

|  |  |
| --- | --- |
| **\_top** | 50.40346303380522 |
| **\_left** | 4.72407107717137 |
| **\_classes** |  |
| **\_graphic** |

|  |  |
| --- | --- |
| **\_classes** |  |
| **title** |  |
| **alt** |  |
| **src** | course/assets/ff5e315bda7af7da179b95b75edd0878444fbb78.jpg |

 |
| **strapline** | Reason for the visit |
| **body** | In this case Majid argued was that a visit to Jordan would be in the children's best interests both so they could meet their paternal family and also because celebrating Ramadan and Eid in a Muslim country would be an important experience for them.  Majid said he had no intention of retaining the children in Jordan. |
| **title** |  |

 |
| 4 |

|  |  |
| --- | --- |
| **\_top** | 50 |
| **\_left** | 50 |
| **\_classes** |  |
| **\_graphic** |

|  |  |
| --- | --- |
| **\_classes** |  |
| **title** |  |
| **alt** |  |
| **src** | course/assets/2c1622f5f05f715e59a506058b1aa7d9fc17fced.jpg |

 |
| **strapline** | Experts advice |
| **body** | An expert had been instructed to provide evidence as to Jordanian law. In summary, the expert's conclusion was that it was possible for the children's legal position in Jordan to be protected to a large but not complete extent. However, in reality the main safeguard for the children would be the court's assessment of the credibility of the applicant. |
| **title** |  |

 |

 |
| **\_useGraphicsAsPins** | false |
| **\_canCycleThroughPagination** | false |
| **\_hidePagination** | false |
| **mobileInstruction** |  |
| **mobileBody** |  |
| **\_graphic** |

|  |  |
| --- | --- |
| **alt** |  |
| **src** | course/assets/7f8240e6a428a9cb977e351bbe2910ee4a07ddd4.jpg |

 |
| **instruction** | Click the pins to learn more about this case |

 |
| Extensions |
|

|  |  |  |  |
| --- | --- | --- | --- |
| **\_pageLevelProgress** |

|  |  |
| --- | --- |
| **\_isEnabled** | true |

 |

 |

### Block - 12

|  |  |
| --- | --- |
| **Title** | Block title |
| **Display Title** |  |
| **Body** |  |

### Component - 1

|  |  |
| --- | --- |
| **Title** | Majib proposed the following safeguards:  |
| **Display Title** | Majib proposed the following safeguards:  |
| **Body** |  |
| **Layout** | full |
| **Component** | flipcard |
| Properties |
|

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **\_items** |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 1 |

|  |  |
| --- | --- |
| **backBody** | 1) declarations about the children's habitual residence and the UK court's jurisdiction over them;2) undertakings from the father about his commitment to return the children;3) provisions to assure the Jordanian court that the father's acceptance of said requirements were freely given and would not be affected by any changes in circumstances;4) a bond of £2,500, and;5) a small sum to fund the mother's legal costs in the  event that it became necessary to litigate in Jordan. |
| **backTitle** |  |
| **frontImage** |

|  |  |
| --- | --- |
| **src** | course/assets/192f503cba994288132173ba854076aedf625782.jpg |
| **alt** |  |

 |
| **\_flipDirection** | horizontal |

 |

 |
| **\_flipTime** | 400 |
| **\_flipType** | allFlip |
| **instruction** | Click the picture of the father to learn the safeguards he proposed |

 |
| Extensions |
|

|  |  |  |  |
| --- | --- | --- | --- |
| **\_pageLevelProgress** |

|  |  |
| --- | --- |
| **\_isEnabled** | true |

 |

 |

### Block - 13

|  |  |
| --- | --- |
| **Title** | Block title |
| **Display Title** |  |
| **Body** |  |

### Component - 1

|  |  |
| --- | --- |
| **Title** | Do you think permission was granted or refused? |
| **Display Title** | Do you think permission was granted or refused? |
| **Body** |  |
| **Layout** | full |
| **Component** | mcq |
| Properties |
|

