

TRANSCRIPT OF PROCEEDINGS

Ref. SQ19P00336

IN THE FAMILY COURT AT STOKE-ON-TRENT

Bethesda Street
Hanley
Stoke-on-Trent

Before **DISTRICT JUDGE BAILEY**

IN THE MATTER OF

[PERSON A] (Applicant)

-v-

[PERSON B] (Respondent)

MR S WORLOCK appeared on behalf of the Applicant
MISS C PORTER-PHILLIPS appeared on behalf of the Respondent
MISS BROWN appeared on behalf of the Guardian

JUDGMENT

1st OCTOBER 2021, 11.20-12.39

(AS APPROVED)

WARNING: This judgment was delivered in private. The judge has given leave for this version of the judgment to be published on condition that (irrespective of what is contained in the judgment) in any published version of the judgment the anonymity of the children and members of their family must be strictly preserved. All persons, including representatives of the media, must ensure that this condition is strictly complied with. Failure to do so will be a contempt of court.

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JUDGE BAILEY:

1. This is the judgment of the court following a fact-finding hearing which took place over three days between 6 to 8 September 2021 in the context of ongoing Children Act proceedings in relation to the children of the parties, [Person C], born on a date [Person D] and [Person E]. The applicant within these proceedings is [Person A], the children's father, and the respondent is [Person B], the children's mother.

2. This fact-finding hearing has taken place pursuant to allegations made against [Person A1] by [Person B1], which can be found within the bundle at C50 onwards. It is right to reflect that the case has been beset by an unhappy procedural history, having been listed for a fact-finding hearing on several occasions which have been vacated, partly impacted by the ongoing pandemic and subsequent disruption to the work of the Family Court.

3. It is right to observe the following legal principles at the outset. The burden of proving an allegation rests with the person making it, namely in this case the mother. Father does not have to prove anything. The standard or proof in the Family Court is the simple balance of probabilities. In other words, the court must ask itself whether it is more likely than not that the event occurred. This principle must be applied with common sense.

4. As per Hoffmann LJ in *Re B (Children)* [2008] UKHL paragraph 35:

“If the legal rule requires the fact to be proved, a fact in issue, a judge or jury must decide whether or not it happened. There is no room for finding that it might have happened. The law operates a binary system in which the only values are 0 and 1. The fact either happened or it did not. If the tribunal is left in doubt, the doubt is resolved by a rule that one party or the other carries the burden of proof. If the party who bears the burden of proof fails to discharge it, a value of 0 is returned and the fact is treated as not having happened. If he does discharge it, a value of 1 is returned and the fact is treated as having happened.”

5. Findings of fact must be based on evidence, including inferences that can properly be drawn from the evidence, and not on suspicion or speculation. However, the court can have regard to inherent probability. The court may have regard to circumstantial evidence and give it such weight, individually or in combination, as it considers to be justified. The court must take into account all of the evidence and consider each piece of evidence in the context of all of the other evidence.

6. The court invariably surveys a wide canvass. The evidence of the mother and the father is of utmost importance. It is essential that the court forms a clear assessment as to their credibility and reliability and explains why their oral evidence was given weight or not in deciding the allegations.

7. In assessing the credibility of the parents, I have had regard to the totality of the evidence and considered how it fits in with other pieces of evidence, how consistent it is with other pieces of evidence, motives as to their behaviour, and, of course, how they give their evidence and present generally during the course of the hearing.

8. The court must be careful to bear in mind that a witness may lie for many reasons, such as shame, misplaced loyalty, panic, fear and distress, and the fact that a witness has lied about

some matters does not mean that he or she has lied about everything. If the lie was for an innocent reason, namely one that does not denote guilt, it may be ignored. However, if the lie was not told for an innocent reason, it may be used to support the truth of the allegations, provided that there is other supporting evidence, per *R v Lucas* [1981] QB 720.

9. This case was case managed prior to the determination of the recent conjoined appeals in *Re H-N and Others (Children) (Domestic Abuse: Finding of Fact Hearings)* [2021] EWCA Civ 4948. Nonetheless, I have taken the core principles into account when coming to my decision. The court considered that the primary question in many cases where domestic abuse is alleged is likely to be whether the evidence establishes an abusive pattern of coercive and/or controlling behaviour, irrespective of whether there are other more specific factual allegations to be determined. The principle of relevance in addressing this question is the impact that such a finding may have on the assessment of any risk in continuing contact.

10. It was emphasised that the focus of the Family Court is to determine how the parties behaved and what they did with respect to each other and their children and not whether that behaviour comes within the definition of a particular criminal offence.

11. I am asked to consider the allegations made by the mother, as detailed in the Scott schedule found within the bundle. Broadly, the mother says to the court that during their relationship the father exerted coercive and controlling behaviour upon her, was verbally abusive, that he has used the proceedings to further that objective, that he has harassed her, amongst other more specific allegations.

12. Father's denials should not be given less weight because they are, in some instances, bare denials. They are part of the evidence in totality. That is to say, if the father has not done anything of the things alleged, it would be difficult for him to do or say more than deny it. In determining whether the allegations mother makes are true or false, they must be determined against the civil standard and, as said, the court must consider the credibility of the parties, as well as any evidence which may cast doubt on the allegations.

13. I have, for the avoidance of doubt, considered all of the voluminous evidence before me when coming to my decision. It is not possible, however, in the course of a judgment to make specific reference to every single piece of evidence that the court has considered. In addition to considering the documents in the court bundle, the supplemental bundle, I have also heard oral evidence from [Person A1] and [Person B1] respectively. I have also listened to somewhere approaching three hours' worth of audio recordings of telephone conversations between the parties and I have also watched some CCTV footage adduced by [Person A1] from a handover which took place on 26 January 2020 involving [Person F1] and [Person A1].

14. As trial judge, I am uniquely placed to consider the credibility of the witnesses who appear before me and I have had the opportunity of observing both parents in the court room, both when they gave their evidence to me and in the context of them being the court room for three days.

15. As helpfully summarised by Miss Porter-Phillips in her written submissions, domestic violence and abuse is defined as any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over, who are or have been intimate partners or family members, regardless of gender or sexuality. This can

encompass, but is not limited to, the following types of abuse: psychological; physical; sexual; financial; and emotional.

16. The Government definition also outlines the following. Coercive behaviour is an act or pattern of acts of assault, threats, humiliation, and intimidation or other abuse that is used to harm, punish or frighten their victim. Controlling behaviour is a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain and depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.

