

Resolution Specialist Accreditation

Child Abduction Portfolio Competence Unit - Lawyers

This unit focusses on the specialist knowledge, understanding and application in practice required to advise and/or represent clients where child abduction has occurred or is threatened.

Competency Code	Knowledge and Understanding Candidates must know and understand:
SACHAB01	The Resolution Code of Practice and of other relevant protocols (e.g. The Law Society Family Law Protocol, the Remote Access Family Court and any associated protocols), the SRA Competence Statement and over-arching Standards Framework, Family and Civil Procedure Rules, and including the guidance and protocols issued by the Foreign and Commonwealth Office Child Abduction Unit or the Ministry of Justice in relation to parental child abduction/wrongful retention. Resolution's Guides to Good Practice and Precedents.
SACHAB02	The civil and criminal law and procedures in relation to parental child abduction, Child Abduction Act 1984.
SACHAB03	The provisions contained within the 1980 Hague Convention on Child Abduction, Brussels II revised legislation, Hague Convention 1996, the Child Abduction and Custody Act 1985, case law and procedures and to also be conversant with relevant international and cross national protocols and initial and emergency procedures on notification of abduction and threat of abduction.
SACHAB04	The meaning of habitual residence, rights of custody and wrongful removal when considering a Hague Convention child abduction case.
SACHAB05	Possible defences and exceptions a respondent to an application of child abduction may raise. To include: <ul style="list-style-type: none"> • 13(b) defences and undertakings that can be given and orders made • The voice of the child within these proceedings
SACHAB06	Non-Hague countries: <ul style="list-style-type: none"> • Protocols/Declarations • Sharia Court • Islamic principles
SACHAB07	Correct procedure for recovery of a child from a non-convention country.
SACHAB08	Criminal offences and sanctions in relation to Child Abduction.
SACHAB09	The role of Reunite International Child Abduction Unit and the role of mediation in international parental child abduction.
SACHAB10	Services of information and support for both the abducted from (left-behind) and abducting (taking) parent and for children and young people as appropriate.
SACHAB11	Legal Aid availability and eligibility criteria if/where applicable.

Competency Code	Performance Candidates must be able to:
SACHAB12	Demonstrate appropriate application of the Resolution Code of Practice and other relevant practice protocols in all cases including the guidance and protocols issued by the Foreign and Commonwealth Office Child Abduction Unit and the Ministry of Justice in relation to parental child abduction and wrongful retention.
SACHAB13	Identify and assess any relevant cultural sensitivities or considerations.

SACHAB14	Identify and assess the effects of relocation and abduction on the family and the effect for any client or children.
SACHAB15	Identify, describe and explain the relevant civil and criminal law and procedures in relation to parental child abduction in individual cases.
SACHAB16	Provide a clear explanation of the 1980 Hague Convention and where relevant, Brussels II law and the Hague Convention 1996 procedures and protocols (and where they may conflict with Resolution's Code of Practice).
SACHAB17	Assess, identify and explain habitual residence, rights of custody and wrongful removal and retention.
SACHAB18	Consider, assess and explain possible defences or exceptions to an application for a return under the Hague Convention following alleged child abduction and to understand the need for undertaking/orders.
SACHAB19	Consider, assess and explain the correct procedures for recovery of a child from a non-convention country.
SACHAB20	Identify where, and explain as appropriate, criminal charges or sanctions may apply in relation to child abduction/threatened child abduction.
SACHAB21	Identify, assess and provide information in relation to the role of Reunite International special mediation scheme.
SACHAB22	Assess with the client/s the type and nature of available support and signpost to relevant services.

Guidance Notes to Unit

Candidates should be aware that not all competencies will feature in case studies but must be prepared and able to answer all that are listed in the unit. Assessment is adjusted to match competencies tested.