



GlobalARRK

Global Action on Relocation and Return with Kids

UK Registered Charity Number 1170455

Alyssa's Story

Family background:

This case study involves Alyssa and Vidar and their two children Harry and Leon. The mother is German and father is Swedish. Their children are bi-national, German and Swedish and were born in Sweden.

The parents met in 2012 in Sweden. At the time Alyssa had come to Sweden to do her PhD. It was during her time as an Erasmus student that she met Vidar. When Alyssa fell pregnant she was still in a previous marriage who Alyssa subsequently divorced. Following which, Vidar and Alyssa began to be a couple.

Before the initial move:

Before moving to Sweden as a student Alyssa did not know, or contemplate, the law on habitual residence. The circumstances of her falling pregnant where not foreseen by Alyssa, and therefore it was not something she felt she needed to consider.

About the relationship breakdown:

After seeing one another for a period of 1 and a half years Alyssa and Vidar decided to try for another baby and live together. Alyssa and Vidar found that their relationship was not to last and after 9 months it became clear that cohabitation would not work. Alyssa told me that whilst there was no incidence of verbal or physical abuse, there was acrimony and unhappiness. On one occasion a social services investigation was carried out, but this was dropped as it was not considered that the children had been or could be at any risk of harm.

Incrementally, things got worse between the couple. Vidar initially allowed Alyssa to go to visit her family in Germany but after the social service investigation he became 'very unpredictable' not allowing her to go on one occasion, and on another one he tried to keep Harry, their eldest son. When their youngest child was 4 months Alyssa explains that Vidar decided that he thought it best that Alyssa moved out of the family home. Alyssa's apartment was a student apartment and as she was no longer a student she would soon be kicked out. Alyssa tells me, "He knew I was scared of being in that situation, and he knew that very well." When Leon was 10 months Vidar nonetheless succeeded in gaining joint custody of Leon.

After the relationship breakdown

After the relationship breakdown Alyssa wanted to go back to the state she considers her home (Germany) to live with her children. By this point, Alyssa had received the help of a charity for women who had helped her find an apartment.

When the relationship initially broke-down Alyssa explains that she had sole-custody of Leon, their youngest, who was only 12 months old at the time. Alyssa tells the interviewer that her friends told her to run back to Germany with the youngest.

Registered in England & Wales

The Guild Co- working hub, High Street, Bath, BA1 5EB



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Explaining the situation Alyssa said, “I could have gone with one baby - but I could not do that. I would not be able to live with myself if I would have left Harry.”

Alyssa’s current position is that she receives unemployment benefits. She struggles to find work because the nature of her specialism require international travel. Vidar has refused for Alyssa to take the children with her and therefore, she has not been able to apply for these roles. As an EU citizen she has right of residence in Sweden but she is not sure whether this status will be secured if she continues to receive state benefits.

Relocation / Leave to Remove:

Alyssa did not apply for relocation/leave to remove order. Alyssa sought legal advice from an experienced International Child Law practitioner. Alyssa told me that her lawyer,

“made it very clear at the beginning there was no chance to relocate. If I wanted to do that I would have to apply for sole custody and that is normally never given to one parent. If I applied for sole custody with the intention to move they would think I was a ‘threat’ to my children. So I would rather live here not having a good life.”

Asking Alyssa if she would like to add any thoughts to the interview she told the interviewer that she wished she could have a chance to apply for relocation. Alyssa’s experience in Sweden has made her feel that there is a ‘blanket approach’ where issues of relocation are involved.