



# Re S: Court of Appeal allows appeal in high-profile international children case

The International Family Law Group welcomes a significant decision from the Court of Appeal in a complex and widely reported international family law case concerning a teenage boy at the centre of a cross-border dispute between his parents.

The case, which has drawn national and international attention with coverage in *BBC News* and *The Times*, concerns a young man ('S') who was deceived by his parents into travelling to Ghana. Upon his arrival there, S was told he would be enrolled in a local boarding school. His parents swiftly returned to the UK alone. Through his solicitor and litigation friend, James Netto, S later launched proceedings in the High Court in London, seeking orders for his return home. His parents allege that they were acting in their son's best interests, and that they were seeking to protect him from dangers in London.

At first instance, the High Court refused his application. The Court of Appeal however has now allowed the child's appeal, and remitted the matter to the High Court for a full rehearing.

This complex matter raises significant questions about child autonomy, the remit of the family court to interfere in parental decisions, and the rights of a young person to have their voice heard.

**James Netto**, Partner at iFLG and solicitor for the appellant child, said:

*This is a hugely significant decision that will certainly resonate across international family law. We are very pleased indeed that the Court of Appeal has allowed our client's appeal, and has recognised the critical importance of listening to and assessing the voices of young people at the heart of legal proceedings that profoundly affect their lives.*



*Today's landmark decision underscores the real importance of hearing the wishes and feelings of young people. S, the 14 year old at the heart of this case, is grateful to the Court of Appeal for affording him another chance to come home.*

The Association of Lawyers for Children, and The International Centre for Family Law, Policy and Practice, both provided written submissions in relation to the appeal.

Our partner, **James Netto**, assisted by solicitor **Rosa Schofield** and paralegal **Beatrice Holt**, act for S, and instruct Deirdre Fottrell KC, Professor **Rob George KC**, and **Andrew Powell** (4pb and Harcourt Chambers).

The judgment of the Court of Appeal is awaited. Coverage of the case can be found on BBC News (<https://www.bbc.co.uk/news/articles/clyg0p88z83o>) and on The Times (<https://www.thetimes.com/uk/law/article/child-sent-to-ghana-by-parents-over-gang-fears-wins-new-hearing-w03scrlmw>)

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