



Hague Convention: Court Support Guide Canada

Are you a Canadian mother who faced violence or abuse from your partner while living abroad?

Have you returned home to Canada without the father's agreement?

If so, you need to know about the Hague Convention and the court case you might be facing.

The Hague Convention is an international treaty with over 100 contracting countries, including Canada. It is used to quickly return children who have been taken across international borders by one parent, without the other parent's permission. Because these cases are treated as urgent, deadlines are short - usually within six weeks - and courts move fast.

To win, the applicant (the 'left-behind' parent) must first prove that the Convention applies and that the child was wrongfully taken or kept (see section 4). If they succeed, then return is the default outcome: the court must order it unless you can show that one of the few limited exceptions applies.

About this guide

Please note, this guide gives general legal information, not legal advice, and cannot replace advice from a lawyer about your situation. The law differs across provinces and territories and can change. It is written mainly for mothers, who are most often the responding parent in Hague cases, but much of it may help other parents and caregivers too. This guide cannot tell you whether to leave, stay, return, appeal, or take any other action in your own case. The most important first step you can take is to find yourself a qualified lawyer to advise you on how best to respond (see section 2.1).

What's in this guide?

Safety first

- 1 [How will I know if a Hague case is brought against me?](#)
- 2 [If you have just been served: the first 24-48 hours](#)
 - 2.1 [Finding a lawyer / getting legal aid](#)
- 3 [What happens next?](#)
- 4 [What must the applicant prove?](#)
- 5 [What defences against return are available to me?](#)
 - 5.1 [What counts as evidence for 13b?](#)
 - 5.2 [How can my child's views be brought before the court?](#)
- 6 [The court hearing](#)
- 7 [What happens if a return is ordered?](#)
 - 7.1 [Protective Measures & Undertakings](#)
- 8 [Can I appeal?](#)
 - 8.1 [Requesting a Stay Order](#)

From us to you



Safety First

If you are in immediate danger, contact emergency services or a local IPV organization.

Visit [ShelterSafe.ca](https://www.sheltersafe.ca) to find shelters and transition houses across Canada. You can contact a shelter for crisis support, safety planning, and referrals even if you do not need a place to stay.

If there is a possibility that your communications may be monitored, take care when using phones, email, cloud storage, location sharing, shared devices, or family accounts. If you can, use a safe device and a safe email account (ideally a device the person using abuse or coercive control has never had access to and an email account he has no knowledge of) when contacting lawyers, legal aid, shelters, or support services. Do not confront the other parent about monitoring if doing so could increase risk. Danger is highest when contemplating or leaving an abusive relationship; if you can, get help to make a safety plan as soon as possible.

1. How will I know if a Hague case is brought against me?

You will receive a Hague application, usually hand-delivered by a court or government officer, under the court rules or Hague procedures that apply in your province or territory. In legal terms you are now the 'respondent'; the parent bringing the case is the 'applicant'. If you receive anything from a court, government authority, Central Authority, police, sheriff, process server, or the other parent's lawyer, treat it as urgent and get legal advice immediately.

The application will usually contain:

- A sworn affidavit from the applicant explaining their claim under the Hague Convention.
- Details of when and how they allege your child was wrongfully removed or retained.
- A request for a return order, often with urgent provisional remedies (e.g. orders to seize your child's passport or prevent travel).
- A request for costs under Article 26 of the Convention. This may include covering their legal fees or travel expenses.



2. If you have just been served: the first 24–48 hours

If you have just received Hague Convention court documents, try to take the following steps as soon as possible. You do not need to do everything perfectly. The goal is to get safe, get legal help, and preserve the information your lawyer may need.

- Get to a safe place and use a safe phone, email account, or device if you are concerned that the other parent may monitor you.
- Do not ignore the court documents. Hague cases move very quickly, and deadlines may be short.
- Contact Legal Aid, a family lawyer, a legal clinic, or an IPV organization immediately. Say clearly: 'I am dealing with an urgent Hague Convention child-return case and there is intimate partner violence or coercive control.'
- Ask whether emergency legal help, domestic-violence legal advice, or a Hague-experienced lawyer is available.
- Keep the application, affidavits, emails, messages, court orders, envelopes, and proof of service together. Take photos or scans and store copies somewhere safe if you can.
- Start a simple timeline with dates, countries, addresses, what happened, who witnessed it, and how your child was affected.
- Preserve evidence, but do not put yourself or your child at risk to collect it.
- Do not breach any court order. If an order places you or your child in danger, ask a lawyer or IPV advocate to help you seek an urgent change to the order.

