

# International Family Law Level 4

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[1]

1996 Hague Convention on Child Protection (The Hague Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in respect of Parental Responsibility and Measures for the Protection of Children: <https://www.hcch.net/en/instruments/conventions/full-text/?cid=70>.

[2]

2007 Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance: <https://www.hcch.net/en/instruments/conventions/full-text/?cid=131>.

[3]

2007 Hague Protocol on the Law Applicable to Maintenance Obligations: <https://www.hcch.net/en/instruments/conventions/full-text/?cid=133>.

[4]

Baruffi, M.C. 2018. A child-friendly area of freedom, security and justice: work in progress in international child abduction cases. *Journal of Private International Law*. 14, 3 (Sep. 2018), 385–420. DOI:<https://doi.org/10.1080/17441048.2018.1535935>.

[5]

Basedow, J. 2017. The Draft Legislation on Child Marriage and Private International Law: An Interview with Jurgen Basedow.

[6]

Beaumont, P. et al. 2015. Child Abduction: Recent Jurisprudence of the European Court of Human Rights. *International and Comparative Law Quarterly*. 64, 01 (Jan. 2015), 39-63. DOI:<https://doi.org/10.1017/S0020589314000566>.

[7]

Beaumont, P.R. et al. 2011. *Private international law*. W. Green/Thomson Reuters.

[8]

Beaumont, P.R. et al. 2011. *Private international law*. W. Green/Thomson Reuters.

[9]

Beaumont, P.R. et al. 2011. *Private international law*. W. Green/Thomson Reuters.

[10]

Beaumont, P.R. et al. 2011. *Private international law*. W. Green/Thomson Reuters.

[11]

Beaumont, P.R. et al. 2011. *Private international law*. W. Green/Thomson Reuters.

[12]

Beaumont, P.R. et al. 2011. *Private international law*. W. Green/Thomson Reuters.

[13]

Beaumont, P.R. et al. eds. 2014. *The recovery of maintenance in the EU and worldwide*. Hart Publishing.

[14]

Beaumont, P.R. and McEleavy, P.E. 1999. *The Hague Convention on International Child Abduction*. Oxford University Press.

[15]

Borras Report on Draft Brussels II Convention [1998] OJ C221/27.

[16]

Borras Report on Draft Brussels II Convention [1998] OJ C221/27.

[17]

Carruthers, J.M. 2016. Forced Marriage in Scotland: The Legal Response. *Edinburgh Law Review*. 20, 1 (Jan. 2016), 86–94. DOI:<https://doi.org/10.3366/elr.2016.0326>.

[18]

Carruthers, J.M. and Crawford, E.B. 2017. Divorcing Europe: reflections from a Scottish perspective on the implications of Brexit for cross-border divorce proceedings. *Child and Family Law Quarterly*. 29, 3 (2017), 233–252.

[19]

Catherine Fairbairn House of Commons Library Briefing Paper, 'Pre-nuptial agreements' (Number 03752, 21 June 2017).

[20]

Clive, E. 1998. The New Hague Convention on Children. *The Juridical review*. 169, (1998).

[21]

Clive, E. 1998. The New Hague Convention on Children. *The Juridical review*. 169, (1998).

[22]

van Coller, A. 2017. Child Marriage – Acceptance by Association. *International Journal of Law, Policy and the Family*. 31, 3 (Dec. 2017), 363–376.  
DOI:<https://doi.org/10.1093/lawfam/ebx011>.

[23]

"Consultation on the functioning of the Brussels IIa Regulation (EC 2201/2003)": summary of the responses: <https://ec.europa.eu/eusurvey/publication/BXLIIA>.

[24]

Council Regulation (EC) No 4/2009 on Jurisdiction, Applicable Law, Recognition and Enforcement of Decisions and Cooperation in Matters relating to Maintenance Obligations: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32009R0004>.

[25]

Crawford, E. 2000. A Day is Not Enough - Further Views on the Meaning of Habitual Residence. *The Juridical review*. 2, (2000), 89–99.

[26]

Crawford, E. and Carruthers, J. 2015. *International Private Law - A Scots Perspective*. Sweet & Maxwell.

