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Parental Child Abduction: The Long-Term Effects

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The Evolution of Family Justice

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Parental Child Abduction: The Long-Term Effects

Qualitative research has been published which investigates the long-term effects of abduction through a series of interviews with previously abducted children. Findings indicate a high incidence of very significant effects including negative impact on the mental health of those participating in the research. The report makes recommendations on the ways in which children may be protected from the harmful effects of abduction as required by the 1980 Hague Child Abduction Convention both in terms of preventing abductions from occurring, and the provision of post-abduction support when it does occur.



This research project,¹ which commenced in 2011,² built on earlier work which I had undertaken³ including research for **reunite**, the International Child Abduction Centre, in particular the 2006 project which specifically considered the effects of abduction⁴ (hereafter Effects). In that project, which concerned abductions where the time the child had been away ranged from six weeks to 14 months (with one

child never being returned), and where there had been more than five years between the abduction and the interview, I considered several categories of those who may encounter effects from the abduction. These included the left-behind parent, the abducting parent, the wider family, and the child. In relation to effects on the child, this was considered from the perspective of both the interviewed parent and, unusually,

the child concerned. Both left-behind and abducting parents participated in the research. Parents identified a series of effects which they perceived as being suffered by their children. These included: both physical and non-physical symptoms of stress; the learning of coping strategies like “blanking out”; a loss of trust; tensions on return in family relationships with non-abducted siblings and new family members; and a lack of post-return support which impacted on the children. The children, who were interviewed for the project by very experienced Children and Family Court Advisory and Support Service officers, confirmed that the return from the abduction can be as upsetting and stressful as the original abduction. The research found that all the interviewed children were adversely affected in different ways notwithstanding their age and stage of development, and that their trust in one of their parents, and sometimes both, was compromised by the abduction.

As part of the Effects project, a very small number of adults who had been abducted as children contacted me because they had heard about the research and wanted to participate. They described the effects of their abductions on them as “lasting”, and spoke of problems of loneliness and insecurity which, in their view, were “entirely attributable to the abduction” which, they said, “destroys your life”. They also emphasised the importance to them of the research being undertaken because it meant that “someone wants to know what happened”. This highlighted the lacuna which exists in the way in which abduction is dealt with under the legal mechanisms which have been put in place by the international community. Most often, nothing is known about the child once he or she has been returned following the abduction. That is where the legal mechanisms stop. The job has been done. However, for the previously abducted children, and their families, “the job” is usually just starting once return has occurred, and where the effects of the abduction may begin to materialise. Similarly, where a return does not occur, and the legal mechanisms have come to a halt, nothing is known about how the abducted child fares in terms of any effects which the abduction may have on their lives. There are also cases where there are no proceedings concerning return of the abducted child who may never be found and who grows up having not even had the degree of external involvement which return proceedings brings with them. What happens to them regarding any effects which their abductions may have on their lives? Who knows? And who cares? Many of them appear to believe that the answer to those questions is ‘nobody’.

This, then, is the background to the small scale, qualitative study about the long-term effects of abduction which I undertook to find out about the lived experiences of those who had been through an abduction many years earlier,

and to learn whether, and how, the participants felt that the abduction had affected their lives, and if those effects had continued long-term. In this sample of 34 interviews (where 33 of these were with previously abducted children, and one was with the non-abducted sibling of a previously abducted child participating in the research) the abductions had occurred between 10 and 50 years prior to the interview. It was important, as the aim was to consider the long-term effects of abduction, to base the research on abductions which had occurred many years before but this also meant that many of the abductions occurred before the implementation of the 1980 Hague Child Abduction Convention. It is possible that this may have affected the outcomes for these children, and also that the outcomes may have been different at earlier points in time. The periods of time away before reunification in this sample, if it occurred, were substantial. For the majority (68.76 per cent) of those reunified, this did not occur until more than five years after the abduction, and more than one third of the reunifications (34.37 per cent) occurred after ten years. The sample of 34 interviews related to 30 separate incidents of abduction. Each participant was interviewed by me as Principal Investigator during the period 2011–2012 with an opportunity provided to each participant to update me by email in July 2014. The sample was recruited primarily in the USA and UK although initial discussions with potential participants who did not eventually participate took place in other countries including South Africa and Spain. The sample was acquired through personal and professional contacts working in the field, word of mouth, media publicity, and via the assistance of Take Root, an organisation for previously abducted children, funded by the US Department of Justice and located in Washington State, USA.