2.1. Finding a lawyer / getting legal aid

Find a lawyer as quickly as possible, preferably one who has experience with Hague Convention cases and who understands intimate partner violence, including coercive control. Local women's organizations, shelters, legal clinics, and IPV support programs may be able to help you find a lawyer and apply for legal aid.

When contacting legal aid or another legal service, explain clearly that:

- you are a survivor of intimate partner violence;
- the case involves an urgent international child-abduction or Hague Convention proceeding; and
- you may face immediate deadlines or an application for the child's return.

This information may affect your eligibility or give you access to specialized services. Some provinces and territories offer survivors a limited number of hours of free summary legal advice, sometimes up to four hours, even where full legal representation is not available.

Eligibility rules vary. Some programs are province- or territory-specific and may have their own rules about where you live, where the legal issue is being dealt with, what kind of violence or abuse is covered, and what documentation is required. Some programs may also ask for information or documentation relating to the abuse. Ask specifically whether there are emergency services, domestic-violence exceptions, or free advice programs available to you.

Legal Aid coverage and free legal services vary considerably across provinces and territories. The examples below are not a complete list and may change over time:

- **British Columbia:** [Legal Aid BC](#) provides service to parents in serious family situations, such as when the other parent threatens to remove the child to another jurisdiction, or denies parenting time or contact, or in cases where the litigant is unable to represent themselves due to emotional abuse or psychological trauma.
- **Ontario:** [Legal Aid Ontario](#) provides Emergency two-hour advice certificates for domestic violence survivors (with relaxed financial eligibility rules), and full certificate coverage of family law claims such as parenting time, decision-making, restraining orders, etc. and assistance regarding Hague applications to those who qualify financially.
- **Prince Edward Island:** [Prince Edward Island Legal Aid](#) prioritizes support to survivors of

domestic violence and is willing to waive or relax rules to provide emergency counsel. PEI also has the RISE Program, which provides free and confidential legal information and advice to people who have experienced intimate partner or sexual violence.

- **Quebec:** [Rebâtir](#) provides survivors of sexual or domestic violence up to four hours of free legal consultation with a lawyer.
- **Yukon:** [Independent Legal Advice \(ILA\) program](#) provides IPV and sexual assault survivors up to four hours of free legal advice.

These programs, eligibility rules, and funding arrangements change frequently. It is best to consult with your local women's shelters or intimate partner violence organizations for advice on where to turn for support in your local area.

Note: Summary legal advice is not the same as full representation in court, so ask whether the lawyer can continue acting for you or help you apply for a full legal-aid certificate.



3. What happens next?

Once served, you will typically have a very short time to respond. Courts aim to decide Hague cases quickly, generally within six weeks, and, although actual timelines may vary. Judges can order tight schedules for filing evidence and hearing dates.

For this reason, you need to find a lawyer immediately after being served with an application or other court documents so that you can get help to prepare your defence and collect supporting evidence. Your lawyer (or you, if you do not have a lawyer) should also request additional time to allow you to source expert testimony (e.g. from a child psychologist), or to collect and translate supporting evidence from the country you left. The court may or may not grant extra time, since Hague cases are meant to move quickly.

Urgent and without-notice motions

The applicant may ask the court to deal with an issue urgently. An urgent motion is heard quickly because the applicant says the matter cannot wait. You may still be notified and given a shortened time to respond.

In some circumstances, the court may make a temporary order before notifying you or giving you an opportunity to respond following a without-notice motion, sometimes referred to as an *ex parte* motion. The court may allow this where the applicant alleges that giving advance notice would create an immediate risk. For example, the applicant may allege that there is a risk your child will be moved again, concealed, or taken outside the court's reach. Because the judge initially hears only the applicant's evidence, you may later challenge the allegations and ask the court to reconsider the order.

The court may:

- require your passport or your child's passport to be surrendered or deposited with the authorities,
- prohibit your child from being removed from a particular province, territory, or geographical area,
- require your child to remain at a specified residence,
- issue a border or port alert,
- require you to report periodically to the authorities, or
- order you to pay a bond or deposit.

These measures are intended to keep your child within the court's reach while the case is being decided and, if return is ordered, to help ensure that the order can be carried out promptly.

