

CHILD ABDUCTION PREVENTION GUIDE FOR ENGLAND & WALES

This Prevention Guide has been produced to assist you in gathering together information relating to your children if you fear they may be abducted, as well as information which may be required in the event of an abduction.

Some of the information may be required by your local police force so that details of your children can be circulated, if necessary, which may help to prevent them leaving the country without your permission.

Some of the information may be required by others, such as your solicitor, so that if your children are removed from the country they may hopefully be returned to you.

This Guide has been jointly produced by the Police Service and **reunite** International Child Abduction Centre with the support and guidance of The Home Office, The Ministry of Justice, The Foreign and Commonwealth Office, The Identity and Passport Service and The UK Border Agency.

Please take your time in reading all the advice in this Guide and if you are in doubt as to what is required of you, ask your solicitor or contact **reunite** for advice.

reunite offers the only advice line service in the UK specialising in international parental child abduction, open Monday to Friday, 9.30am to 5.00pm. The advice line telephone number is **0116 2556 234**. If you have an emergency situation outside of these times call the advice line and you will be directed to our 24hr emergency service.

What You Must Do

As soon as possible after receiving this Guide you should do the following:

For every child in your family you think is at risk of abduction:

1. Complete a description form.
2. Complete a fingerprint form using the guidance notes and pre-inked strip.
3. Take two photographs of the child (passport sized photos are ideal).
4. Write on the back of the photographs the name and date of birth of the child concerned and the date the photo was taken.
5. Get one photocopy of the description form once you have completed it.
6. Get one photocopy of the child's birth certificate.
7. Get one photocopy of any court order relating to the child.

For every person you think is likely to be a future abductor:

1. Complete a description form.
2. Get one photocopy of the description form once you have completed it.
3. Try to get a photograph of the likely abductor.
4. Write on the back of the photograph the name and date of birth of the likely abductor and the date the photo was taken.
5. If the photograph is of a group of people, write on the back the location in the group of the subject(s) e.g. back row, third from left.

In relation to yourself

1. Complete the details form.
2. Get one photocopy of the details form once you have completed it.
3. Get one photocopy of your marriage certificate to any likely abductor.

Split all the forms into two sets as follows:

Set 1: The originals for you
to store safely:

The original description forms, details form, birth and marriage certificates, court orders, one set of photographs and the completed fingerprint form.

Set 2: For your solicitor:

Photocopies of descriptions forms, details form, birth and marriage certificates, court orders and one set of photographs.

We advise you to then speak with a specialist solicitor if you have not already done so. Further advice can be sought from the **reunite** advice line or by visiting our website at www.reunite.org.

Once a solicitor is appointed to your case then pass them a set of the documents for safekeeping.

Actions to be considered

If you can answer **yes** to either of the following questions then you should consider taking the following action.

1. Do you believe that your child may be abducted within the next 48 hrs?
2. Do you think your child may be taken out of the country?

Action

1. Inform your local Police Station of the circumstances. It is better to go to the Police Station in person, so that you can make an official allegation of child abduction. The Police can then assess whether the risk of abduction from England & Wales is “Real” and “Imminent”. If it is, then you will be required to make a statement to that effect, which may result in the circulation of an ‘**All Ports Warning**’ and the child being put on the ‘child abduction list’ (remains for 28 days only).

If you find you are speaking to an officer or support staff member who does not take you seriously or does not appear to know what action to take, do not be put off - ask to speak to a more senior officer for example the ‘Duty Officer’. Possession of the information in this Guide should help. If the Police are still uncertain or reticent to take any action, advise them to contact the National Ports Office (Metropolitan Police Service) where experienced officers may be able to assist – telephone **020 7230 4800**.

2. Inform your solicitor. He or she can then make arrangements to obtain a court order to prevent the removal of a child from England & Wales. Please note, you do NOT need a Prohibited Steps Order, even though your solicitor may recommend one – this is merely a Civil Order, which does not confer powers on Police.
3. Contact the **reunite** advice line on **0116 2556234**. A 24hour emergency service operates outside of normal working hours.