[27]

Crawford, E. and Carruthers, J. 2015. *International Private Law - A Scots Perspective*. Sweet & Maxwell.

[28]

Crawford, E. and Carruthers, J. 2015. *International Private Law - A Scots Perspective*. Sweet & Maxwell.

[29]

Crawford, E. and Carruthers, J. 2015. International Private Law - A Scots Perspective. Sweet & Maxwell.

[30]

Crawford, E. and Carruthers, J. 2015. International Private Law - A Scots Perspective. Sweet & Maxwell.

[31]

Crawford, E. and Carruthers, J. 2015. International Private Law - A Scots Perspective. Sweet & Maxwell.

[32]

Crawford, E. and Carruthers, J. 2015. International Private Law - A Scots Perspective. Sweet & Maxwell.

[33]

Crawford, E. and Carruthers, J. 2015. International Private Law - A Scots Perspective. Sweet & Maxwell.

[34]

Crawford, E. and Carruthers, J. 2015. International Private Law - A Scots Perspective. Sweet & Maxwell.

[35]

Crawford, E. and Carruthers, J. 2015. International Private Law - A Scots Perspective. Sweet & Maxwell.

[36]

Crawford, E. and Carruthers, J. 2015. International Private Law - A Scots Perspective. Sweet & Maxwell.

[37]

Crawford, E. and Carruthers, J. 2015. *International Private Law - A Scots Perspective*. Sweet & Maxwell.

[38]

Crawford, E. and Carruthers, J. 2015. *International Private Law - A Scots Perspective*. Sweet & Maxwell.

[39]

Crawford, E. and Carruthers, J. 2015. *International Private Law - A Scots Perspective*. Sweet & Maxwell.

[40]

Crawford, E. and Carruthers, J. 2015. *International Private Law - A Scots Perspective*. Sweet & Maxwell.

[41]

Crawford, E. and Carruthers, J. 2015. *International Private Law - A Scots Perspective*. Sweet & Maxwell.

[42]

Crawford, E. and Carruthers, J. 2015. *International Private Law - A Scots Perspective*. Sweet & Maxwell.

[43]

Crawford, E.B. and Carruthers, J.M. 2011. Dual locality events: marriage by telephone. *Scots Law Times*. 29, (2011).

[44]

David Hodson OBE Child abduction returns trumped by asylum claims. *International Family Law Journal*.

[45]

Dicey, A.V. and Morris, J.H.C. 2012. *Dicey, Morris and Collins on the conflict of laws*. Sweet & Maxwell/Thomson Reuters.

[46]

Dicey, A.V. and Morris, J.H.C. 2012. *Dicey, Morris and Collins on the conflict of laws*. Sweet & Maxwell/Thomson Reuters.

[47]

Dicey, A.V. and Morris, J.H.C. 2012. *Dicey, Morris and Collins on the conflict of laws*. Sweet & Maxwell/Thomson Reuters.

[48]

Dutta, A. and Schulz, A. 2014. First Cornerstones of the eu Rules on Cross-Border Child Cases: The Jurisprudence of the Court of Justice of the European Union on the Brussels Iia Regulation From C to Health Service Executive. *Journal of Private International Law*. 10, 1 (Apr. 2014), 1-40. DOI:<https://doi.org/10.5235/17441048.10.1.1>.

[49]

Edwards, D. 1992. A Domestic Muddle: Custody Orders in the United Kingdom. *International and Comparative Law Quarterly*. 41, 2 (1992), 444-449. DOI:<https://doi.org/10.1093/iclqaj/41.2.444>.

[50]

Explanatory Report on the 1996 Hague Child Protection Convention: <https://www.hcch.net/en/publications-and-studies/details4/?pid=2943>.

[51]

Explanatory Report on the 1996 Hague Child Protection Convention:  
<https://www.hcch.net/en/publications-and-studies/details4/?pid=2943>.

[52]

Explanatory Report on the Convention on the International Recovery of Child Support and Other Forms of Family Maintenance:  
<https://www.hcch.net/en/publications-and-studies/details4/?pid=4909>.

[53]

Fairbairn, C. 2017. Polygamy.