There are clear reflections in the accounts in the current project of the adults who were abducted as children of the comments of the parents and children who took part in the earlier Effects project. There were repeated references in the current interviews to: blocking things out; to not being good at intimate relationships; being in a constant state of insecurity; never feeling safe; never feeling connected to anyone; and having issues with trust. Some expressed a fear that they could be capable of doing the same thing to any child that they might have as their own parent had done to them and, consequently, they chose not to become parents. Many of the interviewees spoke of their depression, mental health problems, and attempts at suicide.

The interviews took between two to four hours to complete, and they were sometimes the first and only time that the previously abducted child (now an adult) had spoken about the events which occurred during the abduction and their feelings about it. These were, of necessity, very individual

interviews although they were based on a semi-structured interview format. However, one question which I asked in each interview was whether the interviewee thought that the abduction had had any effect on their lives and, if so, what that effect was. The responses to this question were illuminating. Almost all the interviewees felt that the abduction had had serious, long-lasting, negative effects. Several of them emphasised that parental abduction is not understood for what it is. It is, in fact, misunderstood. It is viewed as something which happens in families where the parental relationship breaks down and the children's futures cannot be agreed upon. It is "one of those things". The perception seems to be that it is not the same as stranger abduction because the abducted child is with one of her parents and, therefore, it cannot be as harmful or dangerous as a stranger abduction. Unfortunately, this is not the case. In some parental abductions, children are abused, neglected, scared, and hurt in both physical and non-physical ways. There is, in such cases, very little to distinguish them from what occurs in stranger abductions. Of course, this is not always the situation. There are also "protective" abductions where the child is abducted to protect her, or the abducting parent, from violence or abuse at the hands of the other parent. However, even in such abductions it is possible that the abducted child may still suffer many of the effects of abduction already identified. Children sometimes have their identities changed during an abduction, and this may include living in a different gender to that of the child's birth. The strain of living under a different identity, and then having to reconcile that with the original identity at some point, has proven extremely challenging for some of those interviewed. It is therefore no surprise to find that some of those interviewed described the "ball of rage" which they feel in the pit of their stomachs about their abductions and the "non-issue" which it appears to be to many people they encounter. They stress that "abduction is a crime, and has long-term implications". One interviewee explained to me that he is defined by the abduction, not simply affected by it. Several interviewees reiterated that parents thinking of abducting their children need to know all of this. They stated that this information should not be hidden. Abduction, they explained, is NOT a victimless crime, it is not just a domestic dispute, and that it needs to be taken more seriously. There needs to be more awareness of abduction, why it matters, and why "it is not ok".

They talked about reunification – again echoing what was said in the earlier Effects project. This is where the legal mechanisms stop. This is where the families often face the greatest challenges. Where the child has been away for more than a short period of time, it is quite likely that the family structure from which she was taken has changed by the time of her return. There may be new partners or

spouses for the left-behind parent, step-siblings, new half-siblings, as well as non-abducted full siblings who now form the family unit in which the child is being placed – but can it be said that the child is actually being "returned" in the sense of going back to something familiar and known? The interviewees stressed that people do not understand the situation which often faces the previously abducted child on return. They asked: Who are you being reunified with? Sometimes the left-behind parent is emotionally expecting the return of the child who left but that child has now had experiences which have changed her from the child she was and, where considerable time has passed, has grown into an older, and different, child. The return can be a shock for everyone concerned and, in the sample of this research, the return often did not work out well so that the child sometimes returned ultimately to live with the abducting parent. Returned children have said that they know that they are expected to be happy, and to fit in with the apparently happy family, but that they do not feel happy "on the inside" and do not understand what is wrong with them and why they are unable to do what is required of them. One interviewee described the return to the left-behind parent after more than four years with the abducting parent as "the kidnapping". The return, to "a room full of strangers", can be extremely difficult for the abducted child to handle. One interviewee said, "nobody can understand the pain".

