

IN THE FAMILY COURT AT BARNET

IN THE MATTER OF CHILDREN ACT 1989 SECTION 31

IN THE MATTER OF:

ALISA GAREEVA-DEARMAN (d.o.b. 24.04.2005)

GABRIEL GAREEV-DEARMAN (d.o.b. 22.06.2006)

B E T W E E N:

LONDON BOROUGH OF BARNET

Applicant

-and-

ELLA DRAPER

1st Respondent

-and-

RICKY DEARMAN

2nd Respondent

-and-

ALISA GAREEVA-DEARMAN AND GABRIEL GAREEV-DEARMAN

(Through their Children's Guardian, Ravinder Ghale)

3rd and 4th Respondents

**POSITION STATEMENT
ON BEHALF OF THE APPLICANT AUTHORITY
FOR THE HEARING BEFORE MRS. JUSTICE PAUFFLEY ON 10.2.15**

1. This case concerns two children: Alisa (9); and her brother, Gabriel (8). Both children have been in the care of the Local Authority since 11.09.14 when they were made the subjects of a police protection order. The first ICO was made on 24.09.14.
2. It is listed for a fact-finding hearing before Mrs. Justice Pauffley on 17-20 February, 3-6 March, 10-12 March inclusive with reading days and time for watching videos set aside on 12-13 February 2015.

Publication of information by mother and her supporters

3. The case has been listed on short notice to address the mounting concerns expressed by the parties in this case, and other outside agencies, namely the police and Camden Social Services, about the publicity and information about the case, the school, and the children, being posted on the internet.
4. The court and all parties now have a bundle (bundle P) and a chronology of the postings. It is plain that both the mother and her McKenzie Friend, Sabine McNeill, have been writing and posting a great deal of information about this case and have, since the matter was last in court on 26 January 2015, uploaded on to 'You Tube' the mobile phone recordings of the children and have named them as the children involved in this case. As at 12:15 on 09.02.15 these videos have been viewed nearly 163,000 times.
5. The mother and, it is believed, Ms McNeill have also posted on the internet a great deal of information about the children's previous school, their teachers, and other pupils and their parents. It is asserted that the head teacher is leading a satanic cult from the school placing children at risk there. They have posted the name of the head teacher, the father's name, his address and telephone numbers. The mother has used the internet to re assert her belief that the father has abused his children and others including that he has been 'murdering babies'. A recent post, written in the first person by the mother or on her behalf, is dated 09.02.15 (see appended P97-P99).
6. The posts on the internet have resulted in referrals to the NSPCC relating to the school and to the children (see appended P100-P107).
7. On Monday 09.02.15 a joint meeting was held with LB Barnet, LB Camden and the Camden/Metropolitan police force to consider a joint approach to the posts and resulting unwanted attention. It is understood that the LB Camden are intending to attend at court tomorrow.
8. Christchurch school is now being provided police support due to unwanted attention caused by the information on the internet. There is a concern that pupils and staff at

the school may be at risk. Mr. Dearman has received threatening messages and contact via the internet and is concerned for his own safety. He feels unsafe at the contact centre as mother knows when and where he attends with the children.

9. The local authority require from Ms Draper information as to: what she knew about the postings on the internet; how much she has supported and condoned this; and what, if anything, has she directly posted herself. Mother must be aware that this information will now always follow her children as their names and identities are available the internet and postings have been viewed by potentially hundreds of thousands of people.
10. Discussions at Assistant Director level within the applicant authority has led to a considered view that applications for contempt of court should now be pursued against Sabine McNeill. Ms McNeill has shown contempt for these proceedings, she displays no regard to the impact her actions has or may have on the safety and welfare of the children, and, having been told that any publication of the children or their names or identity is a contempt of court, she knowingly acted in contempt of orders of the court by continuing to post on her and other websites.
11. The local authority would support prosecution of Sabine McNeil despite the risk of further publicity and will accept the consequences. The protection of the children must weigh outweigh any other consideration.

Contact

12. Contact between the children and their mother is now poses a significant risk to them as mother is not willing to act in accordance with court orders, does not accept that her actions cause them harm or pose a risk, and which what steps mother might now take to secure the return of her children to her care are unknown. It unsafe for the children to have a contact in a location known to mother which she could publicise; the risk is not posed just by mother but by supporters made aware of details about the children online.
13. At her last contact on 02.02.15, mother provided pens and papers for the children and asked them to write a letter to the Judge saying that they want to return home.

Alisa and Gabriel refused to do this. A meeting was arranged for 09.02.15 to provide feedback to mother following her behaviour in that contact. Mother chose not to attend informing the social worker Mr. Dalton that she was too busy. The local Authority are therefore using their powers to suspend contact for 7 days and the application for permission to suspend contact be listed as a preliminary issue on day one of the fact finding hearing, 17.02.15.

Case management

14. The local authority seek an extension of time to file the composite schedule of findings and other case management documents due at 4pm on 10.02.15 to 10am on 12.02.15 as a result of to both late responses by Drs Hodes and Sturge and mother's failure to file her schedule of findings and updating witness list by 28 January. Nothing has been received to date. The appended draft witness template will require further input from the mother.

15. A number of the witnesses which mother has listed in her document dated 15.01.15 as serving police officers at Hampstead Police Station, upon enquiry by the local authority, are unknown to the police force. Mother's list of witnesses in this document runs to some 45 adults and 11 children. The mother has not provided any statements from the people she lists. Some of the adults are not identifiable due to lack of last names. The local authority would not support any application to call children as witnesses in this case. The local authority does not seek to call any other witnesses than those listed on the appended template.

16. Mr. Christies' brother in law, Jean-Clement Yaohirou, has been located and served with a letter giving him notice of the fact finding hearing, requesting his dates of availability, and asking for any information he may have about Mr. Christie's whereabouts.

09.02.15
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