

Despite the increase in funding since 2003 CAFCASS have no policies, training or guidance on how to question children, on how to assess attachment or what the practitioner should do.

Every case is different yet general policies seem utterly lacking as to how they should investigate and individual abuses may well be rife.

There is a bias in the treatment of men and women involving statutory law:

- a) Involving fathers (in majority cases but not only in private law).
- b) Families where children are taken away without grounds or sufficient grounds and normally the Guardian's are the cheerleaders of social services and fail to comply with the positive obligations under article 8 Human Rights and ECHR.

Litigant in persons (usually fathers but not solely in private law) are effectively abused by the system including the judges and where mother's solicitors are involved, aided and abetted by the judge sitting. The same scenarios are played out in Public law against both parents and especially mothers:-

- a) Often the files given to the party do not contain all the documents sent to the Judge - and in some instances the documents contain false evidence and consequently were unaware of their existence or able to challenge them.
- b) Often there are bench memorandums - these are advice given by a barrister which at the end of the day is read by the judge - thus the whole hearing exercise is a charade.
- c) Very often the judges are either not interested and or insufficiently experienced to understand the intricacies of the family law and human Rights and CPR rules.
- d) The mother's solicitors often break procedural rules but if a father does then he is immediately penalised.
- e) Failure of the legal practitioners and others to obey court orders. Failure to properly instruct on the basis of the court order is accepted but this does not apply to a Litigant in Person (LIP).
- f) CAFCASS and/ or Social Services are beyond reproach i.e. they will present "lie and distortions" as facts and the court will accept this without putting them to proof. If a LIP were to question CAFCASS and or Social Services – the wrath of the Court is brought to bear upon them.
- g) Documents have been found to exist after the court hearing that were before the court yet not served on the LIP and even not mentioned in Court but appear in the Judgement.
- h) The transcripts of judgments and/ or hearings in cases often bear no resemblance to what transpired at Court.
- i) Judges introducing material and or argument which neither party raised.
- j) Once a judge at the lower courts make a mistake, which may be grave in its effect - all other courts will attempt to cover it up.

- k) Judges often assisting solicitors by giving hints and/ or directions against LIPs.
- l) Often any unsubstantiated allegations made are also sent to father's employer and he loses his job, children and house- effectively he is on the street (there was a BBC report on the very high % of divorced fathers on the Street).
- m) Failure of Judges to ensure that Court orders are obeyed by all – they can be openly ignored by mothers and family court practitioners but LIP is penalised if he fails to comply.
- n) Father can be arrested even when the children do not want to return to their mothers. Children have even run away but have been returned to their mother. Mothers are hardly ever investigated even when there is ample evidence of mother's misconduct. Note there are very few instances where mothers have been similarly treated to fathers.
- o) Hypocrisy of the Judiciary i.e. naming the children in cases such as truancy, ASBOS, juvenile delinquency, divorce cases of the rich and famous but cannot be named in Family Law cases of the masses. Members of the Press admitted at the discretion of the judiciary is not open Court since the people under complaint will be the ones choosing and controlling their entry!

Legal Aid is easy available for women in private law but sadly missing in the case of fathers/ men including legal aid from two jurisdictions at the same time.

Courts do not accept Parent Alienation Syndrome as it is not in DSMIV but accepts Battered women syndrome in Criminal Court – yet **it is neither recognized nor is it in the DSMIV! PAS affects women now as well as men but to the child it is severe emotional abuse.** LJ Wall stated on 7<sup>th</sup> July 2006 that Re L,V,M and H was not an investigation into PAS yet is commonly quoted as being the reason to refuse to recognise PAS.

Swansea Civil Justice Centre minutes show that the tendency of legal practitioners not to obey court orders is noted yet for LITIGANT-in-person they will be forced to obey at the threat of imprisonment for contempt, yet LJ Potter in Davies v Davies on 17<sup>th</sup> February 2005 stated in paragraph 34 that 'dishonesty, fraud and non-disclosure by the respondent – that was raised before the judge and it seems clear that the what he did was to observe realistically that it was unlikely that the errors in the affidavit or the dishonest statements alleged by the applicant would be considered by anyone as perjury. No doubt that was a reference to the fact that it is unfortunately the case that, in proceedings of this kind, parties are frequently less than frank with the court. Perjury proceedings, however, are rarely instituted or followed.'

Men do not get parental responsibility automatically but are expected to pay child support irrespective – draconian powers to collect are such that most men lose everything when unable to meet the demands of collection agencies and in some cases seeing their children is directly linked to payment.

Men/ fathers /grandparents are expected to see children rarely or only under close supervision but :

- ▶ Angela Cannings and similar cases did not have unsupervised contact on acquittal on appeal in a criminal case despite having been in jail for some two years.

- ▶ Soldiers returning from Iraq or other missions overseas are not required to undergo supervised contact on return.
- ▶ Sailors at sea, particularly for example submariners who often spend a minimum of six months away without any contact whatsoever are not required to undergo supervised contact on return.
- ▶ School teachers/ nursery workers and other child welfare professionals are not required to undergo supervised contact.
- ▶ Social workers with serious criminal records are not required to undergo supervised contact.
- ▶ Anyone accused of criminal acts who has spent time away from their children in prison including foreign jails are not required to undergo supervised contact on their release.
- ▶ Guilty criminals released from incarceration are not required to undergo supervised contact on release.
- ▶ Those wrongly incarcerated in Guantanamo Bay are not required to undergo supervised contact on release. They can also rely on the Magna Carta in the Courts
- ▶ Foster carers are not required to undergo supervised contact when taking care of children placed with them by social services.
- ▶ Children abducted abroad are returned to their non abducting parent without any supervision even after an absence of four years.
- ▶ The state authorities are so good that they failed Victoria Climbié and returned her to the female primary carer (her aunt) as she had apparent good attachment and therefore her abuses could be excused.

CAFCASS: We have come across numerous occasions when reports written do not bear out the facts of the case, involving independent people but the Judges do not see this or choose to ignore any arguments made by LIPs regarding the reliability and/ or partiality of the reporter. In a recent hearing the CAFCASS officer stated clearly "I am here for the mother."

Here is an organisation whose trade union for CAFCASS is NAPO (National Association of Probation Officers) which asks their officers to collude with the mother as all women suffer abuse in the Patriarchal society, **provide anti-heterosexual training to their officers** and are plainly biased against men, fathers and heterosexuality (NAPO anti-sexism policy).