This may feel frightening or unfair, especially if the order affects your safety or your child's wellbeing. Even so, you must follow the order until the court changes it. Breaching a court order can have serious consequences, including a finding of contempt, restrictions on parenting arrangements, arrest, a criminal record, and possibly custody or criminal consequences depending on the circumstances. Even if not convicted, consequences from enforcement may affect you for years, and breaches can be raised against you in Hague and parenting proceedings.

Seek urgent legal advice about obtaining the applicant's evidence and asking the court to review, change or set aside the order. If complying with the order would place you or your child in danger, tell your lawyer and an intimate partner violence advocate immediately so that they can help you seek a safer lawful arrangement. Court orders are serious. Until an order is changed, it remains legally binding. Safety and legal compliance should be addressed together where possible.

4. What must the applicant prove?

Before the court considers any defences or exceptions, the applicant must establish that the Hague Convention applies and that your child was wrongfully removed or retained.

This generally includes showing that:

- your child was under 16
- your child was habitually resident in another Convention country immediately before the alleged wrongful removal or retention
- the removal or retention breached the applicant's rights of custody under the law of that country; and
- the applicant was exercising those rights or would have exercised them but for the removal or retention.

You may dispute one or more of these requirements. For example, you may argue that your child's habitual residence had already changed, that the move was agreed to, or that the applicant did not have rights of custody under the applicable law.





What does 'habitual residence' actually mean?

In Canada, habitual residence is assessed from the child's perspective by looking at the child's complete situation in each country. The court may consider the child's age, relationships, schooling, language, activities, community connections, who cared for the child, and the reasons and conditions for the move. The parents' intentions may also be considered, particularly for a very young child, but they are only one factor and do not determine the outcome on their own.

(ref: [Office of the Children's Lawyer v. Balev, 2018 SCC 16](#))

Habitual residence is not established by citizenship, immigration status, or simply counting the number of days spent in each country. There is no minimum length of time required. In some circumstances, a new habitual residence may be established on the first day of a genuine move, although a short visit or temporary stay will not necessarily change it.

Why does the one-year mark matter?

The one-year period is different from habitual residence. If Hague court proceedings are started within one year of the alleged wrongful removal or retention, a parent generally cannot rely on the argument that the child is now settled in Canada. If proceedings are started after one year, the court may refuse return where the child is shown to be settled in their new environment, although return may still be ordered. An applicant may therefore wait many months and still begin the case just before the one-year deadline. Do not assume that no application is coming because time has passed or the other parent has remained silent.

5. What defences against return are available to me?

Even where the applicant establishes a wrongful removal or retention under the Convention, the court may refuse to return your child in certain limited circumstances. These are commonly described as defences or exceptions to return.

A complete list of defences is [available here](#). The possible exceptions are limited and depend on the facts. They may include: the applicant was not exercising custody rights; the applicant consented to the move; the applicant later accepted the child living in Canada or took no meaningful action to address it (acquiescence) under 13(1)a; return would result in a grave risk of harm or intolerable situation under Article 13(1)b; a mature child objects to return under Article 13(2); the child is settled after more than one year; or, in rare cases, return would violate fundamental human rights and freedoms. Ask a lawyer which exceptions may apply in your case.

Consent and acquiescence

Return may also be refused if the other parent agreed to the move in advance (consent) or later accepted your child living in Canada (acquiescence). Acquiescence means the other parent behaved in a way that may show they accepted your child living in the new country. Examples may include written messages approving travel or relocation, helping with school or housing arrangements, not pursuing custody rights, abandoning a Hague application, waiting a significant period before taking action, or other clear conduct inconsistent with seeking your child's return.

If the other parent ever said, wrote, or did anything suggesting they agreed to or accepted your child living in Canada, tell your lawyer. Save texts, emails, voice notes, travel messages, court documents, and any evidence showing what happened. Whether this amounts to consent or acquiescence is a legal question for the court, so do not rely on it without legal advice.

Grave risk — Article 13(1)b

The defence most often used in IPV cases is known as Article 13(1)b or 13b. This states that a child does not have to be returned if there is a grave risk that a return would expose them to physical or psychological harm or would otherwise place them in an intolerable situation. However, the bar to prove 'grave risk' is very high and judges do not always recognize that IPV against the mother also harms the child. Even if the defence is proven, the judge may still order the child's return, sometimes relying on proposed 'protective measures' to address the risk (see section 7.1).



5.1 What counts as evidence for 13(1)b?

The focus is always on the grave risk to the child, rather than to the mother, although you can argue that harm to you as a mother has a negative impact on your child. This reality has been acknowledged by the Supreme Court of Canada who stated that: domestic violence allegations are notoriously difficult to prove, proof of even one incident may raise safety concerns, and that children can be harmed by both direct and indirect exposure to domestic conflicts.