There was a high incidence in this sample of those who had suffered very significant effects which, under the classification used for analysis, was where the interviewee reported:

1. Attempting to see, seeing, or having seen a counsellor, therapist, psychologist, psychiatrist or similar; or
2. being diagnosed with a condition like post-traumatic stress; or
3. having suffered a psychotic episode or breakdown; or
4. having been admitted to a hospital or other institution with mental health issues; or
5. having suffered depression or attempted suicide.

Effects reported by the interviewees which did not fall into the very significant effects category were those, for the purposes of analysis, which were nonetheless discernible such as having problems with:

1. trust in relationships; or
2. lack of self-worth; or

3. fear of abandonment; or
4. panic attacks

The final category of the classification system used for analysis, “no real effects”, relate to where the interviewee reported having had:

1. minimal; or
2. no effects from the abduction.

It is emphasised that caution must be exercised in the use of the report’s qualitative findings as they result from the interviewees’ personal perspectives both as to the cause of the effects described, and the degree of impact of those effects on their lives, as well as the author’s system of data classification. Additionally, the sample numbers are relatively small, and there was no opportunity for a control group in the project. It is not suggested that these qualitative findings are generalisable. The focus of the research is to understand the effects of abduction on this sample of people as reported by themselves.

It is not possible to report the findings in detail in this note and interested readers are urged to consult the research report for detailed information. In summary, a high proportion (73.53 per cent) of the previously abducted children in this sample reported suffering very significant effects from their abduction in terms of their mental health. This percentage increases further (to 91.17 per cent) when taking into account those reporting less significant, but still discernible, effects. Such effects were evident even where the abduction occurred at a very young age where it might be thought that, as the child had not yet had a chance to form a strong and enduring relationship with the left-behind parent, the effects might be expected to be correspondingly less severe. A very low percentage (8.82 per cent) in this sample reported no real effects, and these were either related to very short abductions or to abductions where the interviewee supported the abduction or intention to abduct by the primary carer. Those who reported very significant effects talked about the ongoing nature of those effects in their current adult lives, often very many years after the abduction. These findings tend, therefore, to support those from earlier studies about the long-lasting negative effects of abduction which are emphasised in this project by the direct reporting of the abducted children, as adults, many years after the event.

The report makes recommendations which focus on the need to protect children from the harmful effects of abduction as identified in the Preamble of the 1980 Hague

Child Abduction Convention, and makes suggestions about how this may be achieved in terms of both prevention of abduction, and support for those who have been abducted. It is important to continue to raise awareness of these issues, and I am grateful for the opportunity to bring these to the attention of the readers of this journal following my presentation at The International Family Law Conference, The Future of Justice: International and Multi-Disciplinary Pathways, at the Supreme Court, Singapore, from 29–30 September 2016.

I would end by underlining the words of the interviewees about abduction not being a benign, victimless event which “sometimes happens within families”. It is not about other people, it is about us, as a society. Abduction needs to be understood properly, for what it is, and it needs to be taken more seriously. I sincerely hope that this research has highlighted some of the issues which need our attention in this field.

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Professor Marilyn Freeman is a leading child law expert and international child abduction specialist. She is also the co-director of the International Centre for Family Law, Policy and Practice which is affiliated to Westminster Law School where she holds the appointment as Principal Research Fellow. Her research includes the effects of international child abduction and relocation and higher and further education responses to forced marriage. She holds a door tenancy at specialist family law chambers and publishes widely. Professor Freeman is also a qualified Family Mediator.

Notes

- 1 Freeman, M (2014) *Parental Child Abduction: The Long-Term Effects*. ICFLPP <<http://www.famlawandpractice.com/researchers/longtermeffects.pdf>>. See also Freeman, M *Parental Child Abduction: The Long-Term Effects, A research summary* [2014] 2 IFLP 2, 28.
- 2 Gratitude is expressed to Take Root, a US organisation devoted to previously abducted children, for its much valued assistance with obtaining the US component of this research sample, and to the Faculty of Law, Governance and International Relations at London Metropolitan University for its initial financial support for this project.
- 3 See Freeman, M. *The Effects and Consequences of International Child Abduction*, 32 Fam LQ 603 1998–1999.
- 4 *International Child Abduction – The Effects*, May 2006 <www.reunite.org>.