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **\_buttons** |

|  |  |
| --- | --- |
| **remainingAttemptText** |  |
| **remainingAttemptsText** |  |
| **\_showFeedback** |

|  |  |
| --- | --- |
| **ariaLabel** |  |
| **buttonText** |  |

 |
| **\_hideCorrectAnswer** |

|  |  |
| --- | --- |
| **ariaLabel** |  |
| **buttonText** |  |

 |
| **\_showCorrectAnswer** |

|  |  |
| --- | --- |
| **ariaLabel** |  |
| **buttonText** |  |

 |
| **\_reset** |

|  |  |
| --- | --- |
| **ariaLabel** |  |
| **buttonText** |  |

 |
| **\_submit** |

|  |  |
| --- | --- |
| **ariaLabel** |  |
| **buttonText** |  |

 |

 |
| **\_feedback** |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **\_partlyCorrect** |

|  |  |
| --- | --- |
| **notFinal** |  |
| **final** |  |

 |
| **\_incorrect** |

|  |  |
| --- | --- |
| **notFinal** |  |
| **final** | I'm afraid that is incorrect. Permission was granted in this case.The judge found that he was positively satisfied that the advantages to the children of visiting Jordan outweighed the risks to their welfare.  The risks in this case were not only the risks of retention, but risks arising from the children being deprived of any experience of their Middle Eastern background, not only now but for most of the rest of their childhoods. |

 |
| **correct** | Well done you were correct. Permission was granted in this case.The judge found that he was positively satisfied that the advantages to the children of visiting Jordan outweighed the risks to their welfare.  The risks in this case were not only the risks of retention, but risks arising from the children being deprived of any experience of their Middle Eastern background, not only now but for most of the rest of their childhoods. |

 |
| **\_selectable** | 1 |
| **\_questionWeight** | 1 |
| **\_recordInteraction** | true |
| **\_isRandom** | false |
| **\_shouldDisplayAttempts** | false |
| **\_canShowMarking** | true |
| **\_canShowFeedback** | true |
| **\_canShowModelAnswer** | true |
| **\_attempts** | 1 |
| **\_items** |

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| 1 |

|  |  |
| --- | --- |
| **feedback** |  |
| **\_shouldBeSelected** | true |
| **text** | I think permission was granted.  |

 |
| 2 |

|  |  |
| --- | --- |
| **feedback** |  |
| **\_shouldBeSelected** | false |
| **text** | I think permission was refused |

 |

 |
| **instruction** |  |

 |
| Extensions |
|

|  |  |  |  |
| --- | --- | --- | --- |
| **\_pageLevelProgress** |

|  |  |
| --- | --- |
| **\_isEnabled** | true |

 |

 |

### Block - 14

|  |  |
| --- | --- |
| **Title** | Removal to a non EU Country |
| **Display Title** | Removal to a non EU Country |
| **Body** |  |

### Component - 1

|  |  |
| --- | --- |
| **Title** | Component title |
| **Display Title** |  |
| **Body** |  |
| **Layout** | left |
| **Component** | graphic |
| Properties |
|

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **\_graphic** |

|  |  |
| --- | --- |
| **attribution** |  |
| **small** | course/assets/f616837710eddc37b2802a39f6942921b145064e.jpg |
| **large** | course/assets/f616837710eddc37b2802a39f6942921b145064e.jpg |
| **alt** |  |

 |
| **instruction** |  |

 |
| Extensions |
|

|  |  |  |  |
| --- | --- | --- | --- |
| **\_pageLevelProgress** |

|  |  |
| --- | --- |
| **\_isEnabled** | true |

 |

 |

### Component - 2

|  |  |
| --- | --- |
| **Title** | Component title |
| **Display Title** |  |
| **Body** |  |
| **Layout** | right |
| **Component** | accordion |
| Properties |
|

|  |  |
| --- | --- |
| **instruction** |  |
| **\_items** |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 1 |

|  |  |
| --- | --- |
| **title** | Orders recognised in another country |
| **body** | Expert evidence may be required as to whether a “mirror order” can be obtained.  This is exactly what it sounds like and is an order made in the receiving country in the same terms as the home country. However there may be important questions as to how long it would take to obtain such an order in the other jurisdiction and whether they can they be rescinded/overturned by one party alone, without the knowledge of the other. |
| **\_graphic** |