17. These definitions have found favour with the Family Court. They appear in Practice direction 12J of the Family Procedure Rules and more recently have been reinforced by Hayden J in *F v M* [2021] EWFC 4.

18. As noted in a recent decision of Roberts J (albeit in the jurisdiction of the Court of Protection), Professor Dubrow-Marshall is an expert in the field of coercive control with 20 years' experience. He has written extensively on the subject and its psychological causes and effects and has delivered many training and educative programmes for professionals working in the field. He is the author of an article in a counselling journal, *Therapy Today*, where he describes controlling and coercive behaviour as involving, for example, isolating a person from their friends and family, monitoring their time and taking control over aspects of their daily life, such as where they can go, who they can see and where they can sleep. 'Gaslighting' is referred to as another form of manipulative behaviour where one person tries to exert power over another by making them doubt their own judgment, to the point they question their sanity.

19. The Court of Appeal has provided some examples of how coercive control impact upon children. Children can be harmed in any one or a combination of ways. For example, where the abusive behaviour: (1), is directed against or witnessed by the child; (2) causes the victim of the abuse to be so frightened of provoking an outburst or reaction from the perpetrator that she or he is unable to give priority to the needs of his or her child; (3) creates an atmosphere of fear and anxiety in the home, which is inimicable to the welfare of the child; (4) risks inculcating, particularly in boys, a set of values which involve treating women as being inferior to men.

20. By way of brief background. It is common ground between the parties that their relationship was of longstanding. Their relationship commenced in 2002 when mother was 22, father was aged 35. [Person C1] was born, and the other children were born subsequently. Whilst not specifically set out in the pleadings, the parties ultimately married approximately six years ago.

21. It is, again, common ground that the parties separated in June of 2018, with mother leaving father, with them reconciling a short time later the following month. It is agreed that father undertook counselling, was prescribed medication and engaged with a psychologist following reconciliation. The reconciliation proved relatively short lived and on 20 June 2019 mother left father again and this time it proved to be a final separation.

22. Father issued proceedings in the Family Court on 28 June 2019, asserting that mother intended to relocate outside of the jurisdiction in Scotland. Although listed on short notice, a hearing proceeded before District Judge Isles on 2 July 2019, of which mother did not receive notice. Judge Isles made an order for the children to be returned to father's care, together

with a prohibited steps order preventing the children being removed from father's care or that of anyone else.

23. The court now knows that very shortly after that hearing father, in fact, returned the children to mother's care. There was a return hearing on 4 July. Mother agreed not to remove the children from England and Wales. There was a first hearing dispute resolution appointment on 20 November, which was adjourned, but the parties had been able to agree interim arrangements for the children.

24. At the adjourned first hearing dispute resolution appointment on 20 January 2020, before Deputy District Judge Harrop, mother raised that father was failing to adhere to the agreed arrangements and at that hearing raised concerns. The recitals to the order reflect that by this time mother was raising concerns that father's behaviour was negatively impacting upon the children and expressing concern for his mental health. Father disputed the allegations as to his behaviour and with regards to his mental health.

25. Mother subsequently made an application to vary on 29 January 2020 and applied to the court for a non-molestation order. A without notice order was made by my colleague District Judge Peters that day. Various further directions appointments were listed. On 5 June 2020 my colleague Judge Masters made an order appointing separate representation for the children. The learned Judge also determined at that hearing, in light of the allegations made in respect of father's contact, that direct contact between the children and their father was not appropriate at the current time. The court resolved in January of this year that there should be a fact-finding hearing. There has clearly already been enormous delay for the children in the resolution of the proceedings with regards to them.

26. I turn now to the allegations which I am asked to determine. The first one, that the applicant was coercive and controlling during the relationship and the abuse and attempt to control the respondent has continued post separation and that the applicant is using the proceedings and arrangements to further seek to control and abuse the respondent.

27. Mother's written accounts are found in her statements at C1 to 9, C16 to 41, and C94 to 304 in the bundle. Attached to her statement at C144 to 153 are text messages that passed between her and [Person A1]. The content of the text messages were not subject of challenge by father. The court also has the benefit of audio recordings of conversations between her and father from a time following separation until November of 2019.

28. It is said on behalf of father that the recordings were made with mother effectively priming [Person A1] and should be viewed through that lens, but effectively mother was setting him up and the recordings should be viewed in the context of her getting him to say things and controlling the discussion. In short, father says, through Mr Worlock, that mother has cherry picked a small handful of conversations between them to cast him in a bad light.

29. Be that as it may, the recordings clearly demonstrate the following. That father accepted that he had acted badly towards the mother, telling mother in a recording from 1 December 2019, "I was utterly out of control. I didn't listen." In a recording from the 23 October 2019 telling mother, "I know I have been a bad man to you. I have treated you abominably and I want to rectify it." He accepted that he had pushed mother too far and that he had "shit coping mechanisms."

30. In a call on 29 July 2019 he promised that he would not put her down, telling mother that he had suicidal thoughts, the worst that they have ever been. He talked about getting 'ownership' of the children.
31. Telling mother in a telephone call on 23 October 2019 that, "You will see them when I say, under my jurisdiction." Shouting at the mother in another call, "They are my children. My children. Bring them round now." Repeatedly talking over the mother so that she is unable to speak. In one call mother says to father that he does not talk to her, he talks at her.
32. Shouting at the mother, including somewhat ironically, shouting at her that he is a different person, including in one call on 14 October 2019 where the children can be heard in the background. Swearing at the mother, oblivious or impervious to her obvious and genuine distress.
33. The court notes mother was heard to be crying during the call on 3 November 2019. Spending large periods of time, some recordings up to 40 minutes or so, choosing to spend the time where the children are actually in his care on the telephone to the mother begging her to reconcile with him. Telling the mother that he will not lose his cool with her again. Mother is audibly distressed and sobbing. Threatening the mother with solicitors. "They have told me I'll win. You'll be fucked." Talking over her. Telling her that they have told him he will get the kids.
34. Telling her on 23 October 2019 that she has got two choices; either she comes back or "I set the solicitors on you," shouting at mother, as he does so, "stop." Mother tries to tell him to stop talking over her and points out that he is telling her what to do. He responds by saying, "Don't do it to me or I will react."
35. On another occasion that if she walked away he would close the business and go for full custody. The children were with father and could be heard in the background at this time. During the same call he alluded to the children going into care. During the same call he said to the mother that if she was not with him, then he promised he would go for full custody. Telling the mother that, "There is something wrong in your head. Don't make me instruct solicitors to go after you." On another occasion telling mother, "If you played back a tape, you'd think you've got a lot of problems girl."
36. A recurrent and persistent theme is money. He agreed that he said he did not want children, albeit that he had said it to a friend for 'a laugh'. Suggesting in a telephone call that he really could not handle all three children, saying, "I should have some responsibility for one of them full-time." This was said when the children could be heard in the background at the time. In another call telling the mother that it was too much for him, that the kids had trashed the place, and that they were not dressed, and had not eaten. Telling mother, "They ignore me, and I lose my cool."
37. Telling the mother that when he had taken the children to Wales that he was "pissed". In another call on 14 October saying, "Fuck it. I'll take them anyway." Threatening the mother by shouting at her, "Don't fucking [Person A2] me. Bring my children now, otherwise I am coming round with a court order. Ring the police. You can't stop me."
38. Calling the mother "a prick." When asked in cross-examination why he felt it was appropriate to call the mother "a prick," father said he did not think it was a swear word. Father attempted to suggest to the court that it was a 'sharp edge', that he was emotional and

