



Karan Chadha

Since qualification, Karan has developed her expertise in the field of international movement of children; particularly international relocation; domestic and international child abduction; international custody disputes, European Community law in relation to family matters, though Karan specialises in all aspects of children law, including public law care proceedings and domestic private law residence/contact disputes.

Karan qualified in November 2004 and joined Freemans in 2006 as an assistant solicitor in the family department. She became an associate at the firm in 2008.

Karan is accredited by [Resolution](#) as a specialist family lawyer with specialist accreditations for child abduction and children law.

Karan is Secretary to the Board of Trustees of [Reunite](#): International Child Abduction Centre.

Karan's first degree at the School of Oriental and African Studies in London sparked her initial interest in international legal systems, comparative legal theory and conflicts of law. Karan's experience of child law and her interest in the "rights of the child" has more recently taken her towards pursuing a Masters degree in International Childhood Studies which she will complete in September 2011.

Karan is a member of [Resolution](#) (formerly the Family Law Association), the [Association of Lawyers for Children](#) and also [NAGALRO](#).

Reported cases:

B v M [2009] EWHC 3411 (Fam)

This was the second set of Hague Convention proceedings in these children's lives and in-between litigation had been ongoing in Italy for some years. Following holiday contact in England the Children raising strong and vocal objections to a return to Italy to their father's care. The father issued Hague proceedings for their return to Italy. The eldest child was joined to the proceedings. The court dismissed the application for return based upon the children's objections.

S v I [2011] EWHC 214 (Fam)

Abduction to Poland. The Polish Courts find that the father consented to the removal and dismissed his appeal. Father applies to the English courts for an order under Article 11 of Brussels II revised. Father produces evidence to the contrary on the issue of consent. The English court accepts jurisdiction to determine his Article 11

application notwithstanding that the Polish court had found that he had consented to the removal.

Re C (minors) (forthcoming)

Wardship. Abduction to USA by the father. Mother in prison currently serving a life sentence. Several years elapse between the mother's conviction and securing US lawyers and children's whereabouts. Cafcass legal asks the English court to consider whether jurisdiction remains with England or has shifted to the USA as mother is no longer seeking immediate return. The English court acknowledging the Strasbourg decisions that imprisonment does not or should not create 'civic death' and Bennett J in Re L (A child) [2006] 1FLR 843, that 'Imprisonment of a parent does not extinguish or suspend his or her rights of custody'. Court considering domestic and European statute conferring jurisdiction. The children were habitually resident at the time this court was seised. A possible shift in habitual residence does not mean that the court no longer has jurisdiction. The mother's (in)ability to pursue her Article 8 rights in the USA should be taken into account by the English court when deciding whether or not to continue exercising its jurisdiction.

In this case given the mother's circumstances she almost certainly would have been left without a remedy in locating and re-establishing any contact with the children if the court decided not to exercise jurisdiction.