(see [*Barendregt v. Grebliunas*, 2022 SCC 22, \[2022\] 1 S.C.R. 517 at \[141\]-\[147\]](#))

Article 13(1)b in Canada

Canadian law increasingly recognizes that intimate partner violence may consist of an ongoing pattern of coercion and control, rather than only isolated incidents of physical violence.

- [**Harley v. Harley, 2023 ONSC 2563**](#): In this Hague case, the court recognized that a pattern of coercive control (including surveillance, domination, and severe psychological abuse) exposed a child to grave psychological harm or an intolerable situation. The court found that the high threshold for the grave risk exception was met and the child was not returned. Behaviours included surveilling the mother and child, the father keeping a gun near his chair for intimidation, forcing the child into a caregiver role, and exposing the child to abuse of the mother. This case illustrates that coercive control can meet the Article 13(1)b threshold — but not every coercive-control case will.
- [**J.C. v. S.K., 2024 ONCJ 110**](#): In this Hague case, the court found that a grave risk of psychological harm or an intolerable situation was established as a result of the father's pattern of coercive and controlling behaviour (at paragraph 101). Note: the grave risk finding was made in the alternative. The main reason for dismissing the application was that the father had not established he had custody rights (at paragraph 52). The court also found the father had acquiesced to the move. Even if he had demonstrated custody rights, both the grave risk finding and acquiescence would have prevented return. This does not mean that in every case where a mother has custody she can relocate without the father's consent. Always consult a lawyer before making any move across international borders with your child.
- [**Ahluwalia v. Ahluwalia, 2026 SCC 16**](#): Although Ahluwalia is not a Hague Convention case and does not create a Hague defence by itself, it may help explain how Canadian law increasingly understands intimate partner violence, coercive control, and cumulative harm. In that case, the Supreme Court of Canada recognized a new tort of intimate partner violence. The decision may be useful background for understanding how patterns of abusive, coercive, and controlling conduct can affect dignity, autonomy, equality, and safety. In a Hague case, this context still needs to be connected to the Convention issues, especially the risk of harm or intolerable situation for the child if returned.

Presenting evidence

You may have many kinds of information that could become evidence. Your lawyer can help determine what is admissible, persuasive, and safe to file. Useful information may include:

- Records of violence, coercive control, threats, or harassment: police occurrence reports, protection orders, medical or hospital records, child-protection records, and records from shelters or support services.
- Messages and recordings: emails, texts, call logs, social-media posts, photographs, audio, or video showing abuse, threats, financial control, surveillance, isolation, or attempts to prevent you from seeking help.



- Evidence of the impact on your child: school or childcare records, medical or counselling records, changes in your child's behaviour, sleep, health, attendance, development, or emotional wellbeing, and observations from teachers, healthcare providers, relatives, or other people who know your child.
- Evidence of the risks if your child is returned: past breaches of court orders or promises, threats about what will happen if you leave, access to weapons, stalking or monitoring, immigration or financial dependence, lack of safe housing or legal status abroad, and barriers to obtaining police, legal, medical, or social support in the return country.
- Your own records: a dated log or timeline describing what happened, who was present, what your child saw or heard, how they reacted, and what you did to seek help.
- Evidence of your attempts to get help abroad: reports or communications with police, doctors, lawyers, schools, embassies, shelters, family members, or community organizations, even where no effective help was provided.

Where possible, keep original files, dates, screenshots, metadata, names of witnesses, and copies stored somewhere safe, encrypted, and with secure backups. Focus on evidence that connects the abuse or coercive control to the risk of harm to your child if returned.

- **First-hand evidence** is especially important. Ask people who directly witnessed the abuse, coercive control, your child's reactions, or your attempts to seek help, whether they can provide an affidavit describing only what they personally saw, heard, or did.
- **Second-hand accounts** (or indirect knowledge) may not be admissible or given significant weight in court. Ask your lawyer for guidance on what to prepare as evidence before spending time gathering information that may not help your case.
- **Expert evidence** may assist the court to understand cases involving intimate partner violence or child abuse under Article 13(b) (grave risk of harm) or Article 13(2) (child's objection). In cases involving allegations of intimate partner violence, coercive control, psychological harm, or parental alienation, it is especially important to ensure experts are experienced with, and knowledgeable about, violence against women in intimate relationships and related harms to children. Expert evidence is not required in every case and may require advance court permission. The proposed evidence must be relevant to the Convention issues, particularly the risk to your child upon return. In some cases, allegations of parental alienation may be raised in response to abuse claims. If this happens, ask your lawyer about experts who understand IPV, coercive control, and children's responses to trauma.