[54]

Fenton-Glynn, C. 2015. The regulation and recognition of surrogacy under English law: an overview of the case-law. *Child and Family Law Quarterly*. 27, 1 (2015), 83–95.

[55]

Fiorini, A. 2010. Harmonizing the Law Applicable to Divorce and Legal Separation – Enhanced Co-operation as the Way Forward? *The International and Comparative Law Quarterly*. 59, 4 (2010), 1143–1158.

[56]

Fiorini, A. 2008. Rome III - Choice of Law in divorce: Is the Europeanization of Family Law Going Too Far? *International Journal of Law, Policy and the Family*. 22, 2 (Feb. 2008), 178–205. DOI:<https://doi.org/10.1093/lawfam/ebn006>.

[57]

Gay, O. House of Commons Library, Standard Note on Forced Marriage (20 January 2015).

[58]

German parliament passes law ending child marriage - The Local:



<https://www.thelocal.de/20170602/german-parliament-passes-law-ending-child-marriage>.

[59]

Germany Moves to Ban Migrant Child Marriages:

<https://www.breitbart.com/london/2017/04/05/germany-moves-ban-migrant-child-marriages/>.

[60]

Germany polygamy: Minister says migrants must abide by the law - BBC News:

<https://www.bbc.co.uk/news/world-europe-36537305>.

[61]

Gerry Maher Parental responsibility proceedings: intra UK jurisdiction and the European regulation. Scots Law Times.

[62]

Hague Conference on Private International Law: Child Abduction section:

<https://www.hcch.net/en/instruments/conventions/specialised-sections/child-abduction>.

[63]

Hague Conference on Private International Law: Project on The private international law issues surrounding the status of children, including issues arising from international surrogacy arrangements:

<https://www.hcch.net/en/projects/legislative-projects/parentage-surrogacy>.

[64]

Hale, B. 2017. Taking Flight—Domestic Violence and Child Abduction. *Current Legal Problems*. 70, 1 (Dec. 2017), 3–16. DOI:<https://doi.org/10.1093/clp/cux001>.

[65]

Honorati, C. The Commission's proposal for a recast of Brussels IIa Regulation.

International Family Law Journal.

[66]

Honorati, C. The Commission's proposal for a recast of Brussels IIa Regulation. *International Family Law Journal*.

[67]

Maher, G. 2006. Reforming Domicile: One Step Forward (but looking back). *Scots Law Times*. 24, (2006).

[68]

McElevy, P. 2007. Regression and Reform in the Law of Domicile. *The International and Comparative Law Quarterly*. 56, 2 (2007), 453-462.

[69]

McElevy, P. 2002. The Brussels II Regulation: How the European Community Has Moved into Family Law. *The International and Comparative Law Quarterly*. 51, 4 (2002), 883-908.

[70]

Mceleavy, P. 2005. The New Child Abduction Regime in the European Union: Symbiotic Relationship or Forced Partnership? *Journal of Private International Law*. 1, 1 (Apr. 2005), 5-34. DOI:<https://doi.org/10.1080/17536235.2005.11424287>.

[71]

Mezmur, B.D. 2009. From Angelina (to Madonna) to Zoe's ark: What are the 'A-Z' lessons for intercountry adoptions in Africa? *International Journal of Law, Policy and the Family*. 23, 2 (Aug. 2009), 145-173. DOI:<https://doi.org/10.1093/lawfam/ebn013>.

[72]

Migrant child brides put Europe in a spin - BBC News:

<https://www.bbc.co.uk/news/world-europe-37518289>.

[73]

Mol, C. and Kruger, T. 2018. International child abduction and the best interests of the child: an analysis of judicial reasoning in two jurisdictions. *Journal of Private International Law*. 14, 3 (Sep. 2018), 421–454. DOI:<https://doi.org/10.1080/17441048.2018.1525074>.

[74]

Ni

Shu

illeabha

in, M. 2010. *Cross-border divorce law: Brussels II bis*. Oxford University Press.

[75]

Ni

Shu

illeabha

in, M. 2010. *Cross-border divorce law: Brussels II bis*. Oxford University Press.

