**A Hague Convention case: over eight years of loss**

In 2013 - 2014 I lived in my home country of the UK for eleven and a half months, essentially as a single mother with my two children. We had moved back with their African-American father’s permission. He was a commercial pilot so provided our tickets, encouraged me to rent a house and put our children in school. He even visited us several times. My children settled well into life in the UK, seeing family several times a week, joining the local cricket team, tae kwon do classes and drama club. Both children were born in Germany and are fortunate to hold German, British and American citizenship. I’m half Indian, so we celebrated Holi, Diwali, and Christmas every year as well as Thanksgiving and Independence Day. Life was good.

Then I was told that Hague proceedings were about to begin.

Our Hague case was heard in London; my solicitor was from a major firm and recognised as an expert in Hague cases. Unfortunately, she was never present in court with me but sent a junior solicitor, trainees, and, on one occasion, a 6th form work-experience student. I was represented by three or four different barristers so there was no consistency and none had the opportunity or indeed interest in really getting to know my case. I watched them shake hands and chat with my ex. At the time he was banned from the town I lived in and from contacting me or coming within a certain distance of me, apart of course from in court. This was because he had been arrested on a charge of raping me.

A CAFCASS officer spent an hour with my children towards the beginning of the case and the same officer spent another hour with them before a later hearing. He told the court that ‘these are American children who should be with their American father’, ignoring the rest of their entire rich and diverse heritage.

On the advice of my solicitor, I agreed to return voluntarily to the USA. However, it took two attempts as my children refused to go. They barricaded themselves in a bedroom, shouting and screaming until my 9-year-old son passed out. His words will linger forever in my memory: 'I’d rather die than return to America'.

The judge in her wisdom issued an Order of Protection for me to take to the USA, and obtained Undertakings from my ex. These included: a promise to stay away from me physically; to not be at the airport when we landed; to provide accommodation for me and my children; to have a vehicle for us to use; and, critically, not to file anything with family court before we landed - so that I would have sufficient time to find an attorney to represent me - and not to remove the children from my custody.

However: he was at the airport; I never saw any accommodation; it took 10 days and several hundred dollars to get my car back from where he had parked it at the airport; I was due in court around 18 hours after landing (but did not know this it was too late); and my children were removed from me less than 72 hours after landing.

The family court judge in the USA awarded him everything he asked for – as she explained to me the next day, when I had to represent myself, this was because I had not attended the first hearing. It didn’t matter that I hadn’t known about it. I was told to return to court for the third hearing and to bring my children. On this third day, less than 72 hours after we had arrived, they were taken from me, ‘given’ to their father and the Order of Protection I had was summarily quashed.

The US judge had no understanding of the Hague Abduction Convention, yet she berated me for not understanding the US court system and accused me of alienating the father of my children. When I asked for a *Guardian ad Litem* as advised by a domestic violence advocate, I was mocked and told this was the wrong term, that in this state it was a 'Best Interest Attorney'. The judge insisted that it was my own fault for not appearing in court on first day. I was told to pay for immediate Intensive Family Therapy, and to ‘beg, borrow or steal as necessary’ to fund this, ‘otherwise you will suffer the consequences’. I was repeatedly told that I would suffer/pay for not doing the 'right thing' and that I was a flight risk - despite returning my children voluntarily.

The judge’s final decision awarded us shared parental rights, with my children to reside with their father. I have visitation rights and the children are to be with me for all school holidays, a total of 12 weeks per year, in the USA. Alternatively, if I provide a $20K bond to the court, they can visit me in the UK. The judge told me to ‘return to the UK and get a good job’ that would allow me to spend 12 weeks per year in the USA, providing accommodation, food and entertainment for my children as well as ensuring we have use of a vehicle – Arizona is not a place to not have a car; I would also need healthcare, phones… so many additional costs. I was also ordered to pay child support to their father who promptly moved them out of the house they knew to a large new home complete with swimming pool; this was bought for cash, no mortgage required.

I returned to the UK in the summer of 2015 as I had way of remaining in the USA: no income, no healthcare, no job history or credit score in the US, and no family support.

And no children.

For over eight years, I and my family have only seen my children online. I was on Universal Credit for four years; I had no way of paying child support and couldn’t afford to visit the US again. Their father quickly said that he would not allow our children to visit me in the UK and stopped all communication with me in October 2016.

I am now over eight years behind with child support payments – this is an imprisonable debt in the US, as my attorney warned me many years ago. My father died without having seen his grandchildren for the last 6 years of his life, my children will never see their grandfather again. My mother is in a care home with Alzheimer’s, hoping she will survive long enough to see her grandchildren once more. My nephew has photos of playing with his cousins when he was just a year old but has no memory of them. And I have only had virtual contact with my children since I was forced to leave the US in 2015. Simple things for most parents, such as choosing hair products, cooking together – we can only share virtually.

My children have grown up with random live-in girlfriends who came and went, then annual au pairs – their father is still a pilot so is out of state for most of each week. But they do not have to suffer a foreign mother, one who tried to keep them safe in the UK, so the court is satisfied.

My ex-husband once threatened that if I ever did anything against him, he would make sure I never saw my kids again. He’s kept his promise.

In October last year 23 people sat down to lunch at my house. To celebrate Diwali. The celebration of the victory of good over evil. It should have been 25.

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*Anita Gera is a Hague mother who now works to raise awareness of the Convention to help ensure that fewer children are affected by this trauma. She believes that knowing about the Hague Convention and how it can decimate families, causing lifelong trauma, is the first step in avoiding it. On her return to the UK, she co-founded the charity GlobalARRK, resigning in 2017. Last year she and another Hague mother co-founded the non-profit* [*Hague Explained*](https://hague-explained.org/#:~:text=Hague%20Explained%20is%20a%20registered,to%20live%20in%20another%20country.) *CIC, working to mitigate trauma in international families and to raise awareness of the inequities of the Hague Convention.*

*b/w photo attached separately*