



## Association of McKenzie Friends

*voluntary public interest advocacy*

[www.mckenzie-friends.co.uk](http://www.mckenzie-friends.co.uk)

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Dear Commissioner Jourova

### **OPEN LETTER: Safeguarding the Best Interest of Children across Europe**

How coincidental that I received your letter of 26 April just as I was intending to respond to your presentation at the Plenary Debate. Thank You! We all look forward to your promised revision of Brussels IIa! I trust this brief commentary may be of assistance to you.

#### **1. The Issue of Jurisdiction or 'National Competency'**

In the spirit of 'free movement', the question must be asked as to how UK children may be safe in Member States when children of Member States are likely to be among the 1,000+ children in UK removed from their parents each month?

Such unfortunate children are likely to be exposed to

- a. what is 'abusive' according to the Council of Europe report on [Social services in Europe: legislation and practice of the removal of children from their families in Council of Europe member States](#)<sup>1</sup>:
  - i. the unwarranted complete severing of family ties, often in combination with removing children from parental care at birth;
  - ii. basing placement decisions on the effluxion of time;
  - iii. and/or recourse to adoptions without parental consent.
- b. what is [unique in the UK](#)<sup>2</sup>, as observed by McKenzie Friend Ian Josephs who has a law degree from Oxford and publishes [www.forced-adoption.com](http://www.forced-adoption.com) based on five decades of experience; he advises on average 6 – 10 parents a day:
  - i. The UK is the ONLY State in the WORLD that **gags** parents whose children have been taken by Social Services, i.e. threatens them with prison if they dare to complain about their pain. These threats are enforced on some 200 parents a year at least, as [published in Parliamentary records of June 2006](#)<sup>3</sup>, MP Harriet Harman speaking;
  - ii. The UK is the ONLY State in Europe (except Croatia and possibly Portugal) to permit the horror of "[forced adoption](#)";
  - iii. The UK is the ONLY State in Europe to allow "**Punishment without Crime**" i.e. the taking of children by Social Services from parents who have not committed any criminal offence;

<sup>1</sup> <http://bit.ly/21mZF90>

<sup>2</sup> <https://punishmentwithoutcrime.wordpress.com/about/this-is-the-situation/whats-unique-in-the-uk/>

<sup>3</sup> <http://www.publications.parliament.uk/pa/cm200506/cmhansrd/vo060613/debtext/60613-0003.htm>

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- iv. The UK is the ONLY State in Europe taking children for “**emotional abuse**” and worse still “**risk of emotional abuse**” – on the basis of predictions from highly paid professional ‘experts’/charlatans that one day parents just might harm their children;
- v. The UK is the ONLY State in Europe to **cancel conversations** between parents and children in care. Children are left wondering what they have done wrong? as parents are forbidden to explain the situation or to discuss the court case in any way. Phrases such as “I love you” and “I miss you” are also forbidden under the threat of contact being stopped immediately if the parents ‘transgress’. Naturally, children begin to think their parents might not love them or want them back any more.

Can such blatant violations of the Fundamental Charter truly be left to ‘national competency’? Can the consciences of those purporting to protect children’s rights across Member States really be clear?

Please note that we changed the title of our petition and included both Mr Timmermans’ and your email address as recipients so that you can ‘feel the pulse’: [Protect children equally across all EU Member States - from removal by Social Services!](#)<sup>4</sup>

## 2. The Vienna Convention on Consular Relations

Please note that the UK Government does not require Local Authorities to include the nationality of children in care. I am currently examining the [official statistics](#)<sup>5</sup> with a view to producing an analysis.

How is it that the UK may assume jurisdiction over minors without involving the relevant foreign authorities? Hence the production in 2012 of this report by volunteers: [Non-UK Kids in Care](#)<sup>6</sup>.

May we count on you to address this issue effectively or must we mount yet another petition on behalf of foreign children ‘screaming-to-be-heard’ in UK?

## 3. Petitioning on behalf of Children Screaming to be Heard

[Children Screaming to be Heard](#)<sup>7</sup> is not only the name of a charity, but also of an annual conference that has just taken place in London. I feel it would help you to be a little better informed about the realities ‘on the ground’, namely the trends that have developed over decades and the ensuing need for NGOs such as ourselves and endless individuals to take action on the internet as the only reliable media outlet.