was trying to get his kids back. He told me that mother never told him to stop. Asking her if she had ‘pulled’ on a night out, what she had been wearing and to send him a photo.

39. In the mother’s oral evidence, she described feeling as though she was walking on eggshells during the marriage, describing [Person A1] as a Jekyll and Hyde, that she did not know who would walk through the door.

40. Her explanation as to why she started recording her conversations with the father was that she thought that she was losing her grasp on reality, that she would have a conversation with [Person A1] about something and that when they next spoke, he would say it had not been said. She worried that she was losing her grip on reality and that she was going mad. She said because there was so much of it, constant calls, texts and Messenger constant, and it was getting to the point where it was all times of the day and night.

41. “When I tried to explain how he was I’d say he goes on and on. He’s hard to understand. He would back track. It’s impossible to explain if you’re not there. I recorded him to say that is what happened, to prove that it’s what he’d done. When he says he didn’t say it and it didn’t happen, it doesn’t make sense if you know what happened. Then you start to doubt yourself. What happened? It starts in your own head and you can’t resolve it and make sense. You go back through it. It’s twisted, and then clear in your own mind that is what he did say, and it helps you understand how he is.” She described having reached a point of exhaustion, that he would always talk over her and tell her to say this and do this.

42. In her oral evidence she described just after Judge Isles’ order that the children should be returned to his care, his response was to tell her that he now had full custody and that he laughed, telling her that he was in control. She describes being terrified that he would not be able to look after the children. She was clear in her evidence that she always wanted [Person A1] to have a relationship with the children. She just wants for it to be positive and safe for the children and stable, without threats, manipulation, and for it to be calm and normal.

43. The thrust of father’s cross-examination of the mother was that she had taken a harsh approach, that she had never had a black eye, and the reality is that all marriages have difficult times and that she was over-egging things and had simply got tired of playing a mummy role to her husband too. [Person B1] maintained that shouting, screaming and swearing has no place in a marriage and that she was fed up with everything and nothing she did being right.

44. She maintained that she did not know about the Wales trip, saying in her evidence-in-chief that it was not a planned trip. The children did not have a change of clothes or pyjamas and were returned to her two days later wearing the same clothes that they went in.

45. It was put to her that she was deliberately blocking contact, which she denied, and when asked what danger [Person A1] posed to the children, she responded by saying that he has threatened several times to take them. He does not think about their needs and questions them. She described [Person A1] as being erratic and unstable and that she does not know what to do with that.

46. When she was asked why, in the face of [Person A1] being discharged from services, that she cannot agree that he has changed, she said, “Because the behaviour doesn’t change,” saying that she feels, “It,” meaning therapy, “is a token gesture. Nothing changes. His behaviour doesn’t improve.”

47. In answers to cross-examination on behalf of the guardian, she said that his behaviour had impacted upon the children because they had witnessed it, picked up on it and reiterated the behaviour. She described that [Person C1] would speak to her like father spoke to her, saying that even towards each other the children would get frustrated, shout and swear. That they have described [Person A1] to other people as mean and shouty. She says that while she tried to shield them, they have seen bits and pieces, such at times she has been driving away from contact and has been upset.

48. Father's written evidence is found at C13 to 15, C42 to C49 and C57 to 93. The tenor of his written and oral evidence is that he denied that he has behaved inappropriately, that the mother gave as good as she got, and they were both forthright characters. He suggests at C14 that she has an underlying mental health condition, which may help explain her change in attitude. He denies the allegations about his behaviour.

49. In his evidence-in-chief he told me that he sought help from the Priory Group and that they told him that he does not have an aggressive side and they were working with him to deal with abandonment issues arising from his childhood. He denies that he had been back and forth to doctors over the last 10 years with respect to his mental health, telling me that he had been deeply affected by the death of his mother and then his father passed away. He described that [Person B1] had been insistent about him consulting the GP, that he did so and was prescribed Sertraline and cognitive behavioural therapy. It was his evidence that when his mother died, he did not get much support off anybody. He said that at the Priory the professionals made a diagnosis and sorted it out.

50. He told the court that when his wife left him in 2018, he suggested it was not because of his behaviour, but rather because he and his father-in-law had fallen out. He spoke of the reconciliation in 2018, that he changed his medication, that he had made a huge effort that year, that he did not raise his voice, save for one or two occasions with a member of staff. He told the court that he had been having therapy with a counsellor for at least two years and that it had only stopped a couple of months before the fact-finding hearing.

51. When asked in evidence-in-chief if he accepted that he had been abusive to [Person B1], he said, "Absolutely not. I think that it's the other way round. She was controlling of me all of the time." He denied shouting at her, saying, "You couldn't shout at [Person B3]. She's electric. She's very in control." He denied that there was an imbalance in their relationship by virtue of the age gap, saying that she is very, very grown up.

52. When asked about the circumstances in which [Person A1] came to hand the children back to [Person B1] on the very day that he had gone to court to seek urgent prohibited steps and child arrangements orders, his account was that the head teacher at the girls' school, Mrs X, had told him that the existence of those orders was an issue for the school because [Person B1] was due to participate in a school trip to Wales and the trip would have to be cancelled if the children could not go. I find that that is inherently improbable.