Note: You do not need a court order for a child aged under 16 years, but it may assist you later if the child is successfully taken from England & Wales.

The issue of an ‘All Ports Warning’ by the police will not necessarily prevent the removal of a child from England & Wales.

Passports

Advice and action relating to passports is dependent upon whether your child already has a passport or is mentioned on another person's passport. Please read the following information carefully and if you have trouble understanding it then please call the **reunite** advice line for assistance.

1. If your child does not have a passport of their own, or is not mentioned on the passport of another person:

- a) Provided that no objection has been lodged at a Passport Office of the United Kingdom Identity and Passport Service by a parent or other objector, standard passport facilities are normally granted to children with the consent of either parent.
- b) Where the parents have not been married to each other, the mother's consent is required if the father does not have 'parental responsibility'.
- c) Where it is known that the child is a 'Ward of Court', passport facilities are not granted unless the court's permission is obtained.
- d) An objector can ask the Passport Service not to issue a passport for a child if a court in the UK has made one of the following orders: -
 - i) a "Prohibited Steps Order" under Section 8 Children Act 1989;
 - ii) a "Residence Order" under Section 8 Children Act 1989 and the objector is the person in whose favour the order was made,
 - iii) an order confirming that the child's removal from the jurisdiction is contrary to the wishes of the court;
 - iv) an order awarding the objector custody of the child or care and control;
 - v) an order specifying that the objector's consent to the removal of the child from the jurisdiction is necessary;
 - vi) an order requiring the surrender of a UK passport and prohibiting the making of a further passport application or otherwise upholding an objection to a child having a passport or leaving the country.
- e) If there is no court order, an objection can be considered from the mother (but only if the parents have not been married to each other, and the father does not have parental responsibility) or the police, where they have notified the Identity and Passport Service of an intention to exercise their power of arrest under the Child Abduction Act 1984.

- f) Any person with parental responsibility for a child or children, may obtain advice on what can be done to prevent the issue of a passport for the child or children. They should write to the **United Kingdom Identity and Passport Service, Caveats Section, Globe House, 89 Ecclestone Square, London, SW1V 1PN**. They can also be contacted on **0870 521 0410** and additional information can be found on their website at www.ips.gov.uk.

2. If your child has a passport of their own:

- a) If you have possession of it then keep it in a safe place.
- b) If you do not have possession of it, if possible get it and keep it in a safe place.
- c) If the passport has been lost, report the loss to your local Police Station and then inform the Passport Service so that you can obtain a replacement.
- d) If the passport is with the other parent who you fear could be a possible abductor, if the other parent has been married to you, or the other parent has parental responsibility, ask that person to return the passport to you. If they refuse obtain legal advice. A court may order the surrender of any passport issued to, or which contains particulars of, any child likely to be abducted. This usually takes the form of the passport being lodged at a solicitor's office and it cannot be returned to the holder without the permission of the court.
- e) If the passport is with someone else they have no right to it unless a court has allowed them to do so. If no court order exists ask for the return of the passport. If they refuse, inform the Police.

3. If your child is mentioned on the passport of another person:

- a) If the child is mentioned on your own passport keep it in a safe place.
- b) If the child is mentioned on the passport of the likely abductor, obtain legal advice. A court may order the surrender of any passport issued to, or which contains particulars of, any child likely to be abducted.

Additional information relating to passports

- When a court orders a passport to be surrendered, your solicitor must immediately notify the Passport Service to prevent another one being issued; the Passport Service must be provided with a copy of the court order.
- However, to avoid delay, we strongly recommend that the Passport Service be notified of the circumstances separately, by you or your solicitor.
- Ideally you should ensure that all relevant children have their own passport and any reference to them in anyone else's passport is deleted by the Passport Service (only applies in the case of a British passport).
- It frequently happens that when an objection is accepted by the Passport Service, the child already has a valid passport or the child's name is already included in the valid passport of a relative. The Passport Service is not able to compel the surrender of such a passport in order to give effect to the objection. The most that can be done is to note the name of the child for a period of 12 months, so that if during that time the passport should come into the possession of the Passport Service or another application for passport facilities for the child is made, the Passport Service could then act on the objection.
- Where an abduction is suspected in the future and you are visiting a foreign country with your child, you are advised to have details of the numbers of both your passport and your child/children's passport(s). In the event of theft or loss you will be able to obtain a replacement from the nearest British passport issuing authority more easily.