[76]

Nigel Lowe What are the implications of the Brexit vote for the law on international child abduction? *Child and Family Law Quarterly*.

[77]

Norrie, K.McK. 2016. English and Scottish adoption orders and British parental orders after surrogacy: welfare, competence and judicial legislation. *Child and Family Law Quarterly*. 29, 1 (2016).

[78]

Norrie, K.McK. 2013. The law relating to parent and child in Scotland. W. Green.

[79]

Norrie, K.McK. 2013. The law relating to parent and child in Scotland. W. Green.

[80]

Nygh, P. 1997. The New Hague Child Protection Convention. *International Journal of Law, Policy and the Family*. 3 (1997). DOI:<https://doi.org/10.1093/lawfam/11.3.344>.

[81]

Nygh, P. 1997. The New Hague Child Protection Convention. *International Journal of Law, Policy and the Family*. 11, 3 (Aug. 1997), 344–359.  
DOI:<https://doi.org/10.1093/lawfam/11.3.344>.

[82]

Parra-Aranguren, G. 1994. Explanatory Report on the 1993 Hague Intercountry Adoption Convention.

[83]

Paul Beaumont Not heard and not returned: the reality of Article 11(8) proceedings. *International Family Law Journal*.

[84]

Paul Beaumont\* Private international law concerning children in the UK after Brexit: comparing Hague Treaty law with EU Regulations. *Child and Family Law Quarterly*.

[85]

Paul Beaumont\* Private international law concerning children in the UK after Brexit: comparing Hague Treaty law with EU Regulations. *Child and Family Law Quarterly*.

[86]

Paul Beaumont\* Private international law concerning children in the UK after Brexit: comparing Hague Treaty law with EU Regulations. *Child and Family Law Quarterly*.

[87]

Pilkington, M.P. 1988. Transitional Divorces under the Family Law Act 1986. *International and Comparative Law Quarterly*. 37, 1 (1988), 131–143.  
DOI:<https://doi.org/10.1093/iclqaj/37.1.131>.

[88]

-□"Proposal for a Council Regulation on jurisdiction, the recognition and enforcement of decisions in matrimonial matters and the matters of parental responsibility, and on international child abduction (recast)" COM (2016) 411 final:  
<https://ec.europa.eu/transparency/regdoc/rep/1/2016/EN/1-2016-411-EN-F1-1.PDF>.

[89]

Proposal for a Council Regulation on jurisdiction, the recognition and enforcement of decisions in matrimonial matters and the matters of parental responsibility, and on international child abduction (recast) COM (2016) 411 final:  
<https://ec.europa.eu/transparency/regdoc/rep/1/2016/EN/1-2016-411-EN-F1-1.PDF>.

[90]

Proposal for draft Human Fertilisation and Embryology Act 2008 (Remedial) Order 2018:  
2018.  
<https://www.gov.uk/government/publications/proposal-for-draft-human-fertilisation-and-embryology-act-2008-remedial-order-2018>.

[91]

Resolution,\* International Academy of Family Lawyers (IAFL)\*\* and Family Law Bar Association (FLBA)\*\*\* Brexit and family law. *International Family Law Journal*.

[92]

Resolution,\* International Academy of Family Lawyers (IAFL)\*\* and Family Law Bar Association (FLBA)\*\*\* Brexit and family law. International Family Law Journal.

[93]

Resolution,\* International Academy of Family Lawyers (IAFL)\*\* and Family Law Bar Association (FLBA)\*\*\* Brexit and family law. International Family Law Journal.

[94]

Reunite: <http://www.reunite.org/>.

[95]

Rogerson, P. 2000. Habitual Residence: The New Domicile? The International and Comparative Law Quarterly. 49, 1 (2000), 86–107.

[96]

Schuz, R. 2013. Hague child abduction convention: a critical analysis. Hart Publishing.

[97]

Sloth-Nielsen, J. et al. Inter-country Adoption from a Southern and Eastern African perspective. International Family Law Journal. 86–96.

[98]

Stark, B. 2016. International family law: an introduction. Routledge.

[99]

Surrogacy: <https://www.lawcom.gov.uk/project/surrogacy/>.

