

Topic: Protective Measures

How is the court recognising and enforcing international protective measures in the Court of Protection?

- Hague Convention on the International Protection of Adults 2000
URL: <https://www.hcch.net/en/instruments/conventions/specialised-sections/adults>
- Schedules 3 & 4 of the Mental Capacity Act 2005
URL: <https://www.legislation.gov.uk/ukpga/2005/9/schedule/3>

“Opportunity to be heard & Breach of natural justice”

- Art 6 of the European Convention of Human Rights
URL: https://www.echr.coe.int/documents/convention_eng.pdf
- Human Rights Act 1998
URL: <https://www.legislation.gov.uk/ukpga/1998/42/contents>
- WINTERWERP v. THE NETHERLANDS - 6301/73 [1979] ECHR 4
URL: <https://www.bailii.org/eu/cases/ECHR/1979/4.html>
- D.D. v. LITHUANIA - 13469/06 [2012] ECHR 254
URL: <https://www.bailii.org/eu/cases/ECHR/2012/254.html>

Seeking to enforce a protective order

- PRACTICE DIRECTION 23A – INTERNATIONAL PROTECTION OF ADULTS
URL: <https://www.judiciary.uk/publications/practice-direction-23a-international-protection-of-adults/>

Rule of natural justice

- Hill, R (On the Application Of) v Institute of Chartered Accountants In England And Wales (Rev 1) [2013] EWCA Civ 555
URL: <https://www.bailii.org/ew/cases/EWCA/Civ/2013/555.html>
- Jacobson v Frachn CA 1927 (1927) 138 LT 386

Application in Commercial Division

- Sec 103 of the Arbitration Act 1996
URL: <https://www.legislation.gov.uk/ukpga/1996/23/section/103>
- Austin Hall Building Ltd. v Buckland Securities Ltd [2001] EWHC 434 (TCC)
URL: <https://www.bailii.org/ew/cases/EWHC/TCC/2001/434.html>

Direction from Family jurisdiction

- Hague Convention 1996 Child Protection Convention

URL: <https://www.hcch.net/en/instruments/conventions/specialised-sections/child-protection>

- D (A Child) (International Recognition) [2016] EWCA Civ 12
URL: <https://www.bailii.org/ew/cases/EWCA/Civ/2016/12.html>

Court of Protection jurisdiction

- Rule 1.2 Court of Protection Rules 2017
URL: <https://www.legislation.gov.uk/uksi/2017/1035/article/1.2/made>
- The Health Service Executive of Ireland v PA & Ors [2015] EWCOP 38
URL: <https://www.bailii.org/ew/cases/EWCOP/2015/38.html>