Dual Nationality

1. Every British passport contains a warning about dual nationality.
2. If your child is British and you are unsure whether he or she may also be a national of another country, you should check this with the Embassy or Consulate of the other country.
3. If your child is a dual national or is not a British National, you must contact the Embassy or Consulate of the other country and ask them not to issue a passport to your child. They are not obliged to, but may do so voluntarily. If you do not succeed, take legal advice. It is possible that the court may order surrender of the foreign passport.

Birth Certificates

1. By law the Registrar for Births must give a copy of any birth certificate to anyone who requests it.
2. The Office of Population, Census and Surveys is responsible for the issuing of copies. They will tell you if someone has made an application for a copy of a specific birth certificate but only if you have obtained a "Prohibited Steps Order" under Section 8 of the Children Act 1989 from a court asking the Registrar to do so.
3. If you are notified that a copy of the birth certificate has been obtained, then you may consider notifying the police of the imminent danger of abduction.
4. The address of the Registrar is:-
Identity & Passport Service
Certificate Services Section
General Register Office
PO Box 2
Southport
PR8 2JD

Tel: 0845 603 7788
Website: www.ips.gov.uk

Area Child Protection Committee (ACPC)

Each local authority area in England & Wales has an ACPC administered by the Local Authority Social Services Department (SSD). Membership of the committee is made up of representatives from the SSD, Police, Health Service, Education Department, Probation Service, and other professional agencies. They have a responsibility to minimise the risk of a child coming to significant harm.

For further advice contact your local Child Protection Co-ordinator at your local Social Services Department Headquarters.

In addition, you should consider letting the following people know about the threat of abduction. They can play a large monitoring role in the day-to-day activities of your child and most will be conversant with their local "Area Child Protection Committee" procedures mentioned above.

If you or your child have one of the following, consider telling them what you fear, why and what you would like them to do if they see or hear anything suspicious:-

- The midwife
- The health visitor
- The family doctor
- The nursery officer or nursery nurse
- The headteacher
- The social worker
- The registered child minder
- The cub, scout, brownie or guide leader
- The youth club leader

You may also think of others.

Remember, tell them of your fears, who can have legitimate contact with your child and, more importantly, who should not.

Fingerprinting Your Child

Reasons for doing it

You are asked to take fingerprints because they may be used in the future to identify your child.

Whilst this is less relevant for older children where identification is unlikely to be an issue, this is certainly true of babies and very young children. It is possible that if an abduction of such a child from England & Wales is successful they may not be found for some time in another country. In the absence of other identifying marks, such as birthmarks or dental impressions, parents may find it difficult to prove that their child is the same person as the abducted child. Hence, the taking of fingerprints will go a long way to assisting in these cases.

However, please note that the courts of the foreign country may not accept this "fingerprint evidence".

Taking of fingerprints

Please follow the instructions below so that the fingerprints are clear and can be used correctly.

Before you do anything else

1. Fold the fingerprint form along the lines shown. This will greatly assist you in the taking of the prints.
2. Ensure that the hands of your child are thoroughly washed and dry **BEFORE** you start to take the fingerprints.
3. Make sure that you take the fingerprints of the correct hand.
4. Avoid contact between the ink and clothing.

After taking the fingerprints

1. Put the fingerprint form in a safe place to dry for 15 minutes.
2. Ensure that it cannot be smudged.
3. To remove the ink from the hands of your child use an ordinary hand cleanser.