As you see below, I am also asking for responses from the Commission, still outstanding. I am writing as Petitioner 1707/2013 to [Abolish Adoptions without Parental Consent in the UK](#)<sup>8</sup>. I am a systems analyst who used to diagnose software at the European Centre for Nuclear Research (CERN) in Geneva and have resided in London since 1981 as a German national. I do not have children of my own but I love children.

When I presented the [Systemic Patterns of Child Snatching and Forced Adoptions](#)<sup>9</sup> in March 2014 to the previous Petitions Committee, I was accompanied by 30 parents, quite a few of them foreigners in the UK, who were hoping to get their children back via EU efforts. I was so shocked by what I had heard from Commissioners on the day that I delivered six minutes of passion that have had nearly 4,000 views on [this video](#)<sup>10</sup> of “too much-ness” and over 30,000 on this one about the [UK Government child stealing exposed](#)<sup>11</sup>.

<sup>4</sup> <https://www.change.org/p/eu-parliament-abolish-adoptions-without-parental-consent>

<sup>5</sup> <https://www.gov.uk/government/collections/statistics-looked-after-children>

<sup>6</sup> [http://www.academia.edu/5709931/Non\\_UK\\_kids\\_in\\_care\\_report](http://www.academia.edu/5709931/Non_UK_kids_in_care_report)

<sup>7</sup> <http://www.childrenscreamingtobeheard.com/>

<sup>8</sup> <https://www.change.org/p/eu-parliament-abolish-adoptions-without-parental-consent>

<sup>9</sup> <http://bit.ly/1JoLLLL0>

<sup>10</sup> <https://www.youtube.com/watch?v=VNvQFIFy9Cs>

<sup>11</sup> <https://www.youtube.com/watch?v=di-VuxAVBOg>

In December 2014, we met with Chiara Adamo and other Commissioners, with Brussels IIa already being mentioned as the 'culprit'. However, I need to alert you to the distinction between 'custody battles' between parents and the phenomenon highlighted by *The Telegraph*: [MEPs must investigate this child-snatching scandal: Social workers who take away children is one of the most disturbing human rights scandals of our time](#)<sup>12</sup>. UK journalist Christopher Booker has covered hundreds of cases regularly and has also himself acted as a McKenzie Friend. He wrote [fourteen articles](#)<sup>13</sup> about what was hitherto the worst of all cases.

Is this 'parental responsibility' that the State assumes a 'God-given' right? There were enough MEPs in the Debate who stressed the Right to Family, original culture and biological parents rather than 'investing' in children, as described in this article: [The Foster Care Business](#)<sup>14</sup>.

In the spirit of 'safeguarding the best interests for children across Europe', this is to ask for a response to

1. my request for disclosure of the [Infringement Notice](#)<sup>15</sup> of EU Directive 2011/92 as issued to the UK Government in January 2014;
2. our report [Discrepancies between EU Directive 2011/92 and UK Family Law](#)<sup>16</sup> which I handed to Mr Timmermans after his PETI dialogue last year;
3. my first petition amendment [Using the Secrecy of UK Family Courts to Cover-Up Criminal Activities](#)<sup>17</sup> after I tried to help a Russian mother get her two child witnesses returned to her; they had accused their British father of being the leader of a 'cult' whose members regularly abuse children;
4. my second amendment [Using Bail Conditions to Prevent online Exposure of Organised Child Sexual Abuse](#)<sup>18</sup> which refers to my two arrests as blogger about the [whistleblower kids](#)<sup>19</sup>; my third arrest on a Sunday after midnight, resulting in my being charged – a trial is now scheduled for a crime that is NOT a crime under German law, namely, for having published 'witness statements' relating to the case of another protector of children's rights. I am accused of having 'intimidated witnesses' who are allegedly abusers.

You write that there is no EU law protecting whistleblowers, but in the spirit of harmonisation it should be worth considering the difference between a criminal offence in UK with prison as 'remedy' and a media offence in Germany with a 'cease and desist' remedy.

Furthermore, please note that former MP John Hemming tabled an EDM (Early Day Motion) on [Petitions to the European Parliament](#)<sup>20</sup>. Portuguese parents were arrested for belonging to the 'forced adoption' group and a Welsh father was punished by having contact with his children removed.

