
CONTENTS

<i>Foreword by the Rt Hon Lord Justice Thorpe</i>	v
<i>Acknowledgements</i>	vii
<i>Table of Cases</i>	xi
<i>Table of Legislation</i>	xvii
Introduction	xxi
1 Locating Relocation	1
Introduction	2
The Context of Relocation Disputes	6
Legal Approaches to Relocation Disputes	10
Relocation Literature	12
The Role of Research on Relocation	13
Doctrinal Research	14
Empirical Research	20
Overview of the Book	23
2 Changes in ‘the Tides of Chance and Life’: The Development of Relocation Law in England and New Zealand	25
Court Structures	26
Relevant Legislation	28
The Common Starting Point: Relocation Law, 1970–1995	31
Building on <i>Poel</i> : England and Wales, 1995–2012	37
Shared Care Relocation Applications	42
Relocation within the United Kingdom	46
Rejecting <i>Poel</i> : New Zealand, 1995–2012	49
Discussion	57
3 Applying the Law to Hypothetical Facts: Practitioners’ Views on Three Case Studies	58
Tom’s Case	60
Jane’s Case	68
Mark and Hannah’s Case	76
Discussion	85

4	Evaluating Relocation Law in England and Wales	87
	Practitioners' Experiences of Relocation Law in Practice	88
	Practitioners' Evaluations of Relocation Law in Practice	92
	Cases not Decided under <i>Payne</i>	93
	Cases Decided under <i>Payne</i>	95
	Supporters of the <i>Payne</i> Approach	97
	Particular Benefits of <i>Payne</i>	98
	Criticisms of Details within the <i>Payne</i> Approach	99
	Criticisms of the <i>Payne</i> Approach Itself	103
	Practitioners' Views on Law Reform	112
	Discussion	114
5	Evaluating Relocation Law in New Zealand	116
	Practitioners' Experiences of Relocation Law in Practice	117
	Practitioners' Evaluations of Relocation Law in Practice	122
	Evaluating New Zealand Law in Principle	123
	Evaluating New Zealand Law in Practice	124
	Case Outcomes under New Zealand Law	128
	Practitioners' Views on Law Reform	132
	Discussion	134
6	Reforming Relocation Law?	137
	Learning Lessons about Relocation Law	137
	The Value of a Single Approach	138
	The Value of Guidance	143
	Rewriting the Relocation Guidance	145
	Guidance in the Form of Factors to Consider	146
	Guidance in the Form of Presumptions	149
	Guidance in the Form of Questions	156
	Concluding Remarks	164
	Methodological Appendix	167
	Overview of Research Methodology	167
	Selecting a Sample of Legal Professionals to Interview	167
	Conduct of Interviews	171
	Analysis of Interviews	172
	<i>Bibliography</i>	175
	<i>Index</i>	183