Complete the details below for each child at risk of abduction

Surname:			
Forename(s):			
Gender:		Nationality:	
Date of Birth:		Place of Birth:	
Address:			
Post Code:			
Telephone Number:			
Ethnic Appearance:	White / Mixed (please state) / Asian / Black / Chinese Other (please state)		
Height:		Build:	
Eye Colour:		Glasses Wearer:	Yes / No (please circle)
Hair Colour:		Hair Length:	
Birth Marks/Distinguishing features:	If yes, please provide details here:		
Blood Group:		NHS Number:	
Any special medication required:			
Passport Number:		Date & Place of Issue	
Any relevant court orders:	If yes, please provide details here:		

Complete the details below for each child at risk of abduction

Surname:			
Forename(s):			
Gender:		Nationality:	
Date of Birth:		Place of Birth:	
Address:			
Post Code:			
Telephone Number:			
Ethnic Appearance:	White / Mixed (please state) / Asian / Black / Chinese Other (please state)		
Height:		Build:	
Eye Colour:		Glasses Wearer:	Yes / No (please circle)
Hair Colour:		Hair Length:	
Birth Marks/Distinguishing features:	If yes, please provide details here:		
Blood Group:		NHS Number:	
Any special medication required:			
Passport Number:		Date & Place of Issue	
Any relevant Court orders:	If yes, please provide details here:		

Complete the details below for each potential abductor

Surname:			
Forename(s):			
Maiden Name: (if applicable)			
Relationship to Child(ren):			
Gender:		Nationality:	
Date of Birth:		Place of Birth:	
Last Known Address:			
Post Code:			
Telephone Number:		Mobile Telephone Number:	
Ethnic Appearance:	White / Mixed (please state) / Asian / Black / Chinese Other (please state)		
Height:		Build:	
Eye Colour:		Glasses Wearer:	Yes / No (please circle)
Hair Colour:		Hair Length:	
Facial Hair:		Distinctive Accent:	
Birth Marks/Tattoos/ Distinguishing features:	If yes, please provide details here:		
Passport Number:		Date & Place of Issue	
UK N.I. Number		Vehicle Details: (Registration, Make, Model, Colour)	

Details of potential abductors links overseas

RELATIVES:	
Name:	
Address:	
Telephone Number:	
Name:	
Address:	
Telephone Number:	

FRIENDS:	
Name:	
Address:	
Telephone Number:	

BUSINESS CONTACTS:	
Name:	
Address:	
Telephone Number:	

If necessary continue on a separate sheet.

Your own details

Surname:			
Forename(s):			
Maiden Name: (if applicable)			
Relationship to Child(ren):			
Address:			
Post Code:			
Home Telephone Number:		Mobile Telephone Number:	
Date of Birth:		Place of Birth:	
Nationality:			
If you are / were married to the abductor, the date of the marriage			

Details of your solicitor

Name:			
Firm:			
Address:			
Post Code:			
Telephone Number:		Mobile Number:	

The following information should
be used if you believe an abduction
is imminent, or if your child
has been abducted.

Action to be taken in the event of an imminent abduction

If you fear that your child may be abducted in the immediate future, you must act quickly to convince the police that the risk is real and imminent. Information on the role of the Police and how they can assist you and consider issuing an all ports warning is given on page 4 of this Guide.

We strongly recommend you contact the **reunite** advice line on 0116 2556 234. If you call this number outside of office hours you will be directed to our 24-hour emergency service.

Action to be taken in the event of an abduction

Each country which operates the 1980 Hague Convention and the Revised Brussels II Regulation has to appoint a Central Authority which functions as the contact point for all applications under the Convention and the Regulation. The Central Authority in England and Wales is the International Child Abduction and Contact Unit (ICACU).

The Unit is based in the Office of the Official Solicitor and Public Trustee (OSPT) which is part of the Ministry of Justice. Office hours are Monday to Friday 9am to 5pm.

