

RELOCATION DECISIONS MADE FROM FEBRUARY 2017 TO FEBRUARY 2018

In the period from February 2017 to February 2018, a total of 28 relocation cases were heard, with 21 cases being determined after final hearings and 7 at interim hearing stage. Of the final hearings, 1 was subject to an appeal, which was ultimately dismissed.

1) Decisions at Final Hearing

Of the 21 relocation cases determined at final hearing between February 2017 and February 2018, 15 were determined by a Judge and 6 were determined by a Magistrate.

a) Final hearings before a Judge

Of the 15 cases determined by a Judge, 7 cases were international relocation applications, 5 cases were interstate relocation applications and 3 were intrastate relocation applications.

International: 6 of the 7 were permitted to relocate – 85%
(YES: Turkey, Belgium, New Zealand, China, UK (x2);
NO: Scotland)

Interstate: 3 of the 5 were permitted to relocate – 60%
(YES: Qld, NSW x2; NO – Victoria (x2))

Intrastate: 0 of the 3 were permitted to relocate – 0%
(NO: From Busselton to Perth, From Bunbury to Fremantle and
from Bunbury to Perth)

b) Final hearings before a Magistrate

Of the 6 cases determined by a Magistrate, 3 cases were interstate relocation applications and 3 were intrastate relocation applications.

Interstate: 3 of the 3 were permitted to relocate – 100%
(YES: QLD (x2) and SA)

Intrastate: 3 of the 3 were permitted to relocate – 100%
(YES: From Busselton to Perth, from Perth to Port Samson, and
from Perth to Busselton)

2) Interim Relocation Applications

Of the 7 cases determined at interim stage between February 2017 and February 2018, 2 were determined by a Judge and 5 were determined by a Magistrate.

Of the Interim Applications, 3 were interstate applications and 4 were intrastate applications.

Interstate: 2 of the 3 were permitted to relocate – 66.67%

(YES: Victoria, NSW – NO: Victoria)

Intrastate: 2 of the 4 were permitted to relocate – 50%

(YES: From Busselton to Perth, and from Perth to Lake Grace;
NO: From Mandurah to Karratha, and from Lake Grace to Albany)

RELOCATION CASES INVOLVING YOUNG CHILDREN (AGED 6 YEARS OR UNDER) FROM FEBRUARY 2017 TO FEBRUARY 2018

Of the 28 cases heard from February 2017 to February 2018, there were 14 final hearing cases that involved at least one (1) child aged 6 years or under, and 3 interim hearing cases.

1) Final hearing before a Judge involving young children

Judges determined 11 of the 14 final hearing cases involving young children. Of those cases, 5 of those cases were international, 5 were interstate and 1 was intrastate.

International: 4 of 5 were permitted to relocate – 80%

Interstate: 3 of 5 cases were permitted to relocate – 60%

Intrastate: 0 of the 1 cases were permitted to relocate – 0%

2) Final hearing before a Magistrate involving young children

Magistrates determined 3 of the 14 final hearing cases involving young children. Of those cases, 2 were interstate relocation applications and 1 was intrastate relocation application.

Interstate: 2 of the 2 cases were permitted to relocate – 100%

Intrastate: 1 of the 1 cases was permitted to relocate – 100%

3) Interim hearings before a Magistrate involving young children

Of the interim applications for relocation, 3 of the cases involved young children and all were heard by a Magistrate.

Intrastate: 2 of the 3 were permitted to relocate – 66.67%

NB: The above statistics may exclude some cases heard in the Family Court of Western Australia. Cases were searched on the basis of "relocation" as a catchword, so any cases that were not captured within the results yielded for such a search have therefore not been considered for the purposes of the above statistics. Cases above were heard within the period from February 2017 to February 2018, although judgment for some cases may have been delivered later than February 2018.