|  |  |
| --- | --- |
| **alt** |  |
| **src** |  |

 |
| **\_classes** |  |

 |
| 2 |

|  |  |
| --- | --- |
| **\_classes** |  |
| **\_graphic** |

|  |  |
| --- | --- |
| **src** |  |
| **alt** |  |

 |
| **body** | Expert evidence may be required as to whether passports/travel cards can be held by a professional. If so, for how long and can they be held to the order of both parties i.e. can one party seek the release?  Further, what is the border situation between countries? It is relatively easy to travel from Turkey to Northern Cyprus.Can a monetary bond be left?  If so, how much is appropriate? |
| **title** | Passports/Travel cards |

 |
| 3 |

|  |  |
| --- | --- |
| **\_classes** |  |
| **\_graphic** |

|  |  |
| --- | --- |
| **src** |  |
| **alt** |  |

 |
| **body** | Other useful websites to consider using in these cases can be found in the resources section of this eLearning and on the mySkills page. |
| **title** | Useful websites |

 |

 |
| **\_shouldCollapseItems** | true |

 |
| Extensions |
|

|  |  |  |  |
| --- | --- | --- | --- |
| **\_pageLevelProgress** |

|  |  |
| --- | --- |
| **\_isEnabled** | true |

 |

 |

### Block - 15

|  |  |
| --- | --- |
| **Title** | Learning Points |
| **Display Title** | Learning Points |
| **Body** |  |

### Component - 1

|  |  |
| --- | --- |
| **Title** | These are examples of things that can make your cross-examination more difficult: |
| **Display Title** | These are examples of things that can make your cross-examination more difficult: |
| **Body** | * There is an overemphasis on reporting the views of the parties as opposed to offering professional analysis.
* No mention of whether what the parties say are fact or assertion
* No real thought given to the practical obstacles facing the mother/father in England.
* No real thought given to the impact upon the “left-behind parent”
* Analysing one parent, recommending in their favour and therefore not addressing or analysing the proposals of the other parent
* Glossing over the impact on the mother of a refusal of her application.
* Accepting the assertion of a parent that they could not travel to another country at face value
* No real thought being given to contact arrangements following a move
 |
| **Layout** | full |
| **Component** | text |
| Properties |
|

|  |  |
| --- | --- |
| **instruction** |  |

 |
| Extensions |
|

|  |  |  |  |
| --- | --- | --- | --- |
| **\_pageLevelProgress** |

|  |  |
| --- | --- |
| **\_isEnabled** | true |

 |

 |

### Block - 16

|  |  |
| --- | --- |
| **Title** | Block title |
| **Display Title** |  |
| **Body** |  |

### Component - 1

|  |  |
| --- | --- |
| **Title** | Component title |
| **Display Title** |  |
| **Body** |  |
| **Layout** | left |
| **Component** | graphic |
| Properties |
|

|  |  |
| --- | --- |
| **instruction** |  |
| **\_graphic** |

|  |  |
| --- | --- |
| **alt** |  |
| **large** | course/assets/bf203c5e8dd7be9b897852d2e94b7550c3680837.jpg |
| **small** | course/assets/bf203c5e8dd7be9b897852d2e94b7550c3680837.jpg |
| **attribution** |  |

 |

 |
| Extensions |
|

|  |  |  |  |
| --- | --- | --- | --- |
| **\_pageLevelProgress** |

|  |  |
| --- | --- |
| **\_isEnabled** | true |

 |

 |

### Component - 2

|  |  |
| --- | --- |
| **Title** | Top tips for your assessment |
| **Display Title** | Top tips for your assessment |
| **Body** |  |
| **Layout** | right |
| **Component** | accordion |
| Properties |
|

|  |  |
| --- | --- |
| **instruction** |  |
| **\_items** |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 1 |

|  |  |
| --- | --- |
| **\_classes** |  |
| **\_graphic** |

|  |  |
| --- | --- |
| **src** |  |
| **alt** |  |

 |
| **body** | The starting point is that the welfare of the child is paramount. |
| **title** | Welfare of the child |

 |
| 2 |

|  |  |
| --- | --- |
| **title** | Payne v Payne |
| **body** | The Payne v Payne guidelines are still relevant.  However, this is now a relatively old case and in more recent cases, the court has emphasised that welfare should be the primary consideration. |
| **\_graphic** |