53. When asked in evidence-in-chief about the recordings of the phone calls and what it was that [Person A1] was trying to accomplish, he responded by saying that he was trying to use sales techniques, not to take no for an answer, and that he was not being controlling. When he can be heard saying he cannot manage the children, his response was that it was just an empathy thing to get her to think.

54. When he was cross-examined about the telephone calls and it was put to him either that he was shouting and swearing during the calls because he was angry or because, in fact, contrary to his evidence to the court, it is his everyday language, he said he swears as any adult swears and sought to explain it by saying it was two years of trying everything he could to get his family back together. When asked if he accepted that the picture was that he repeatedly swears, he said he was not aware that he was being recorded. That rather illustrates the point. The fact that he was being recorded is an irrelevance.

55. I absolutely do not accept [Person A1's] evidence that she was asking questions to entrap him. Having sat and listened to some three hours of audio recordings, it is overwhelmingly clear evidence that for the most part [Person A1] dominated the conversations and at times shouting over [Person B1], speaking over her, not allowing her to speak, and at times can only be described as ranting at her, a description I note is also used by the police to describe [Person A1's] interaction.

56. Whilst I accept that [Person A1] was clearly very emotional at this point in time, he was relentless. At times there were clear occasions where [Person B1] is audibly upset and distressed. He carries on regardless, trying to achieve his objective. I found listening to the recordings to be absolutely draining. I can hardly imagine what it must have been like for [Person B1] to have been at the receiving end of what I accept is reflective of only a small proportion of the calls, texts and other communications that she received from [Person A1].

57. Even in the court room [Person A1] repeatedly interrupted Miss Porter-Phillips, talked over her, and did not let her finish putting questions. He repeatedly sought to ask questions of her, despite being told on several occasions by the Court and Miss Porter-Phillips herself that she was not there to answer his questions but to answer hers. He interrupted and spoke over the Court during the hearing, and had to be warned not to do so.

58. When asked if he accepted that his behaviour was not all that it might have been, he said it was purely emotion, desperation. He sought to explain away the threats of solicitors as pure emotion and that the recordings were only a snapshot. He accepted in cross-examination that he had said that the guardian was instrumental in damaging the children, accepted that he had said that to the YMCA, and explained it by saying he was trying every angle that he could.

59. When put to him that he had perhaps let himself down, he said, "I believe I have." When asked how, he said it was a difficult question and then said that he had been too lenient. He saw [Person B1] cry after the first hearing and said he did not like seeing her upset, so asked the court to amend the order. He was not able to identify any aspect of his behaviour or actions over the last two and a half years where he might have let himself down. He was given a further opportunity at this point by Miss Porter-Phillips to reflect and said he had nothing else to add, in response to that further opportunity.

60. Despite being given these clear opportunities, [Person A1] was incapable of self-reflection, took little, if any, responsibility for his actions and behaviours, and was unable to recognise that it had likely had a negative impact upon his children. He said, "I don't feel that there is anything wrong with my behaviour. I am a straight, honest guy who works hard."

61. He agreed that he had sent correspondence to the YMCA in June of this year, saying "people commit suicide because of these things". He could not remember why he did so and

when asked if he agreed it was emotive language, he said probably. He was asked if he accepted that recording staff at the YMCA made them vulnerable and would be intimidating, he replied by saying it was an irrelevant question. He disputed that he had been told by the YMCA that he was not permitted to record sessions and that he did not sign an agreement. Asked if anything during his marriage was wrong, his evidence was, "Not outside the norm of marriage, absolutely not."

62. When put to him by Miss Porter-Phillips that he was trying to portray himself as a victim, his evidence to the court was, "I believe I am the victim in all of this." When asked if he accepted that he had manipulated the mother, badgered her to come to the house, was controlling of her in asking for photos of her, he shouted, "No."

63. Surprisingly, he maintained at the fact-finding hearing that he had never sworn at [Person B1], despite the plethora of evidence before the court, complained in audio recordings that he did, and did so with impunity. I refer to the deeply unpleasant text messages sent to [Person B1] on 23 February 2018 at C117 to 121 in the bundle, where he sends no fewer than 38 text messages to [Person B1] from 10.57 to 6.38 where he uses the "f" word in 12 of those messages to her. [Person B1] tries in her responses to placate him, offering to bring him something for dinner, for him to respond for her not to bother, that she has let him down big time and that he is furious.

64. I have taken into account that for the vast majority of litigants both the prospect and reality of giving evidence is a daunting one. Nerves can affect how people present. However, I take a clear view that [Person A1's] behaviour as seen in court and the witness box is a window into his personality. He has a need to assert control and seeks to achieve that by interruption, dominating the conversation, obfuscation and speaking over others. The message that is received from that is that others point of view is an irrelevance and his view, and his view alone, has value.

65. He was, I am afraid, an unimpressive witness whose evidence was not credible. He was defensive, combative, evasive, at times sarcastic, or asked questions himself. He was at times very domineering when he gave his evidence, frequently speaking over or interrupting others. He was at times patronising. He was articulate for the most part, but his evidence was somewhat inconsistent, and I am satisfied he was not always truthful with the court in his evidence.

66. This is in stark contrast to [Person B1], who conducted herself with dignity, answered all questions asked of her, was entirely consistent in her evidence and did not, in my assessment, at any point seek to embellish her evidence and clearly remains, despite everything, supportive of a relationship between [Person A1] and their children.

67. There is other wider evidence available to this court of a pattern of behaviour by the father: the school report at D6; staff reporting feeling intimidated by father, referring to him finger pointing at them and raising his voice in frustration; in his interactions with the YMCA, trying to control the narrative, telling them what to put and what not to put in their notes and statements; seeking for notes to be sent to him and his solicitors before they were sent to the mother and hers; making negative and inappropriate comments about the mother to the YMCA; and to push for what he ultimately seeks, despite a clear view expressed by Judge Masters that face-to-face contact was not appropriate pending further inquiry; with Cafcass, having the original Family Court advisor removed and her report ring fenced. I note that he recorded their discussions. It is unclear to me if she was aware.