Can you really leave this institutional behaviour to '**national competency**' with a good conscience? As a previous PETI Secretary said: *"The UK can't have it both ways, be member of a Club and not play by its rules."*

How much worse does it have to get, before the Commission acts on behalf of EU citizens as Petitioners to protect their Human and Fundamental Rights, especially as foreigners in the UK?

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<sup>12</sup> <http://bit.ly/1Nl1xwq>

<sup>13</sup> <https://gloriamusa.wordpress.com/public-support/booker-articles/>

<sup>14</sup> <https://corporatewatch.org/news/2015/dec/15/foster-care-business>

<sup>15</sup> <http://bit.ly/1N5nlGU>

<sup>16</sup> <https://whistleblowerkids.files.wordpress.com/2015/05/2-15-05-04-eu-directive-and-uk-family-courts.pdf>

<sup>17</sup> <https://mckenzie-friends.co.uk/2015/03/07/using-the-secrecy-of-ukfamilycourts-to-cover-up-criminal-activities/>

<sup>18</sup> <https://mckenzie4fairness.files.wordpress.com/2016/02/15-12-27-using-bail-conditions.pdf>

<sup>19</sup> <https://whistleblowerkids.uk/about/>

<sup>20</sup> <http://www.parliament.uk/edm/2013-14/1239>

#### 4. Representative MEPs who contributed to the Debate

- Have you spoken with **Polish MEP Julia Pitera** who knows about the system that her government has put into place to deal with Polish children taken on behalf of the UK Government?
- Do you know that **Czech MEP Tomas Zdechovsky** traces the funding of over 700 cases he is aware of in Norway back to the City of London?
- In the vein of [this petition](#)<sup>21</sup> by a Bulgarian mother and grandmother, **Bulgarian MEP Emil Radev** spelled it out clearly: forced adoptions are big business in the UK, as published by [Corporate Watch](#)<sup>22</sup> in [The Foster Care Business](#)<sup>23</sup>.
- I understand that Bulgarian MEPs have talked about warning citizens before they consider emigration due to economic pressures. Are you balancing the ‘best interests of the child’ with the interests of shareholders whilst ignoring [what is dishonest with our money system](#)<sup>24</sup>?
- Did you hear **Tatjana Zdanoka, MEP** for Latvia, quoting the “desperate calls for help” addressed to the Petitions Committee? Did you hear her say that **eleven Latvian children** were taken away from their parents during the first two months this year by UK authorities?
- Do you know that hardly any children are ever returned, just as Tomas Zdechovsky MEP illustrated?

#### 5. Concerned EU Governments

- Former MP John Hemming informed the MEPs who came for the fact-finding visit to London in November 2015 about the over 2,000 cases he has collated on behalf of [Justice for Families](#)<sup>25</sup>.
- In 2013 Hemming hosted 59 representatives of over 30 embassies and consulates expressing [International Concerns about UK Law](#)<sup>26</sup> in another EDM relating to Article 8, the Right to Family Life.
- Are you aware of the **Latvian** Government’s engagement in child-snatching cases in the UK?
- The **Slovak** Embassy organised a [Round Table](#)<sup>27</sup> to express their concerns with this [List of Participants](#)<sup>28</sup> which includes representatives from the EU Parliament but not the Commission.
- Dr Marica Pirosikova secured the return of the two Slovak boys, as described on [John Hemming’s blog](#)<sup>29</sup> through her involvement on behalf of her Government.

#### 6. Council of Europe Reports

- Are you aware of the Council of Europe’s report on [Human Rights and Family Courts](#)<sup>30</sup> produced by UK MP Christopher Chope?
- Which Member State considers it ‘in the best interest of the child’ to steal babies directly after birth – one of the standard practices that Duma member Olga Borzova calls “abusive” in her report [When is it ok to remove a child from her or his birth parents?](#)<sup>31</sup>

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<sup>21</sup> <https://www.youtube.com/watch?v=UBkfjCQO8Es>

<sup>22</sup> <https://corporatewatch.org>

<sup>23</sup> <https://corporatewatch.org/news/2015/dec/15/foster-care-business>

<sup>24</sup> <https://moneyasdebt.wordpress.com/2011/07/03/whats-so-dishonest-about-our-money-system/>

<sup>25</sup> <http://www.justice-for-families.org.uk/>

<sup>26</sup> <http://www.parliament.uk/edm/2013-14/345>

<sup>27</sup> <http://bit.ly/1XXlgBP>

<sup>28</sup> <https://researchingreform.net/2015/05/07/slovak-embassy-round-table-on-child-protection-full-list-of-participants/>