|  |  |
| --- | --- |
| **alt** |  |
| **src** |  |

 |
| **\_classes** |  |

 |
| 3 |

|  |  |
| --- | --- |
| **title** | Pros and cons |
| **body** | Do a list of the pros and cons of each parties evidence. |
| **\_graphic** |

|  |  |
| --- | --- |
| **alt** |  |
| **src** |  |

 |
| **\_classes** |  |

 |
| 4 |

|  |  |
| --- | --- |
| **\_classes** |  |
| **\_graphic** |

|  |  |
| --- | --- |
| **src** |  |
| **alt** |  |

 |
| **body** | The **ascertainable** wishes of the children (according to age and understanding) are always very important. |
| **title** | Ascertainable wishes  |

 |
| 5 |

|  |  |
| --- | --- |
| **title** | Geography |
| **body** | Geography may be a significant factor e.g. distant country or cultural issues. |
| **\_graphic** |

|  |  |
| --- | --- |
| **alt** |  |
| **src** |  |

 |
| **\_classes** |  |

 |
| 6 |

|  |  |
| --- | --- |
| **\_classes** |  |
| **\_graphic** |

|  |  |
| --- | --- |
| **src** |  |
| **alt** |  |

 |
| **body** | If, exceptionally, you recommend joining the children as parties and an appointment of a children’s guardian this needs to be dealt with early on. |
| **title** | Exceptional circumstances |

 |
| 7 |

|  |  |
| --- | --- |
| **\_classes** |  |
| **\_graphic** |

|  |  |
| --- | --- |
| **src** |  |
| **alt** |  |

 |
| **body** | Sometimes the right decision may be no to leave to remove but leaving it open for a future application. |
| **title** | Future application? |

 |
| 8 |

|  |  |
| --- | --- |
| **\_classes** |  |
| **\_graphic** |

|  |  |
| --- | --- |
| **src** |  |
| **alt** |  |

 |
| **body** | Look at what efforts a party has made to gain employment in this jurisdiction? |
| **title** | Employment |

 |
| 9 |

|  |  |
| --- | --- |
| **\_classes** |  |
| **\_graphic** |

|  |  |
| --- | --- |
| **src** |  |
| **alt** |  |

 |
| **body** | Consider the difference between returning to country of nationality and moving to a country to start a new life. |
| **title** | Difference |

 |
| 10 |

|  |  |
| --- | --- |
| **title** | Siblings |
| **body** | It is important to consider the impact of potential separation of siblings if relevant to your case. |
| **\_graphic** |

|  |  |
| --- | --- |
| **alt** |  |
| **src** |  |

 |
| **\_classes** |  |

 |

 |
| **\_shouldCollapseItems** | true |

 |
| Extensions |
|

|  |  |  |  |
| --- | --- | --- | --- |
| **\_pageLevelProgress** |

|  |  |
| --- | --- |
| **\_isEnabled** | true |

 |

 |

### Block - 17

|  |  |
| --- | --- |
| **Title** | Block title |
| **Display Title** |  |
| **Body** |  |

### Component - 1

|  |  |
| --- | --- |
| **Title** | Congratulations, you've reached the end of this eLearning. |
| **Display Title** | Congratulations, you've reached the end of this eLearning. |
| **Body** | Before you exit the module be sure to check you have completed all of the activities in all of the sections. If you haven't then the eLearning will show as incomplete.Click on the home button and check all of the blocks in the menu have a full completion bar. If there is any white showing in a completion bar then there is an activity in that section which isn't quite finished. Please click back into that section and ensure everything is completed.When you're happy everything is finished please click Exit Activity to exit this eLearning. Once this activity is showing as completed on the mySkills page, which may take a few minutes, please complete the evaluation form on the mySkills page.Don't forget to look at the resources by clicking on the 3 lines in the right hand top corner of the eLearning and if you have any queries regarding the content, please contact legalcafcass@cafcass.gsi.gov.ukThank you. |
| **Layout** | full |
| **Component** | graphic |
| Properties |
|

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **\_graphic** |

|  |  |
| --- | --- |
| **attribution** |  |
| **small** |  |
| **large** |  |
| **alt** |  |

 |
| **instruction** |  |

 |
| Extensions |
|

|  |  |  |  |
| --- | --- | --- | --- |
| **\_pageLevelProgress** |

|  |  |
| --- | --- |
| **\_isEnabled** | true |

 |

 |