International Relocation Decisions (Final Hearings)

No	Details	Notes
1.	K & K [2017] FCWA 51 Mother Duncanson J Turkey Yes	Children aged 13 and 17, resident with the mother Relocation to mother's home country of Turkey where the parties were born. The children were born in Australia. At the Readiness Hearing the father indicated that he did not oppose the orders sought by the mother and confirmed that he did not intend to participate further in the proceedings. The mother was given leave to proceed on an undefended basis. Relocation was permitted as the mother was the primary care giver and the father had limited involvement in the children's lives as a result of family violence. The Court was of the view that it would be in the best interests of the children for the mother to continue to care for the children as she provides well for them on all levels. The children's views were also considered.
2.	M & B [2017] FCWA 125 Mother O'Brien J Belgium Yes	Child aged 3½ years, resident with the mother. Father was an Australian resident whilst mother was born in the United States. The mother's fiancé was from Belgium. Mother sought to relocate on a permanent basis to Belgium to be with her fiancé, who was also her ex-boyfriend, prior to her relationship with the father. The parties' relationship lasted for 26 months. Father objected to the mother's relocation to Belgium but agreed to her relocation to the US with the child, due to strong resentment towards the mother's new partner. There were findings that domestic violence had occurred in the relationship and concerns were raised that the father was a 'regular' cannabis user. The mother had been the primary care giver and had the appropriate capacity to provide for the child's needs, including the child's emotional and intellectual needs. The Court was satisfied that the mother had sound arrangements in place for the child in Belgium. The Judge held that the mother had shown the appropriate attitude to the child and to the responsibilities of parenthood, unlike the father, who, despite having demonstrated a caring attitude to the child, has not met his responsibilities of parenthood.

		The mother was permitted to relocate to Belgium and obtained sole parental responsibility.
3.	<p>P & C [2017] FCWA 166</p> <p>Mother Duncanson J New Zealand Yes</p>	<p>Child aged 6 years resident with the mother.</p> <p>The parties resided in France until their separation date. The mother relocated to New Zealand with the child, who was then 3.5 years of age. The mother commenced proceedings in NZ and an order was made preventing the removal of the child from NZ. The father then initiated proceedings under the Hague Convention, seeking the return of the child to France. The father was successful in his application and the mother returned to France with the child, on the proviso that the father would support the mother financially. The mother's unhappiness was evident through her excessive drinking.</p> <p>The parties returned to Perth one year thereafter. The mother again sought to relocate to New Zealand. There were strong presumptions of family violence perpetrated by the father. The court held that it was in the child's best interests to permit the mother's relocation to NZ as the relocation will enhance the mother's parenting of the child and her own happiness, which would in turn have a positive impact on the child.</p> <p>Relocation permitted as the court was satisfied that the father's relationship with the child can be maintained "from a distance".</p> <p>The father made an application seeking a stay of orders whilst his appeal against the decision permitting the mother's relocation to NZ is determined. The father was unsuccessful in his application, however, the court held that in the event that the appeal was successful and an order is made for the return of the child to Australia, the mother would have to comply with same.</p> <p>The appeal is yet to be heard and finalised.</p>
4.	<p>G & R [2017] FCWA 132</p> <p>Mother O'Brien J Scotland No</p>	<p>Children aged 5½ and 4 years resident with the mother (G) who gave birth to them. The parties were in a same-sex relationship – the other mother (R) hereafter referred to as "R", and the biological mother hereafter referred to as "G".</p> <p>G was born and raised in Australia and the R was born in Scotland and moved to Australia, following their relationship. R submitted that she would have significant emotional and psychological benefit in moving to Scotland. She would have a strong support network in Scotland. Whilst the court held that R would have the necessary support in Scotland, the court was not satisfied that there was an economic benefit for R to relocate to Scotland. The children enjoyed a great relationship with both parties and therefore, the Court concluded, in support of the unchallenged SEW's recommendations, that a week-about arrangement was in the best interests of the children.</p> <p>Relocation was not permitted.</p>
5.	<p>Y & L [2018] FCWA 20</p> <p>Mother Duncanson J China Yes</p>	<p>Child aged 2 years resident with mother and spending supervised time with the father once a week for around 2.5 hours.</p> <p>The mother wished to remain in Australia but was unable to do so as a result of Visa issues. The mother's continuous residence in Australia was financially uncertain and insecure due to her inability to work in Australia, in compliance with her Visa conditions.</p> <p>Relocation permitted. The Court held that it is likely that the child would benefit from the security and stability of the mother, as the primary caregiver. The mother would have a strong support network in China as well as significant employment prospects.</p>