68. The police log at D118 expresses concern. It would appear that [Person A1] is displaying some kind of controlling behaviour in sending his engineers to various properties to check on her location. The police disclosure where it is recorded that they give strong advice to [Person A1] that “it could be seen as harassment. He admits he finds it hard to be ignored in all aspects of his life, not just this relationship”. In father’s written and oral evidence he said he did not send an engineer and instead that MG had arranged the engineer to call to deliver presents for the children. This contrasts entirely with father’s contemporaneous account to the police at D117, where he tells the police, “I did send an engineer who was working up in Scotland and he said her car was there. It sounds controlling, but it’s not.” It’s more likely that the account to the police at the time is the correct account.

69. The police disclosure at D29, where it is shown that [Person A1] calls, text messages numerous times, witnessed by officers. Whilst no direct threats were made, [Person B1] reflected that she wished for words of advice only on this occasion. The log goes on to state that when spoken to [Person A1] agreed that any contact should be via text to cover child access and only when necessary.

70. I am satisfied, having regard to the totality of the evidence before me, there is clear evidence of a pattern of behaviour from the father whereby he has been threatening, manipulative, intimidating, aggressive and abusive to and towards the mother, at times when the children were either present or in the background.

71. The second part of the allegation is that the applicant has used the proceedings and arrangements to further seek to control and abuse the respondent. There are innumerable examples of where, on the balance of probabilities, I am satisfied that the father has attempted to manipulate the narrative and seek to further control and abuse the mother. In my assessment, the originating application by father was a misuse of the court process. If he genuinely required the order sought, he would not, shortly after the orders were made, have handed the children back to mother.

72. I am satisfied, having regard to the totality of the evidence before me, that father has made a malicious referral to the police on 21 March 2020, requesting them to undertake a welfare check after telling them that he was concerned that the children were either in Scotland or, if the children were at home with their mother, she would not be looking after them properly, that they will have no food, saying that she has harmed the children mentally. The recording says that father tells the police that he wants them to remove the children from the mother.

73. D105 of the police disclosure reflects that father asked the police to arrest mother, given that she is self-isolating and has underlying health conditions. This request was made at a time when father knew the children were in the mother’s care, with father seemingly not having considered the likely impact upon his young children had the police gone along with his request to arrest their mother when they were in her care.

74. When asked by Miss Porter-Phillips what the impact upon the children might have been to see their mummy arrested, asking him to view this through the eyes of his children who love their mummy, I noted that in response [Person A1] rolled his eyes and responded by saying, “They have seen me pushed down the lane by a bully boy.” Of note, the police report

reflects that father spent 10 minutes ranting at the officer. Despite father having called the police, it is recorded that mother has no real issue with father seeing the children as long as it is appropriately supervised.

75. Father made a further referral on 27 December 2020 to the police, stating that the mother was breaching COVID rules by travelling from England to Scotland. This caused the police to undertake a visit to her and the three children were seen by the police, observed to be safe and well. Father's oral evidence about his motivation for his call to the police was unimpressive. I am satisfied that he made the referral maliciously to cause further upset and distress to the mother at a time when the children were in her care. There is, of course, the further obvious consequence of the children being exposed to having police officers at their grandparents' home.

76. I am satisfied that he has sought to apply pressure to workers at the YMCA to agree to unsupervised contact, despite the fact that the court had previously determined at a hearing before Judge Masters that contact must be supervised pending the outcome of the fact-finding hearing or further inquiry.

77. He has, I am satisfied, used handovers to continue to communicate with [Person B1], despite the existence of a non-molestation order and his own friend attempting, unsuccessfully, to persuade [Person A1] against such a course of action. If he was genuinely motivated by concerns about [Person E1's] presentation, he should have gone through solicitors where there was a non-molestation order in force. The children will have been aware of the fact that mother did not want to engage in discussions and have been unnecessarily exposed to this incident. I am satisfied that [Person A1] held the car door on that occasion to prevent [Person B1] driving away.

78. Allegation 2 is that on 28 June 2019 the applicant was verbally abusive to the respondent and left her stranded at a supermarket. On returning to the family home in a taxi, the applicant continued to be verbally abusive and followed her car at high speed, resulting in her fearing for her safety. Mother's written evidence is at C5 to 6. Her oral evidence regarding this incident was entirely consistent with her Children Act statement.

79. She told me, "It was the day of the therapy session. When I went, he kept saying, "What are you going to say? I need to understand what you're going to tell him." When we got out of the car, he just lost it and said he was leaving me there. I was terrified. I didn't know what to do. I was stuck in (x place) and walked to (supermarket).

80. Father's written evidence merely says that he does not accept the allegation and that he and [Person B1] have different versions of events. In his oral evidence he does not deny the incident but says that mother has exaggerated what happened. In his evidence-in-chief father accepted that he had followed the mother but disputed that it was at high speed. He denied leaving her stranded at the supermarket and said, "I did take her purse off her, if that's abuse. She was "fuck this, fuck the other. She turned up in a taxi."

81. Other wider evidence can be found at D6, the evidence of the school. The police were called as mother telephoned them in a stressed manner before arriving at school extremely shaken, reporting that father had been verbally abusive to her and followed her in the car. The police disclosure at D31 to D34 gives an account of father trying to grab her purse and phone and then followed her. Mother is noted by police to be very upset on the phone.

82. At B48 the court order records that the head teacher confirmed that mother had contacted her in a distressed state to say father followed her and was coming to collect the children. Father's account to the police and his oral evidence to the court was inconsistent. The incident occurred at a time where, I am satisfied on the evidence, that father was highly agitated and angry at the mother, as exemplified by the accusations made on his application for a child arrangements order two days earlier, where he says the mother is corrupt, a habitual liar and thrives on shock results.

83. I am satisfied on the evidence available to me that the mother's account is more likely to be true on a balance of probabilities, together with the wider supporting evidence, whilst noting the inconsistent evidence of the father which sought to minimise his behaviour that day.

84. Allegation 3 is that between 20 June 2019 and 29 January 2020 the applicant has engaged in a course of conduct which amounts to harassment of the respondent, thereby causing her upset and distress. In his evidence-in-chief father said, "If begging her to come back is harassment, then yes."

85. In light of the totality of the evidence before the court and other findings made on a balance of probabilities, I am satisfied that this allegation is made out. In my assessment, father has minimised his behaviour and sought to justify it by framing it in a context of a man desperate to get his family back and putting it down to emotions. He must have been aware that his behaviour was causing distress and upset to [Person B1]. Indeed, she told him that it was, and that by giving in to his incessant demands to go around and see him would cause her to be upset and distressed. He acknowledged that, but he had ultimately succeeded in his aim to get her there, regardless of the upset it would cause her.