<sup>29</sup> <http://johnhemming.blogspot.co.uk/2014/01/public-statement-judr-marica-pirosikova.html>

<sup>30</sup> <http://bit.ly/248Fukl>

<sup>31</sup> <http://www.assembly.coe.int/nw/xml/News/News-View-EN.asp?newsid=5397&>

## 7. The Efforts by Individuals and NGOs

- The [12-page Dossier of Evidence](#)<sup>32</sup> supporting our first submission shows the scale of the problem;
- [Foreign Kids snatched by UK Govt](#)<sup>33</sup> is a resource born of a foreign parent's desperation when her son was arbitrarily removed from her on a visit to UK;
- [Non-UK Kids in Care](#)<sup>34</sup> is a report produced in 2012 about nearly 7,000 foreign children in UK care;
- [Our campaigning objectives](#)<sup>35</sup> spell it out. We entered the petitioning process, because between us we have seen hundreds of cases and have visited many parents in prison. God only knows how many of them are being deported annually, whilst their children are being kept by the UK.
- We have assisted quite a few such parents, such as [this Nigerian family](#)<sup>36</sup> whose seven children were forcibly taken, initially without paperwork. The oldest daughter reported being molested by the foster carer's son. The second one reported that she and her sister were taken to dark places at night where there were only men. The small boy of the family asked: "*Mummy, what is paedophilia?*"

## 8. The Law, its Rule and its Enforcement

- Are you aware that the [UK version of the Human Rights Act](#)<sup>37</sup> omits Articles 1 and 13, the remedy before national authorities?
- Are you aware of [Royal Charters as the ticket to immunity from prosecution](#)<sup>38</sup>?
- Ian Josephs and John Hemming recommend mothers to flee the UK to give birth. At the recent [Children Screaming to be Heard](#)<sup>39</sup> conference Josephs recommended that parents should only have their children taken away AFTER they have been convicted of crimes.
- Could you make Josephs' recommendation part of your revision, since the most popular pretext by Social Services is 'risk of future emotional harm'?

## 9. The Fundamental Charter, Ethics, Values & Morals

In UK, **BBC News** has reported on [Thousands of Children taken forcibly into care](#)<sup>40</sup> while **Channel IV's** film about forced adoptions [15,000 kids and counting](#)<sup>41</sup> calculates "one child is taken every 20 minutes."

Do we maybe need to ask whether 'incompetence' or historic '[perfidious Albion](#)'<sup>42</sup> are at work here?!

[Pound Pup Legacy](#)<sup>43</sup> illustrates the dark side of adoption – adopted children seek out their real roots.

How can you or anyone be impervious to these 'cris de coeur'? What more has to happen before you openly challenge and confront UK policy? For this is what child-snatching is in the UK: **policy**, as former MP John Hemming confirms.

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<sup>32</sup> [https://docs.google.com/document/d/1NCF\\_XdMTNhnf947eniZ3SocOWyJ5Cl6pramw4iOPY9c/edit](https://docs.google.com/document/d/1NCF_XdMTNhnf947eniZ3SocOWyJ5Cl6pramw4iOPY9c/edit)

<sup>33</sup> <http://www.foreignkidssnatchedbyuk.com/about/>

<sup>34</sup> [http://www.academia.edu/5709931/Non\\_UK\\_kids\\_in\\_care\\_report](http://www.academia.edu/5709931/Non_UK_kids_in_care_report)

<sup>35</sup> <https://mckenzie-friends.co.uk/about/>

<sup>36</sup> <https://gloriamusa.wordpress.com/about/>

<sup>37</sup> <http://www.legislation.gov.uk/ukpga/1998/42/crossheading/introduction>

<sup>38</sup> <http://bit.ly/1VXGZnc>

<sup>39</sup> <http://www.childrenscreamingtobeheard.com/conferencesevents/>

<sup>40</sup> <http://www.bbc.com/news/uk-31089412>

<sup>41</sup> <http://www.channel4.com/programmes/15000-kids-and-counting>

<sup>42</sup> [https://en.wikipedia.org/wiki/Perfidious\\_Albion](https://en.wikipedia.org/wiki/Perfidious_Albion)

<sup>43</sup> <http://poundpuplegacy.org/>

In a recent OFSTED report the London Borough of Enfield was criticised for not adopting enough children, following which an Enfield mother suffered the removal of all of her six children! She recognised the police officers involved in her own case at a recent court hearing relating to my whistleblower case.