6.	A & J [2018] FCWA 36 Mother O'Brien J UK Yes	<p>Children aged 13 and 11 years resident with mother</p> <p>The children had not had any contact with the father since the parties' separation, around 7 years prior.</p> <p>The father had not participated at all in the proceedings and the mother proceeded to Trial on an undefended basis. The mother sought to relocate to the UK to be with her new husband and newborn. The court held that the "only change in the children's circumstances [would be] geographical; the relationships which are central to their lives [would be] be unchanged other than in a positive way".</p> <p>A finalization order was made whereby unless the father sought a relisting before close of Registry on 12 March 2018, Final Orders would be made permitting the mother to relocate to the UK with the children.</p> <p>For the purposes of this paper, it is not known whether the father sought a relisting.</p>
7.	L & L [2018] FCWA 38 Mother Sutherland J UK Yes	<p>Child aged 2½ years resident with the mother</p> <p>The mother sought to relocate to the UK due to ongoing close support and assistance of her parents and extended family members. The mother's wellbeing and mental health had deteriorated. Her financial circumstances would more likely improve in the UK as she would be able to obtain the necessary support to return to employment. The court held that the child shared a close bond with the father and on available evidence, the father could maintain his close relationship with the child by block of holiday time each year and frequent communication time.</p> <p>Relocation was permitted as it was in the best interests of the child and "reasonably practicable" for the mother to relocate to the UK.</p>

Interstate Relocation Decisions (Final Hearings)

No	Details	Notes
1.	C & B [2017] FCWA 33 Mother Duncanson J NSW Yes	<p>Children aged 4 and 5 years resident with the mother</p> <p>The father failed to file his trial materials and the trial proceeded on an undefended basis. The father had spent supervised time with the children, which was "inconsistent" and "problematic".</p> <p>The mother has been made redundant from her WA employment, however had been offered a superior position in Sydney, NSW. The mother did not receive any "practical or financial" support from the father. The mother had a strong support network in Sydney. One of the children had undiagnosed significant health difficulties.</p> <p>Relocation permitted.</p> <p>Costs Orders against the father in the sum of \$20,000, as the father had been wholly unsuccessful.</p>
2.	C & C [2017] FCWA 57 Mother Moncrieff J Victoria No	<p>Children aged 6, 4 and 2 years resident with the mother</p> <p>Mother wanted to relocate to Geelong, Victoria whilst the father wanted to the children to continue residing in Kalgoorlie. In essence, the parties had agreed upon the orders that should be made to apply in either location. The court had been asked to make a determination as to where the children and their</p>

		<p>respective parents should be living, to best further the interests of the children. The court held that both parents had capacity "to make it work", irrespective of their location.</p> <p>The parties agreed that the children would be spending equal time with them and therefore it was more practical and in the best interests of the children for them to continue living in Kalgoorlie, so as to maintain the personal relationships and direct contact with both parents.</p> <p>Relocation not permitted.</p>
3.	<p>C & D [2017] FCWA 116</p> <p>Mother Duncanson J Victoria No</p>	<p>Children aged 5 and 2 years resident with the mother</p> <p>The mother's interim relocation to Victoria was not permitted by O'Brien J.</p> <p>At final hearing, the mother's position remained that she be permitted to relocate to Victoria to be with her new partner. She had a five month old baby with her new partner. The father submitted that his relationship with the children would be affected as a result of the distance, given the children's young ages. The father further submitted that the mother had strong support network in WA, which is not available to her in Victoria.</p> <p>The mother submitted that she is dependent on Centrelink benefits and child support and should she not be permitted to relocate to Victoria, she would have to move to her parents' house, which is within the State of Western Australia, but some 280 kilometres from the father's residence.</p> <p>Relocation was not permitted. The mother had stronger support in WA and her new partner had connections with Perth. The mother's new partner may be able to obtain employment in Perth. It is in the children's best interests to foster a stronger and closer relationship with their father, which can be best achieved if the children live within close proximity with the father.</p>
4.	<p>M & M [2017] FCWAM 207</p> <p>Mother Andrews M Queensland Yes</p>	<p>Child aged 11 years resident with the father.</p> <p>When the child was 2 years old, Orders were made final in the FCWA for the child to live with the mother and spend significant periods of time with the father. The parties had difficulties enforcing the final orders as the child grew older. The child visited the father for the 2015/2016 holidays and remained in the father's care. The mother next saw the child in or around July 2016 in Queensland, and withheld the child from returning to Perth, as the mother alleged that the child was suffering anxiety and did not want to return to the father's care. The father successfully obtained a recovery order and the child was returned to the father's care. In April, 2017, upon the child's visit to the mother, the mother again refused to return the child to Perth, stating concerns for the child's state of mind. The father was again successful in his application for a recovery order.</p> <p>The mother sought the child to be returned in her care and permission to relocate to Queensland with the child. The child's views were given considerate weight. The child's wishes were to return to the mother's care and spend time with the father during the school holidays. The court held that the child's relationship with the mother was stronger than with the father and the child's longing to spend time with his mother and half-brother in Queensland seemed to have overshadowed the child's ability to enjoy his time with his father in Perth.</p>