86. Between 20 June 2019 and 29 January 2020, the applicant made numerous threats to remove the children from mother's care. It is clearly evident within the recordings that father made threats to remove the children from the care of the mother, telling mother that, "The solicitors say you've broke so many rules that I will get them." Saying, "Fuck it, I'll take them anyway."

87. I am satisfied that the mother's account regarding the trip to Wales is more credible. There was a period of time where mother was unaware of the whereabouts of the children and the father. Father accepted in the recordings that he was "pissed" when the children were in his care during this time, denied by him in oral evidence. In father's written evidence at C71 he says he would never have taken the children from [Person B1]. He cannot recall saying this, but if he did it was in the heat of the moment.

88. I am satisfied that father has resorted to the use of threats against the mother, when other "sales tactics", as described by him, failed in an effort to get her to comply. I take into account other supporting evidence. The police evidence where father asks the police to remove the children from mother's care at D104. I note, too, a message sent by the father at C70 in which the father states, "If I retaliate with evidence the worst case is that the kids could be taken off us."

89. Allegation 5. The applicant breached the order dated 22 January 2020 and was verbally abusive to the respondent in front of the children, causing the children and mother to be fearful and distressed. The applicant deliberately attempted to restrict the respondent from leaving the property, clenched his fist and threatened to punch the respondent.

90. The allegation relates to an incident on 26 January 2020. Mother's written evidence is found at C7 to 8. Mother says the children were present and he threatened to punch her head in. Mother describes being so upset that she contacted the police, [Person A1's] brother and a neighbour. She alleges that [Person A1] was not happy when the neighbour, [Person F1], was present at handover, and it is her evidence that [Person A1] became threatening. Mother's account is clear that the children were present.

91. Mother has exhibited text messages to a statement that passed between her and [Person G], [Person F's] wife, setting out she asked if either [Person F1] or [Person G1] would accompany her to collection, saying, "He was awful when I dropped them off and threatened to punch me. I don't want to go on my own and I'm waiting on the police, but they are busy. I know it's a huge ask and understand if not." [Person G1] responds later that evening to a thank you from the mother by saying, "It's OK. As long as you and the girls are OK. [Person F2] couldn't believe how aggressive [Person A2] was. Are you home safe with the doors locked?" [Person G1] sent a later message to the mother with her landline number.

92. Of course, there is no witness statement from either [Person F1] or [Person G1]. Mother says they do not want to become involved in the litigation. Father relies on some CCTV footage that he contends shows him being assaulted by [Person F1] on this occasion. Mother avers that the CCTV footage has been edited and does not show that [Person A1] was pacing up and down in an agitated state.

93. Father's written account at C71 says he has a different perception to the mother. He alleges that [Person F1] has threatened to kill him if he had contact with the children, or words to that effect. He maintained in oral evidence that he was pushed about by [Person F1], who he called a bully boy.

94. I have viewed the CCTV. I see [Person F1] shake [Person A1's] hand. [Person A1] says something to [Person F1], which is inaudible. It looks as though [Person A1] is going to move into the lane in the location of the mother and the children. [Person F1] pushes [Person A1] back into the drive in the opposite direction. I have watched the video numerous times. I would not describe this as being done in an aggressive way or with force. I would not describe it as an altercation. [Person A1] can be seen raising his arms and clenching his fists in what I would describe as an aggressive manner at [Person F1]. The video footage is only 51 seconds long and ends at this point. There is no audio and it is clear that there was some verbal exchange between the two men. I am satisfied that the mother's account is more credible than is [Person A1's] and I make this finding.

95. Allegation 6 is that on 30 January 2020 the father was verbally abusive to the respondent when she was putting the children in the car and attempted to take the children whilst attempting to take [Person E1] from her car seat. Mother's written evidence is at C17, paragraphs 6 to 15. She says that [Person A1] had only infrequently attended the girls' swimming lessons when married. She describes seeing a car in the car park with its headlights facing her as she drove into the car park.

96. She told the court, "The car was parked at a dead end before the turning into the school and I have never seen a car parked there before, so it seemed odd to me. On reflection I believe that [Person A2] was waiting for me to arrive before he parked. I proceeded to pull into the car park, got the children out of the car and went into the building. When I went into

the changing rooms, I saw [Person A2] was sat outside the changing rooms in a position where I had to pass him.”

97. She describes another parent walking her back to her car, when she noticed that [Person A1] had parked right next to her. She then says that, “It was at this point that [Person A2] approached me and was saying things like, “What have you done? Have you phoned the police? Please, will you come back to the house”.” She said that she told him it was late, and she had to get the children to bed, but she describes him going on and on about the police and whether she had reported him regarding the incident a few days before.

98. She said to the court, “[Person A2] stood at the car door with [Person E1] and refused to close the door to enable me to leave. He got angry at this point and said, “You’re not taking the kids. That’s it. I’m taking them.” It was at this point that [Person A2] tried to take [Person E1] out of the car seat.” She sets out at paragraph 13 that she told him if he refused to shut the door and put [Person E1] back, she would call the police.

99. Father’s written account is at C72 and says that he had been visiting swimming weekly. He denies having arrived before the respondent. He denies being aggressive. He said that mother drove off when he was putting [Person D1’s] seat belt on. In evidence-in-chief he accepted that he had parked next to her. He said that mother was “effing and jeffing” and that she drove off and he was not aggressive or abusive.

100. I have to question why [Person A1] would have parked next to [Person B1]’s car. He had been at a hearing just eight days before when it was clearly set out to him that the mother was making allegations about his conduct and behaviour toward her and that she had concerns about his mental health. At B60 the order of Judge Harrop reflects that the parties had agreed to limit all communication to text or email communication and that communication was to be limited to urgent matters only.

101. I come to a clear view, having assessed all of the evidence before me, that the mother’s account is more likely to be true. In my assessment, it is more likely that [Person A1] turned up at swimming as an excuse to see [Person B1] to show her that he would go where he pleased, regardless of what a court order might say and despite what he had clearly agreed to in court just a few days before. I make this finding.

102. Allegation 7 is that on 4 March 2020 the applicant breached a non-molestation order by sending a sinister and threatening email to the respondent. On March 4 2020 the mother received an email from someone calling themselves the Dark Knight from an email address (anonymised for the publication of this judgment).The email is found at C25 and another place in the bundle and is headed “I Know Too Much”.

