

Zhong Lun Law Firm Acts for Taiwanese Businessman in Cross-Jurisdiction Parental Abduction Dispute

Zhong Lun Law Firm successfully represented a Taiwanese businessman in obtaining an Order for the return of his children to Taiwan after the mother abducted the children from Taiwan to Hong Kong.

On 16 March 2016, Ms. Dorothy Siron, Partner of Zhong Lun Law Firm Hong Kong Office (“Zhong Lun”), and her team have successfully represented a father in obtaining an Order from the High Court of Hong Kong SAR (“High Court”) for the return of his children to Taiwan after his wife had improperly abducted the two children from Taiwan to Hong Kong and refused to let the father see the children.

The client is a businessman and came from a reputable and wealthy family in Taiwan. His wife is a Hong Kong permanent resident. They had two children and resided in Taiwan. The client's marriage started to fall apart in 2010. In November 2015, the mother abducted the children to Hong Kong after their divorce negotiations fell through in Taiwan. Despite numerous attempts, the client could not contact the mother or his children at all.

Given the situation, the client sought legal representation and assistance from Zhong Lun. Considering that Taiwan is not a party to the Hague Convention on the Civil Aspect of International Child Abduction (an international agreement that provides a process through which a parent can seek to have their child returned to their home country), wardship proceedings were commenced in the High Court in late January 2016. Zhong Lun successfully obtained an immediate wardship status on the children to prevent the mother from abducting the children to another jurisdiction. Then by early March, successfully obtained an Order allowing the client to bring his children back to Taiwan to resume their normal lives.

This is one of the very few recent cross-border abduction cases in Hong Kong involving children from a “Non-Hague” jurisdiction. It is also a classic example of how divorce negotiations can harm the children of the family, especially in cross-border jurisdictions. Zhong Lun advises parents to consult professional and experienced legal matrimonial and family law experts before taking any actions in divorce negotiations and disputes.

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