Expertise and resources available vary by province and territory and there may be unique services where you are located.

- In Ontario, for example, you can seek appointment of the Office of the Children's Lawyer. Subject to their acceptance of the appointment, they offer a range of services. In cases where abuse is a factor, the appointment of a clinician who interviews the adults and children and relevant professionals involved in their lives may be the most effective way to ensure your case is properly explored and explained to the court. These services are free but in great demand, so applications must be written persuasively.

- Psychologists can explain how exposure to violence has impacted the child's mental health, or how coercive control has shaped your behaviour and choices.
- Social workers can speak to your housing stability, parenting capacity, or child welfare involvement.
- Domestic violence advocates can explain how trauma, fear, or control tactics impacted your ability to act or flee.
- Trauma-informed clinicians can assess the child's functional safety in both environments, including readiness for forced return or the risks posed by abrupt relocation.

If you cannot afford an expert, consider asking a worker from a community-based organization to swear an affidavit (e.g. women's shelter caseworker, therapist, paediatrician) or write a supporting letter. Note that a treating professional may be able to provide an affidavit limited to matters they personally observed and records they can properly authenticate.



5.2 How can my child's views be brought before the court?

If your child objects to returning, or you believe their experiences and views are relevant to a defence, tell your lawyer as early as possible. Ask what options exist in your province or territory for placing your child's views before the court. Do not pressure your child to choose between parents or repeatedly question them about what they want. This can be harmful for the child and may be used against you. Ask your lawyer how the child's views can be obtained safely and independently.

The way children participate in Hague proceedings varies across Canada. Depending on the province or territory and the circumstances of the case, the court may be able to:

- appoint a lawyer to represent the child;
- request a report about the child's views and preferences;
- obtain evidence from a social worker, psychologist, clinician, or other qualified professional;
- interview the child, although this is less common; or
- consider other reliable evidence about the child's experiences and views.

None of these steps is automatic. As a parent, you may ask the judge to obtain independent evidence or representation for your child (for example, the Office of the Children's Lawyer in

Ontario), but the judge may refuse; for example, because they want to decide a preliminary jurisdictional or Hague issue first, do not consider the evidence necessary, or are concerned that the process would delay the expedited proceedings. In some provinces, even where the court requests the involvement of a children's lawyer or similar service, that office may decide whether to accept the case.

Note that the Hague Convention only applies until a child is 16. While the child's views are not decisive, the older and more mature your child is, the more likely the court will be to consider their views. Ask your lawyer as early as possible how your child's age, maturity, experiences, and views may be lawfully and safely brought before the court.



6. The court hearing

The way a Hague application is decided varies across Canada. In most provinces and territories the matter is decided at a court hearing, usually in the superior court.

The first hearing is typically a case conference or procedural hearing, where the judge sets deadlines for filing evidence and outlines next steps. The case may be referred to mediation to see if the parties are able to reach a settlement, which the Court will then turn into a court order. Note: mediation is voluntary and may be inappropriate or unsafe where there is IPV, coercive control or a serious power imbalance. Any proposed agreement should receive independent legal advice and be drafted so that it is legally effective in all relevant countries.

If the parties are unable to settle, a date will be set for the return hearing or trial. The applicant (or their lawyer) goes first, arguing that your child was wrongfully removed/retained. Then you (or your lawyer) respond and raise any defences to return. Evidence is usually filed in affidavits and documents, and witnesses may be cross-examined where permitted or required. Both sides then make legal submissions on whether the removal or retention was wrongful and whether any Convention exception applies. The judge will make a determination and decide on costs.

In some provinces and territories, a Hague application may be decided mainly on the written materials rather than at a full oral hearing. Procedures can change, so ask your lawyer or the court how these applications are handled where you live.



7. What happens if a return is ordered?

If you lose your Hague case, the court will usually order the return of your child within a few days to a couple of weeks. The judge may give specific instructions on how the return should take place and set a date for compliance that takes account of necessary travel arrangements. If you do not comply, enforcement measures may be used, such as police involvement or contempt proceedings.