[100]

Surrogacy:

<https://www.scotlawcom.gov.uk/law-reform/law-reform-projects/joint-projects/surrogacy/>.

[101]

Surrogacy laws set for reform as Law Commissions get Government backing | Law Commission:

<https://www.lawcom.gov.uk/surrogacy-laws-set-for-reform-as-law-commissions-get-government-backing/>.

[102]

The Hague Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in respect of Parental Responsibility and Measures for the Protection of Children: <https://www.hcch.net/en/instruments/conventions/full-text/?cid=70>.

[103]

Thomale, C. 2017. State of play of cross-border surrogacy arrangements – is there a case for regulatory intervention by the EU? *Journal of Private International Law*. 13, 2 (May 2017), 463–473. DOI:<https://doi.org/10.1080/17441048.2017.1353783>.

[104]

Torremans, P. ed. 2017. *Cheshire, North & Fawcett private international law*. Oxford University Press.

[105]

Torremans, P. ed. 2017. *Cheshire, North & Fawcett private international law*. Oxford University Press.

[106]

Torremans, P. ed. 2017. *Cheshire, North & Fawcett private international law*. Oxford

University Press.

[107]

Torremans, P. ed. 2017. Cheshire, North & Fawcett private international law. Oxford University Press.

[108]

Trimmings, K. and Beaumont, P. 2011. International Surrogacy Arrangements: An urgent need for Legal Regulation at the International Level. *Journal of Private International Law*. 7, 3 (Dec. 2011), 627–647. DOI:<https://doi.org/10.5235/jpil.v7n3.627>.

[109]

Trimmings, K. and Beaumont, P.R. 2013. *International surrogacy arrangements: legal regulation at the international level*. Hart Publishing.

[110]

Triple talaq: How Indian Muslim women fought, and won, the divorce battle - BBC News: <https://www.bbc.co.uk/news/world-asia-india-40484276>.

[111]

UK Government, Foreign and Commonwealth Office: Guidance on Forced marriage – Information and practice guidelines for professionals protecting, advising and supporting victims.: <https://www.gov.uk/guidance/forced-marriage#outreach-programme>.

[112]

Walker, L. 2015. *Maintenance and child support in private international law*. Hart Publishing.

[113]

Walker, L. and Beaumont, P. 2011. *Shifting The Balance Achieved by the Abduction Convention: The Contrasting Approaches of the European Court of Human Rights and the*



European Court of Justice. *Journal of Private International Law*. 7, 2 (Aug. 2011), 231–249.  
DOI:<https://doi.org/10.5235/174410411796868689>.

[114]

1993 Hague Convention on Intercountry Adoption.

[115]

2013. *A Comparative Study on the Regime of Surrogacy in EU Member States*.

[116]

Anti-social Behaviour, Crime and Policing Act 2014.

[117]

Asylum and Immigration (Treatment of Claimants, etc.) Act 2004.

[118]

Child Abduction and Custody Act 1985. Statute Law Database.

[119]

Child Abduction and Custody Act 1985. Statute Law Database.

[120]

Children (Scotland) Act 1995. Statute Law Database.

[121]

Council Regulation (EC) No 2201/2003 - concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility.

[122]

Council Regulation (EC) No 2201/2003 - concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility.

[123]

Council Regulation (EC) No 2201/2003 [2003] OJ L338, 23/12/2003.

[124]

Council Regulation (EC) No 2201/2003 [2003] OJ L338, 23/12/2003.

[125]

Council Regulation (EC) No 2201/2003 of 27 November 2003 concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility, repealing Regulation (EC) No 1347/2000, CELEX1.

[126]

Council Regulation (EC) No 2201/2003 of 27 November 2003 concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility, repealing Regulation (EC) No 1347/2000, CELEX1.

[127]

Council Regulation (EU) 2016/1103 of 24 June 2016 implementing enhanced cooperation in the area of jurisdiction, applicable law and the recognition and enforcement of decisions in matters of matrimonial property regimes.

[128]

Council Regulation (EU) 2016/1104 of 24 June 2016 implementing enhanced cooperation in the area of jurisdiction, applicable law and the recognition and enforcement of decisions in matters of the property consequences of registered partnership.