103. Mother’s case is that it was sent by the father or by someone on his behalf to intimidate and unsettle her and/or to manipulate her into withdrawing proceedings or complying with his requests. The email talks about solicitors profiteering and also refers to “prohibitive steps orders.”

104. Father denies sending the email, pointing out that his name is spelled incorrectly. He deals with it in his written evidence at C72. He says that mother had access to his Google account at this time. In his oral evidence he said that he suspected who had sent the email but did not rule out that mother had sent it to herself, despite it having been father’s case, through Mr Worlock, that it was not, in fact, part of father’s case to suggest that mother had done so.

In fact, he told the court during cross-examination that he was hugely suspicious that she had sent it to herself.

105. In cross-examination it was put to him that if he really believed that she had done so he would have reported her to the police. He maintained that he had done so. I have carefully reviewed the police disclosure. Whilst father complained to police that he suspected that mother had hacked his social media accounts, there is no report from him that I see that she has sent herself a threatening email pretending it was from him. Had father genuinely believed that mother had done so, I have no difficulty in coming to the view that he would have reported this to the police as soon as this allegation came to his attention. He did not do so, in circumstances where I am otherwise satisfied on the balance of probabilities that he has made malicious police reports about the mother.

106. Having considered all of the evidence, I come to a view, on a balance of probabilities that [Person A1] sent the email to the mother for these reasons. I note, firstly, in keeping with views expressed by father, the author refers to solicitors profiteering, D93, three days after the email is sent. This is entirely in keeping with views clearly expressed by father in his evidence and during the audio recordings.

107. I also note the use of the term “prohibitive steps orders.” Of course, the court and the lawyers know that the correct term is prohibited steps orders but note that other documents that I know to have been authored by him uses the same exact incorrect term, see C46, paragraph 10, and C65, paragraph 16.

108. The author of the email is clearly someone who is privy to very personal information, knows details of the maternal family and has other information that could only be known, in my assessment, by either the mother or the father. It is inherently unlikely that mother would send this to herself in the context of all of the other evidence before this court.

109. The email refers to [Person A3] doing his best to keep his business together, that he has four families to look after without his own, see C279. I note that at C247 that father authored a text message to the mother whereby he refers to having four staff to pay for.

110. Father sent the email under a pseudonym because by March 2020 orders had been made by the Family Court prohibiting him from communicating directly with the mother. The tone of the email is unnerving and sinister and will have unsettled the mother and caused her distress. I make this finding as asked.

111. Paragraph 8. On 7 March 2020 the applicant breached the non-molestation order by harassing and pestering the respondent during handover of the children. Mother’s written evidence is found at C19 to 20. I have found that [Person A1] has on another occasion used the opening of a car door or keeping it open to prevent [Person B1] from driving away. This makes it more likely, in my assessment, that he did so on this occasion. Included within the mother’s account is that father accused her solicitor of profiteering. The police disclosure at D86 reflects that mother rang the police to report that father turned up at her property. She makes a statement to the police, which can be found at D91 to 92.

112. Father’s written account is at C72. This reflects that he was found not guilty in the criminal court. I observe that that is a different standard of proof. In his oral evidence in evidence-in-chief he said that [Person E1] looked painfully thin, said that [Person B1] told him to fuck off at one stage, said that he told her he was worried about her and he did not

want the children to be motherless, that [Person B1] then told him to fuck off and he ended up in a cell for seven hours.

113. When spoken to by police father denied he had held the car door to prevent the mother from leaving, claiming he had CCTV evidence to disprove this. The police investigated father's claim regarding CCTV. The investigating officer's statement is at D102, stating there was no camera in the area when the incident happened. The officer concluded there was no way that father could not have known this when he gave his account in interview.

114. [Person H], a friend of the father's who had been acting as a contact supervisor, made a statement to the police. His statement is at D96 to 99. He sets out that he was aware of the non-molestation order and that on 7 March 2020 went to the gate at the end of the drive. He says it was quite clear he had gone to speak to the mother, that is [Person A1], which was a breach of the non-molestation order.

115. His account to police is that he told [Person A1] it was not a good idea, suggested to [Person A1] that he go back inside the house. He says that [Person A1] was adamant that he wanted to speak to [Person B3] about the welfare of their daughter [Person E1] and, "That it was quite clear that I was not going to be able to persuade him otherwise."

116. At D98 he describes father holding on to one of mother's car doors. His account of what he says father said to mother broadly aligns with mother's account. He says father was not aggressive but was emotional and frustrated. [Person H1] has enough awareness to reflect that whilst mother was calm, it was clear to him that she was not enjoying the fact that [Person A1] was trying to speak to her. He describes father holding on to one of the car doors, preventing mother from leaving.

117. It must have been absolutely clear to [Person A1] that [Person B1] did not wish to speak to him. Mother's account in her Children Act statement, oral evidence and to the police was entirely consistent. Father agrees that he attempted to speak with the mother but maintains he did so out of concern for [Person E1]. It is clear from the available medical evidence that there was nothing wrong with [Person E1] at the relevant time.

118. I am satisfied to the relevant standard that father was determined to speak to the mother, regardless of the existence of the non-molestation order, when he knew that mother did not wish to speak to him. I am further satisfied, when having regard to the other evidence available, that on this occasion father held the car door preventing mother and the children from leaving.

119. In cross-examination father was asked if his behaviours have impacted upon the children. He said no. It was put to him that he is suspicious that mother has got professionals to write reports against him. He agreed. It was put to him that his behaviour was problematical. He responded by saying that the situation happened when his father-in-law fell out with him and that her father was instrumental. When asked if he took any responsibility for the breakdown of the relationship, he answered that the breakdown was caused by his father-in-law, rather than anything that he himself might have said or done. He said he reacted to what her father was doing and by that, raising his voice, denied he ever swears or threatens, not people in authority.

120. Asked if he had a problem with anger management, he denied it, saying this had been proved. He denied being a bad-tempered person. He denied having difficulties with his

mental health at a much younger age. When his medical history was put to him and it was suggested that he had known he had a longstanding problem, he denied it, saying he has never had problems with anger and described himself as ‘happy go lucky’.

121. He denied he had ever had suicidal thoughts and when what he said to [Person B1] about being suicidal was put to him, he denied that he had been suicidal but rather it was a plea for help. When Miss Porter-Phillips put to him that if he had said to [Person B1] that he was suicidal and in fact had not been, then that was an example of him being manipulative and emotionally abusive, his evidence was that he did not see it as manipulation, it was just desperation in trying to get his family back together. He was asked if he would accept, in the face of the medical evidence in the bundle, that his difficulties had been longstanding and date back to 2001.