		Relocation permitted.
5.	<p>S & C [2017] FCWAM 302</p> <p>Mother Tyson M South Australia Yes</p>	<p>Children aged 5, 8 and 10 years old, resident with the mother in South Australia</p> <p>The father sought the return of the children to Perth.</p> <p>The children enjoyed stability in South Australia and their lifestyle would be disrupted. The Court held, on evidence, that there were no certainty that the benefits of returning to WA and increased access to the father, would outweigh the potential disadvantages of the move to WA. The children were "happy" and wished to remain in South Australia. The Court was not satisfied that it would be in the best interests of the children to remove them from their "settled" and "stable" living arrangements. The Court otherwise held that the father could maintain a relationship with the children from a distance.</p> <p>Relocation permitted.</p>
6.	<p>F & M [2018] FCWA 12</p> <p>Mother O'Brien J NSW Yes</p>	<p>Child aged 2 years resident with the mother</p> <p>The mother relocated to NSW without the consent of the father. It is in the best interests of the mother to remain living in NSW due to her strong support network and good employment opportunities available to her. The evidence showed that the mother is happier living in NSW, which factors has contributed positively to the upbringing of the child. The mother had set up appropriate support and care arrangements for the child in NSW. The court held that irrespective of geography, it was in the child's best interests to live with the mother and spend time with the father.</p> <p>The mother was permitted to remain in NSW with the child.</p>
7.	<p>C & M [2018] FCWA 29</p> <p>Mother Duncanson J Queensland Yes</p>	<p>Child aged 3½ years resident with the mother</p> <p>The mother unilaterally relocated to Queensland with the child to take up a job in the Department of Defence. The father sought the return of the child to WA. The mother submitted that should the Court decide that the child need be returned to WA, then the child would need to be placed in the full-time care of the father as the mother's position was that she would not return to WA, irrespective of the Court's decision. The mother's position was that in addition to obtaining secure employment, she was able to recover from depression and anxiety when she moved to Queensland. It was in the benefit of the child for her to remain in Queensland. The Court held that the mother, as the primary carer of the child, had the ability to support the child financially and cater for all her needs. If the child was removed from the mother's care, the sudden change in circumstances could have detrimental effects on the child, given the mother's close bond with the child.</p> <p>Relocation permitted.</p>
8.	<p>C & B</p> <p>Mother Magistrate Queensland Yes</p>	<p>Child aged 5 ½ years resident with the mother</p> <p>The mother sought to relocate to Cairns in the State of Queensland with the child.</p> <p>The mother was successful in her relocation application.</p> <p>At the time of preparing this paper, no further details were available in respect of this case.</p>

Intrastate Relocation Decisions (Final Hearings)