Return logistics and safety planning

If return is ordered, ask your lawyer whether the order should address practical safety issues, including:

- who will travel with your child and whether you are expected or able to return;
- when and how passports or travel documents will be released;
- who will pay travel costs, immediate living expenses and living expenses for the child(ren) and you while the court in the country you are returned to determines permanent arrangements;
- whether safe housing, financial support, schooling, medical care, and legal status are available in the return country;
- whether non-contact, protection, or safe-exchange terms are needed;
- whether criminal complaints, arrest risks, or enforcement steps can be paused, withdrawn, or addressed before return;
- whether mirror orders or enforceable protective orders can be obtained in the return country;
- how your child will have safe contact with you and the other parent after return; and
- what should happen if the other parent breaches undertakings or protective measures.

7.1 Protective Measures & Undertakings

When courts order your child to be returned under the Hague Convention in domestic violence cases, they often rely on 'protective measures' or 'undertakings' to address safety concerns. If this happens in your case, and you don't feel that these measures will keep your child (or you) safe, it is important to explain to your lawyer and the court why a proposed measure will not be adequate in the country the child will be returned to.

Problems with protective measures have been raised by Hague Convention experts, including the fact that protective measures are frequently violated - research indicates roughly two-thirds of victims report these measures have been breached - and the difficulty or impossibility of enforcing undertakings. ([The Judges' Newsletter on International Child Protection](#), Volume XXVI, The Hague, 2025, pp 27-28)

There are a number of expert papers on the topic on the FiLiA Hague Mothers website that might be useful:

- [Hague Domestic Violence Forum Expert Paper #5](#)
- [Hague Domestic Violence Forum Expert Paper #6](#)
- [Hague Domestic Violence Forum Expert Paper #7](#)

8. Can I appeal?

If you and your lawyer think you have grounds for an appeal, act quickly. Appeal rights and deadlines vary by province or territory and by the court that made the order. The deadline may be very short. Ask appellate counsel immediately (preferably before the return hearing) to identify the correct court, deadline and required documents. Filing an appeal does not automatically stop the enforcement of the return order, but you can apply for a Stay (a delay in enforcement) while the appeal is being considered (see Stay Order section below).

Grounds for an appeal are limited. Appeal courts generally accept the trial judge's factual findings unless you can demonstrate a 'palpable and overriding error.' Appeals may be possible based on serious procedural or legal error (e.g. if evidence was improperly included or excluded or material evidence was not considered, if the judge misinterpreted the Hague Convention or relied on an impermissible assumption, or if the judge applied the wrong legal test). The appeal court can decide to uphold the original decision, overturn the decision and cancel the return order, overturn only part of the decision, or send it back to the lower court for reconsideration.



8.1 Requesting a Stay Order

A Stay application should be filed immediately, ideally on the day of the decision, and before your child can be removed from Canada. If the stay is granted, your child will not be returned until the appeal is heard. If the stay is denied, they may be returned while the appeal process continues.

For a Stay Order to be granted, the judge will consider whether:

- the appeal raises a serious issue,
- your child will suffer irreparable harm if the stay is not granted (taking into account the court's view of the best interests of the child), and
- the balance of convenience favours a stay (that is, where the greater harm and practical consequences fall if your child is or is not returned).

In a Hague case, your child's circumstances, the Convention's emphasis on prompt return, and the practical consequences of return before the appeal are likely to be important.

It is vitally important to move quickly in these cases. If urgent steps are not taken, your child may be returned before the appeal is heard, and it may be very difficult to undo the practical consequences of return — particularly if the other parent does not abide by any protective measures, relocates internationally, or fails to comply with any later reversal order.

Before your hearing

- draft your Stay application and supporting affidavits
- have emergency contact information for appellate counsel ready
- prepare evidence of irreparable harm specific to your child's situation
- document your child's current stability (school, medical, housing, social connections)

You should also provide a risk assessment which considers the other parent's history of compliance with court orders, and practical enforcement challenges in the destination country.

From us to you

Navigating a Hague case can be frightening, exhausting, and lonely, especially when it is happening across borders and in the context of intimate partner violence, coercive control, or family violence. Try to be gentle with yourself. You do not have to manage everything alone or perfectly. Take things one step at a time: get safe, seek legal advice, gather support, and care for yourself and your child as best you can. Where possible, reach out to trusted family, friends, advocates, shelters, legal services, and other Hague mothers who understand what this experience can feel like.

You are not alone.

With heartfelt thanks to the Hague mothers, legal contributors, reviewers and advocates who helped create this resource.

The information contained in this leaflet was last checked as of June 2026.