The International Child Abduction and Contact Unit
81 Chancery Lane, London, WC2A 1DD
DX0012 London Chancery Lane
Tel: 020 7911 7047/7045
Fax: 020 7911 7248
e-mail: enquiries@offsol.gsi.gov.uk
website: www.officialsolicitor.gov.uk

(Scotland and Northern Ireland have different legal systems from England and Wales, and the law in Scotland and Northern Ireland differs in some respects and so the UK is split into England and Wales, Scotland and Northern Ireland and each have their own Central Authority.)

The ICACU deals with cases of abduction both into and out of the jurisdiction. The ICACU's main functions are;

- providing information and practical advice in relation to cases and the operation of the Convention and the Regulation
- arranging legal representation for the left behind parent in an incoming case

- compiling and transmitting applications to overseas Central Authorities
- arranging for relevant documents to be translated
- monitoring the progress of cases by requesting updates from overseas Central Authorities

All work carried out by the ICACU is provided free of charge.

Then you should contact **reunite** using the following details:

reunite

PO Box 7124

Leicester

LE1 7XX

Tel: 0116 2556234 Advice Line

www.reunite.org

Assistance of the Foreign And Commonwealth Office

You can contact the Child Abduction Section (CAS) at the Foreign and Commonwealth Office (FCO) for advice and assistance if either you or your child is a British national:

Child Abduction Section
Consular Directorate
Old Admiralty Building
London
SW1A 2PA

Tel: 0207 008 0878 (or the FCO Response Centre on 0207 008 3350 outside of office hours); Website: www.fco.gov.uk/childabduction

If your child has been abducted by a parent CAS can tell you whether the country your child has been taken to has signed the 1980 Hague Convention on the Civil Aspects of International Child Abduction. This Convention aims to return an abducted child to the country where he or she normally lives, so that custody and access can be decided by the local courts. If your child has been abducted to a Hague country CAS can put you in touch with the relevant authorities in the UK so that you can submit a Hague application requesting the return of your child.

CAS takes the policy lead on parental child abductions to countries that have not signed the Hague Convention. Abductions to non-Hague countries tend to be harder for all involved as the left behind parent may need to start legal proceedings in the local courts if they cannot come to an agreement with the other parent concerning custody and access. CAS can give you a list of overseas lawyers who speak English. Some may be specialists in family law. However, it cannot pay any legal fees or offer legal advice. Where appropriate it can ask consular staff overseas to contact the local courts to express an interest in a case and ask about progress. Consular staff cannot, however, interfere in foreign court proceedings. CAS can also provide information about translation services overseas.

The CAS can give you basic practical information about the customs and legal procedures of the country to which your child has been taken. It can also provide travel information and, if necessary, offer guidance on finding accommodation locally. It can also ask British consular staff to help you contact the relevant local authorities and organisations when you are overseas.

If you want us to, CAS can contact the relevant UK police force to ask about progress in tracing your child and whether Interpol is involved. If your child is found, and the other parent agrees, CAS may be able to arrange a check on your child's welfare for you if the country's government cannot offer this facility. If you do not know where your child is CAS can ask consular staff overseas to try to verify with immigration whether your child has arrived in a

particular country. It can also arrange for the relevant authorities to be contacted overseas to check what progress has been made in finding him or her. In order to do this you will usually need to have reported your child missing with the police overseas in the first instance.

CAS can consider ways to help establish and keep open lines of communication between you, the other parent and your child. Grandparents may also be involved in custody cases, for example, where one parent has died. You should be aware that, in some countries, local law can favour the paternal grandparents (the father's parents) over the mother. That makes it even more important to have formal residence arrangements in place before giving permission for the child to leave the UK.

The FCO has published a leaflet called *International child abduction* (with more general information) and a separate leaflet on *Child abduction in Pakistan* (with details of an agreement with Pakistan about handling these cases). You will find copies of these at the attached website:
www.fco.gov.uk/childabduction

The actions of the UK's Embassies and High Commissions are subject to the local laws and regulations of the countries in which they are based. The FCO cannot 'rescue' a child or become involved in illegal attempts to return your child to the UK.