No	Details	Notes
1.	<p>J & J [2017] FCWAM 173</p> <p>Mother Moroni M To Busselton from Perth Yes</p>	<p>Children aged 10, 12, 15 and 16 years resident with the mother The mother sought to relocate from Perth to Busselton. The Court held that it had no concerns about the bona fides of the mother's case and that the proposed relocation would be in the best interests of the children. The evidence satisfied the Court that the children all wished to relocate to Busselton. The relationship of the two eldest children with the father was strained and the children were firm in their views to live with the mother. The youngest siblings indicated that they did not wish to be separated from their older siblings and their mother, however, wished to continue spending alternate weekends with the father. Relocation permitted.</p>
2.	<p>M & G [2017] FCWAM 199</p> <p>Mother Andrews M To Port Samson From Perth Yes</p>	<p>Child aged 9 resident with the mother. The mother relocated to Port Samson (Western Australia) with the child, without the father's consent or knowledge. The father was successful in a recovery order application and the child was returned to Perth and placed in his care. The mother sought that the child be returned to her care in Port Samson. The child's views were afforded some weight. The child expressed that he wanted to live with the mother because he missed the companionship of his half-sibling. The Court was required to determine the living arrangements of the child by weighing whether it was in the best interests of the child to live with the mother with whom he shared the closest bond, or with the father with whom he shared a good relationship. The mother had been able to secure better employment in Port Samson. The mother would be able to cater for all the needs of the child as well as encourage a meaningful relationship between the father and the child. The Court held that if the child was ordered to live with the mother, there was less chance of further proceedings, given the child's express wishes. The child was returned to the care of the mother in Port Samson.</p>
3.	<p>R & R [2017] FCWA 149</p> <p>Mother Moncrieff J To Busselton from Perth No</p>	<p>Children aged 5, 9 and 10 years resident with the mother The mother sought to relocate from Perth to Busselton with the children. The Court expressed concerns that the mother would not support the relationship between the father and the children if there was significant geographical distance between them. If relocation was permitted, there would have been significant changes in the lives of the children in terms of their home, direct physical relationship with the father, their school, their relationships and their broader school and social community. There were also limited evidence to prove that the mother's emotional state would ameliorate as a result of the relocation. Relocation not permitted. The father would spend increased time with the children.</p>
4.	<p>C & O [2017] FCWA 121</p> <p>Mother Moncrieff J From Bunbury to Fremantle</p>	<p>Children aged 9 and 11 years resident with the mother The mother sought to relocate from Bunbury to Fremantle, whilst the father sought that the children remain in Bunbury and week-about care arrangement. The children were born and raised in Bunbury, whilst the mother was born in Fremantle. The mother submitted that her financial circumstances would improve if she</p>

	No	was permitted to reside in Fremantle as she would have the benefit of better and more employment opportunities. She would live in accommodation at no expense, at her parent's house, and her parents would provide her and the children with the necessary support and assistance. The court was not satisfied that the mother's employment chances would be better, nor that the proposed relocation would successfully reduce the level of conflict between the mother and the father. The mother supported a reduction in time in the spend time arrangements of the father with the children, which the Court held was contrary to the objects of the Act. The children's wishes were given some weight. They expressed that they were born in Bunbury and would like to continue living in Bunbury, whilst acknowledging that it was their mother's wishes to relocate to Fremantle. Relocation not permitted, as there were no perceived benefits to the children.
5.	M & L [2018] FCWAM 14 Mother Walter M To Perth From Busselton Yes	Children aged 5 and 10 years resident with the mother The mother sought to relocate from Busselton to Perth. The parties were then both residing in Busselton. The father sought that the children live with him in Busselton. The mother submitted that she had strong support network in Perth and she would be "financially better off" if she lived in Perth. She expected to secure steady work in Perth and cheaper rental accommodation. The court was satisfied that the children would maintain a strong relationship with the father, despite their relocation to Perth. It was not in the best interests of the children for them to be placed in the father's care, as the mother continued to be the primary carer for the children. Relocation permitted.
6.	L & L Father J From Bunbury to Perth No	Child aged 8½ years The father sought to relocate from Bunbury to Perth with the child. Relocation not permitted. At the time of preparing this paper, no further details were available in respect of this case.

Interim Relocation Decisions (International, Intrastate and Interstate)

No	Details	Notes
1.	G & P [2017] FCWAM 114 Mother Kaeser M New South Wales Yes	Child aged 9 years resident with the mother The father was spending supervised time with the child as a result of his alcohol abuse problems. The mother was unemployed and submitted that there was a job opportunity available to her in New South Wales. The mother had been the primary caregiver for the child. The father had not completed sufficient steps to address the requirements of rehabilitation as previously ordered by the Court. The Court held that it was in the best interests of the child for the mother to relocate to NSW as a result of the lack of progress the father had made in relation to the rehabilitation, the child's views, and the "limited disruption to the slow rebuilding of the child's relationship with the father. The mother had agreed to contribute