[129]

Domicile and Matrimonial Proceedings Act 1973.

[130]

Domicile and Matrimonial Proceedings Act 1973.

[131]

Enforcement of child maintenance in the EU: an English lawyer's perspective: Part 1: the history of reciprocal enforcement between England and Wales, the EU and the rest of the world. *International Family Law Journal*.

[132]

EU Green Paper on Applicable Law and Jurisdiction in Divorce Matters COM (2006) 399 final

[133]

EU Green Paper on Applicable Law and Jurisdiction in Divorce Matters (March 2005, COM (2005) 82 final).

[134]

European Commission proposed Regulations on matrimonial property regimes and the property consequences of registered partnerships: Response to public consultation (Response to Consultation).

[135]

European Commission Report on the application of the Brussels II bis Regulation (COM (2014) 225 final).

[136]

Explanatory Report on the Convention, drawn up on the basis of Article K.3 of the Treaty on European Union, on Jurisdiction and the Recognition and Enforcement of Judgments in Matrimonial Matters (approved by the Council on 28 May 1998) prepared by Dr Alegría Borrás Professor of Private International Law University of Barcelona.

[137]

Family Law Act 1986.

[138]

Family Law Act 1986. Statute Law Database.

[139]

Family Law Act 1986. Statute Law Database.

[140]

Family Law (Scotland) Act 1985.

[141]

Family Law (Scotland) Act 2006.

[142]

Family Law (Scotland) Act 2006.

[143]

Family Law (Scotland) Act 2006.

[144]

Family Law (Scotland) Act 2006.

[145]

Forced Marriage (Civil Protection) Act 2007.

[146]

Forced Marriage etc. (Protection and Jurisdiction) (Scotland) Act 2011.

[147]

Forced Marriage: Statutory Guidance.

[148]

House of Lords European Union Committee 52nd Report of 2005-06, 'Rome III – Choice of Law in Divorce, Report with Evidence'.

[149]

Human Fertilisation and Embryology Act 2008. Statute Law Database.

[150]

Maintenance Orders Act 1950. Statute Law Database.

[151]

Maintenance Orders (Reciprocal Enforcement) Act 1972. Statute Law Database.

[152]

Marriage and Civil Partnership (Scotland) Act 2014.

[153]

Marriage (Same Sex Couples) Act 2013.

[154]

Marriage (Same Sex Couples) Act 2013.

[155]

Marriage (Scotland) Act 1977.

[156]

Marriage (Scotland) Act 1977.

[157]

Matrimonial and Family Proceedings Act 1984.

[158]

Matrimonial Causes Act 1973.

[159]

Matrimonial Proceedings (Polygamous Marriages) Act 1972.

[160]

Matrimonial Property Regime and the property consequences of registered partnerships – How should the UK approach the Commission's proposals in these areas?

[161]

Private International Law (Miscellaneous Provisions) Act 1995.

[162]

Proposal for draft Human Fertilisation and Embryology Act 2008 (Remedial) Order 2018.

[163]

'Rome III Regulation' – Council Regulation (EU) No 1259/2010 of 20 December 2010 implementing enhanced cooperation in the area of the law applicable to divorce and legal separation (OJ L343).

[164]

The 2007 Hague Maintenance Convention: response to practical demands. International Family Law Journal.

[165]

The Civil Jurisdiction and Judgments (Maintenance) Regulations 2011. Queen's Printer of Acts of Parliament.

[166]

The Consular Marriages and Marriages under Foreign Law Order 2014.

[167]

The Human Fertilisation and Embryology Act 2008 (Remedial) Order 2018/1413.

[168]

The Human Fertilisation and Embryology (Parental Orders) Regulations 2018/1412. Queen's Printer of Acts of Parliament.

[169]

The Marriage (Same Sex Couples) Act 2013 (Consequential and Contrary Provisions and Scotland) Order 2014.

[170]

The UK senior court's contribution to the global jurisprudence on international child abduction. *Law Quarterly Review*.

[171]

Understanding forced marriage in Scotland.