We in UK are up against exactly what Australia discovered thanks to their Royal Commission into New South Wales Police, namely [Corruption, Reform, Paedophilia and Satanic Ritual Abuse](#)<sup>44</sup>. As a person facing criminal trial for my whistleblowing activity on behalf of two child whistleblowers and their mother, I am currently on the receiving end of what feels like a campaign of deliberate intimidation. Your colleague **Renate Nikolay** happened to witness my distress last month upon my receiving an email from my solicitor informing me that the Police wanted to 're-interview' me yet again – I have already given them three 'no comment' interviews! Where is the principle of 'innocent until proven guilty' according to traditional justice in UK? In Mrs Nikolay's view my right to physical integrity is being violated.

Maybe it takes those of grandparental age such as myself to save future generations at this critical juncture in history. Could this be why I, a 71 year-old who have spent my life in service to humanity am to undergo a 5-day 'show trial' on 11 July? Moreover for a crime that would not be one in my native Germany, namely, publishing the witness statements of six [alleged abusers who have become accusers](#)<sup>45</sup> thanks to the Police, named by two children whose own witness evidence has been summarily ignored.

## 10. Conclusion

After experiences with hundreds of cases and the positive responses by MEPs in general and the PETI and JURI Committees in particular, this is therefore to ask you to concentrate in your revision of Brussels II on:

- a. The setting up of specialised chambers in family courts, as suggested in the [EU Press Release](#)<sup>46</sup> about the Plenary Debate:
  - i. To authorise Social Services to remove children only once parents have been convicted of a crime;
  - ii. In the spirit of the Resolution passed by Parliament, to distinguish between the parental responsibility of biological parents and the State grasping this undue responsibility for itself;
  - iii. Furthermore, to take into account the two Council of Europe reports:
    - [Human Rights and Family Courts](#)<sup>47</sup> written by Christopher Chope MP in 2012:
      - i. The Parliamentary Assembly is concerned about the functioning of family courts in some member States of the Council of Europe, and especially about cases where children are taken away against the will of their parents and in violation of the right to respect for family life and the principle of a fair trial;
      - ii. Children ought to be separated from their parents only in very exceptional circumstances, subject to judicial review and in line with the requirements stemming from the European Convention on Human Rights (ETS No. 5) and the United Nations Convention on the Rights of the Child of 1989;
      - iii. The Assembly therefore calls on member States to fully implement the United Nations Convention on the Rights of the Child.

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<sup>44</sup> <http://bit.ly/WQngGn>

<sup>45</sup> <http://bit.ly/1r7XqK2>

<sup>46</sup> <http://www.europarl.europa.eu/news/en/news-room/20160426IPR24708/Kids'-best-interests-must-come-first-in-cross-border-custody-cases-urge-MEPs>

<sup>47</sup> <http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=19220&lang=EN>

- [When is it ok to remove a child from his or her birth parents](#)<sup>48</sup>? by Olga Borzova (Russia) in 2015, quoting what is standard in the UK but referred to as 'abusive' (page 12):
  - i. the unwarranted complete severing of family ties;
  - ii. often in combination with removing children from parental care at birth,
  - iii. basing placement decisions on the effluxion of time
  - iv. and/or recourse to adoptions without parental consent.
- b. Addressing the issue of jurisdiction of Member States over children of other Member States and beyond;
  - i. In the spirit of safeguarding children's 'best interests', priority therefore needs to be put on preventing Social Services from removing children before legal proceedings even reach the state of interim or permanent placement, let alone forced adoptions;
- c. Returning foreign children from Member States of the EU and the Council of Europe to their biological parents. This would include the reversal of placement and adoption orders:
  - i. Concerning foreign children whose consulates and embassies were not informed;
  - ii. Due to listening to UK children 'screaming to be heard';
  - iii. And responding to UK and foreign parents who have not committed any crimes and whose wills were overruled in secret Family Courts and the Court of Protection.

Will you make the changes happen that we are waiting for?

Yours gratefully in advance,



Sabine K McNeill

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<sup>48</sup> <http://www.assembly.coe.int/nw/xml/News/News-View-EN.asp?newsid=5397&lang=2&cat=133>