122. Overall, in my assessment, [Person A1] struggled to answer questions around his medical history, and, in my assessment, that was not because he did not understand the questions. My careful notes taken suggest that he interrupted. He started asking questions of counsel and was evasive. He could not account for why his children would describe him as getting mad and kicking things like the table and he denied having threatened to kill the cat.

123. Overall, in my assessment, [Person A1] lacks insight into his behaviours and, more than that, lacks insight into the likely effect that those behaviours have had on his children and, of course, [Person B1]. His odd suggestion made more than once but seen in written form at C203, to the mother, “[Person C1] can live here. That I think is fair. She is old enough, OK.” Fair for whom, I ask myself? Certainly not fair on [Person C1] to be separated from her sisters, with whom she has lived all of her life. Sibling relationships are some of the most important relationships that we enjoy in our lifetimes, of greater longevity in the normal course of things than our relationship with our own parents. This is but one example of where [Person A1] has little insight or understanding of the emotional needs of his children.

124. When cross-examined by Miss Brown on behalf of the guardian, she offered a still further opportunity for [Person A1] to reflect upon how his behaviour might have impacted on the children and why it might be a problem. [Person A1’s] response was simply that it was an emotional time, that he had moved on from that, “And I’ve had a lot of training.” Miss Brown further put to him that he must have recognised that he had problems because he went for therapy. He replied by saying, “Not for aggression. I was being pushed in that direction by [Person B3].”

125. What [Person A1’s] evidence to the court demonstrated is a complete lack of understanding of the perspective of the children, what changes he could make to mitigate the current situation and what he could learn from the past to improve the future. The focus is about the failings of others, but he does not feel that he has done anything wrong or made any mistakes in his handling of this situation. The evidence points to a woe is me attitude, seeking to paint himself as the victim and indeed that was his remarkable evidence to this court, that he, not [Person B1], is the victim, that she has set traps for him. I do not accept that is the position at all.

126. The recurring theme of [Person A1’s] evidence was that his behaviour was situational, that he never had a problem and only accessed therapeutic intervention because [Person B1] convinced him that he was unwell. He does not himself believe that he has or had any problems.

127. The contemporaneous medical evidence before the court at D9 is clear, that [Person A1] has had longstanding issues with mood impulsivity, impulse control and depression, dating back long before the breakdown of his marriage to [Person B2].

128. In my assessment, the GP was spot on when they observed that at times [Person A1] lacked insight into the fact there is a primary mood issue. I prefer that evidence to the evidence of [Person A1], who I am satisfied now seeks to minimise and deny the true extent of his struggles with his mental health and who has issues with anger, irritability and emotional regulation.

129. [Person A1] had been able to recognise in August of 2019 that he had difficulty with, amongst other things, anger management, but he strongly refuted that to be the case in his evidence to this court. The evidence is overwhelmingly clear that far from the picture that he seeks to paint, [Person A1] has significant difficulties with emotional regulation at times when he does not get what he wants.

130. He has shown a propensity to complain about professionals involved in the case. He has complained about the first Family Court Advisor. He has complained about the YMCA, to the point where they were only prepared to continue with two workers, then took a decision they could no longer work with him, terminating contact after he was intimidating to a female staff member.

131. There is a pattern of behaviour that he has demonstrated with those who have been involved in whatever capacity in this case with investigations, assessment and inquiries which involve him and the mother and/or the children. It is another aspect of this father's behaviour which gives cause for serious concern and is, in my judgment, an aspect of this father's personality and make-up. This chimes entirely with other parts of the evidential picture of father's absolute need to control everything around him.

132. With all of the complaints that father has made, and the professionals who have not done as he wanted, the father has complained in most part, in my judgment, to deflect attention, to seek to divert professionals from looking at and assessing what is right in front of them. It is, in my judgment, a significant and concerning part of this father's personality, is demonstrative of how he seeks to control and distort information, the agenda and the narrative.

133. I note the following. [Person E1] is very vocal at lunchtimes, telling the rest of her table, "Daddy shouts all the time at mummy," D5. She was noted to be very sensitive and could be tearful at times. One of the children told staff, "My dad says the "f" word all the time. You know the naughty word that starts with f." She has also told staff that dad shouts at mum all the time. One of the girls talked about [Person A1] getting mad and kicking things like a table.

134. One child, now known to be [Person C1], had been crying in school, claiming that [Person A1] had told her he would kill the cat if the family did not return to live with him. She reports having nightmares about who she is going to live with and what is going to happen to her. She said, "Dad has told me someone is coming to see me, not my sisters. They are too young. They are going to interview me and ask if dad is nice or if he shouts. He says I've got to say that he doesn't shout, and he does nice things and he's not an ogre. They are coming to see who is safe for us to live with." This is, in my assessment, a direct

example of [Person A1] seeking to manipulate [Person C1] into saying what he wants her to say, to achieve what he wants to achieve.

135. The emotional impact upon the children is clear. At D5 the school, on 14 February 2020, noted that [Person C1] had been working at an age- appropriate level. However, over the last few months her reading and writing skills were now well below age related expectations, with her maths test data also below age related expectations. [Person C1] had referred to herself as ‘a loser’ in school. The school were voicing clear concern that of the three children [Person C1] had been most affected, with school sharing concerns in relation to [Person C1’s] mental health if the conflict continued. She was noted to be teary in school and was describing herself as tired or scared when asked by school staff how she was feeling. [Person D1] was noted to be rude at times in school.

136. On the basis of my findings, the children have been present during incidents that will have been frightening and scary for them to experience and make sense of. [Person B1] has said in her evidence when cross-examined on behalf of the guardian that she noted that the children had witnessed and reiterated [Person A1’s] behaviour, that [Person C1] would speak to her like [Person A1] would speak to her, even toward each other, when they would get frustrated, shout and swear.

137. At C112 to C114 the respondent sets out the impact that she says [Person A1’s] conduct and behaviour has had upon her and the things that she does everyday on a daily basis to try and keep herself safe. It is so detailed that it can only have been thought of by someone who has wracked her brain to think of everything that she can possibly do to keep herself as safe as possible. It includes a Letter of Wishes in case anything happens to her. That is the end of my judgment.

This transcript has been approved by the Judge