

PRESS RELEASE

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JUDGE DENIES TRANSGENDER PARENT CONTACT WITH HER CHILDREN TO PROTECT CHILDREN FROM THE ULTRA-ORTHODOX JEWISH (CHAREDI) COMMUNITY IN WHICH THEY LIVE.

<http://www.bailii.org/ew/cases/EWFC/H CJ/2017/4.html>

Background

In the first case of its kind in the UK, the Father of a Charedi family in North Manchester left the family home and the immediate neighbourhood and transitioned. Since that time the Father has not been permitted to see or communicate with the five children of the family with whom it was found by the judge he had close and loving relationships and that efforts to maintain contact with the children had been ignored or rebuffed.

The Mother backed by the community rabbis, head teachers and others, have claimed that the children would be ostracised in school and more widely in the community if the children had contact with the father. This led professionals (from CAFCASS and the Anna Freud centre) to conclude that the children would indeed be unable to lead viable lives due to the attitude that community members would take towards them if they had contact with the transitioned parent.

In this controversial decision, Mr Justice Peter Jackson has ruled in the interests of the children that the Father be permitted to send the children only four letters a year. These will be advised upon and delivered by CAFCASS (the court Social Services) to the children.

The children will also be given explanations at age-appropriate levels by professionals of what transitioning means so they understand why their father had to leave.

GeshherEU's view.

Respect for, and tolerance of, persons with protected characteristics is not taught in the communities' schools. This is unlawful. The judge has said "*There is, to say the least, evidence that the practices within the community, and in particular its schools, amount to unlawful discrimination against and victimisation of the father and the children because of the father's transgender status*".

Although we understand that the Judge, being unable to change the community, reached the decision in what he thought was the best interest of the five children. We do not however

agree with this decision. These children will be brought up as part of another generation of children being taught to shun those who have gender issues and who can no longer bear the suffering of living a false life.

In another recently published case (<http://www.bailii.org/ew/cases/EWFC/OJ/2016/B91.html>) involving a heterosexual father, despite the Mother and community making similar claims, the Judge ruled that the Father should have regular (weekly and holiday) access and published the judgment saying that:

“Crucially, publication will convey the court’s evaluation of the fundamental importance to these children of a full continuing relationship with both parents. These children will continue to move between two worlds and in doing so they will continue to live a different experience to the other children within their mother’s community. These children need the community to help their mother to support them in that journey. A and C need the community to understand that they will inevitably have these different experiences in their lives with their father and to be accepting rather than rejecting as a consequence. They need the community to recognise and acknowledge the importance of their father’s role in their lives.”

Mr Justice Peter Jackson concludes his Judgment:

“In the light of the response of the schools to this family's situation, I shall send a copy of this judgment to the Minister of State for School standards at the Department for Education. If change is required (and that is for others to say), responsibility must fall on the shoulders of the schools, the community and the state, and not on the heads of young children.”

The community prides itself on its traditions, but these traditions should not threaten the relationship between the parent who has decided to leave the community and their children. Only by the Judiciary and the State taking a firm stance will there be any chance of minds being changed. The community needs to understand that it would be considered an abuse of the children and that they will be removed from the community, if such threatened ostracisation of these young children actually takes place.

There should be no place in today's society for fear-casting of this type to persuade the family courts to deny children a face to face relationship with their Father.

END

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