



James Netto represents a young man at the centre of a High Profile International Family Dispute

The International Family Law Group LLP represents a young man at the centre of a high profile and widely reported family dispute. The young man, known as 'S', is engaged in litigation against his own parents, seeking to return home to the UK having been abandoned in a boarding school abroad.

Background

'S' is a 14-year-old young man who has lived in London all of his life with his British-Ghanaian family. It is in London where 'S' has his school and network of friends; he has never known any other home.

In March 2024, 'S' was told by his parents that a relative in Ghana was unwell. 'S' went on what he thought was a family holiday there, only to learn on his arrival that his parents had arranged a place for him to attend a local boarding school. His parents swiftly returned to the UK, leaving 'S' alone there.

'S' states that he has a torrid time at that school, and alleges that he was subjected to extensive bullying and physical chastisement from staff there. Having run away from the school, he contacted a number of authorities, including the British High Commission, desperate to return to London.



Litigation and parties' positions

In September 2024, 'S' launched proceedings in the High Court, seeking to become a ward of court, and wishing to return to England.

His parents are the respondents to this application and are seeking to defend their actions, alleging that he was taken to Ghana for his own protection. His parents aver that 'S' was at risk of involvement in gangs, and was falling in with the wrong crowd in London – something which 'S' himself strenuously denies. It is in boarding school in Ghana, his parents state, where 'S' will be better off. Both parents also argue that, as sole holders of parental responsibility for 'S', they were exercising their parental rights jointly in taking him there.

By contrast, 'S' states that he has been subject to significant physical harm, emotional harm and neglect in Ghana, and that he never agreed to move away from his school and life in England. He seeks to return to the UK as soon as possible.

The case highlights the intricate, finely balanced considerations when young people seek to exert their own agency against their parents. On the one hand, 'S' is a *Gillick* competent child is seeking to take decisions for himself. Our courts are obliged to have due regard for the wishes and feelings of children, particularly when the young people involved are teenagers. He also states he has suffered significantly through his parents' actions in deceiving him into travelling to Ghana and abandoning him there. On the other hand however, his parents have jointly agreed a specific course of action for him: they have ostensibly taken decisions intended to protect him.

Today, the High Court refused his application for return.

Our partner, James Netto, acts as 'S's litigation friend, and instructs Deidre Fottrell KC, Prof Rob George and Andrew Powell.

Commenting on the case, James Netto said:

"Sadly, cases such as S's are becoming increasingly common. These teenagers are often in exceptionally challenging or vulnerable situations, and are turning to the court for protection".



"We have certainly been seeing an increase in the number of young people in a similar situation as 'S', and cases vary wildly".

"Examples include young people who, in their parents' eyes, are falling in with the wrong crowd or are adopting what their parents see as unorthodox or challenging behaviours. This could be anything from being involved with gangs, to them having a new boyfriend or girlfriend, or because of their sexuality or gender identity. It could even be simple as them just acting up at school. They could be expressing themselves in particular ways, or adopting actions which appear to be at odds with their own heritage".

"For 'S', his family allege that he was falling in with the wrong crowd and misbehaving at school – something he strongly denies".

"In the cases we are seeing, when these young people assume agency and choose to exert their own wishes and feelings, or their personalities, they can clash with their family's deeply-held traditions or values. Their parents' solution is to send them abroad, often alone, in an attempt to rectify their behaviour. They see it as placing their children out of harm's way; yet these young people are often left alone, in completely alien circumstances, and obliged to fend for themselves. Many will never have spent any meaningful time in that country, and will have only ever experienced life and schooling in the UK. The vast majority are deceived into travelling abroad – as their parents know all too well that they would never sign up to travelling if they knew what this trip would entail".

The matter has been widely reported, including on the BBC:

<https://www.bbc.co.uk/news/articles/cdryre7y4n0o>

The full judgment is available here:

<https://www.judiciary.uk/judgments/s-v-f-and-m/>

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