		<p>to the father's travel to NSW to support a meaningful relationship between the father and the child. Interim relocation permitted. The matter was adjourned for six months for monitoring.</p>
2.	<p>H & C [2017] FCWA 144</p> <p>Mother Duncanson J Victoria No</p>	<p>Children aged 12 and 14 years old resident with the mother The mother sought to relocate to Victoria for reasons including her strong support network and her health difficulties. The mother held risks concerns for the children whilst in the care of the father. The children, at that time, were spending supervised time with the father and attempts were being made to rebuild their relationship, given a substantial period (prior to commencement of the proceedings) in which the children had spent no time with the father. Despite the children's expressed views to relocate with the mother (which were documented in the SEW report), the ICL submitted that the proposed relocation would be detrimental to the children's relationship with the father. The Court held that the practical difficulty with the mother's proposed relocation was the factor of significant negative impact on the father's relationship with the children. Consideration was also given to the disruption to the children's current stability in Perth. Relocation not permitted.</p>
3.	<p>R & H [2018] FCWA 34</p> <p>Mother O'Brien J Victoria Yes</p>	<p>Children aged 12 and 14 years old Mother sought to remain in Victoria with the children. The mother raised serious risks concerns against the father. There were claims of sexual abuse towards the younger child, which were found unsubstantiated. The children had a strong ties with the mother and had expressed firm views to remain living with the mother in Melbourne. In the lead up to the Trial, the elder child had intentionally taken an overdose of aspirin, "explaining her actions not as a suicide attempt but as an effort to gain the attention of the Court and emphasise her desperation for her wishes to be respected". The Court held concerns regarding the mental health of the mother and to assist her in obtaining the appropriate support, the Court considered that it would be in the best interests of the children that orders be made on an interim basis only. The father would be given the opportunity to bring the matter back to court for a fundamental change in care arrangements, should the mother not comply with the interim orders. Interim relocation permitted and if either party or ICL did not seek to relist the proceedings within 12 months, finalization of orders would be considered by the court.</p>
4.	<p>H & S [2017] FCWAM 82</p> <p>Mother Walter M To Perth from Busselton Yes</p>	<p>Children aged 6 and 8 years, resident with the mother The matter proceeded in the absence of the father. The mother submitted that the relocation from Busselton to Perth was necessary for the advancement of her career, as she had been accepted in a graduate program in Perth, which she was currently attending, during which the children were placed in the care of her family. The father had provided no evidence to the Court to contradict the evidence put forward by the mother. Considering the age of the children and their close bond with the mother, the mother was permitted to relocate to Perth on an interim basis. There were further orders that the children spend</p>

		alternate weekend with the father, which the mother would facilitate by driving the children to Busseton.
5.	D & D [2018] FCWAM 20 Mother Cohen AM To Albany from Lake Grace No	Children aged 9 and 11 years resident with the mother The mother sought to relocate from Lake Grace to Albany. The Court concluded that it was not in the best interests of the children to make significant changes to their care arrangements and schooling on an interim basis. The mother's proposed change in living arrangements might impact on the father's spend time with the children. Interim relocation not permitted. Week-about care arrangements were ordered.
6.	P & D [2018] FCWAM 31 Mother Stewart M To Lake Grace from Perth Yes	Children aged 7 and 4 years resident with the mother. The mother sought to relocate from Perth to Lake Grace and to subsequently enroll the children at Lake Grace High school. The mother held that she had a strong support network in Lake Grace and she has family members residing close to her upon who she could call for support and assistance. The mother's new partner resided in Lake Grace and the mother would have the benefit of free accommodation, as well as financial and emotional support from the partner. The Court held that the children's spend time arrangements with the father would not be disrupted, save for the travelling distance between Perth and Lake Grace. The mother alleged domestic violence during her relationship with the father. The Court held that the children would have the benefit of residing in a family environment with a mother who was not exposed to the stress of financial difficulties and the anxieties associated with attending a school and living in close proximity to a person who had demeaned and assaulted her in the past and exposed her to inappropriate and aggressive conduct. Interim relocation permitted.
7.	T & T [2018] FCWA 52 Mother Martino M To Karratha from Mandurah No	Child aged 22 months resident with the mother The father's Application sought that the mother and child return to Mandurah from Karratha, whilst the mother sought that she remain living in Karratha with the child. The child had spent approximately 8 months of his life in Karratha in the mother's care. The mother was the primary attachment figure, as the mother had limited involvement in the child's life, given the distance between their residences. The mother submitted that the child had a close and positive relationship with her extended family members in Karratha, from whom she received assistance and support. The Court considered that there would be practical difficulties and expense for the father to spend time with the child. Given the child's young age, the court held that it was important for the father to be provided with the opportunity to develop a relationship with the child, which factor is of greater priority, than the mother's proposed relocation. Relocation not permitted and the mother was ordered to return to Mandurah with the child.