

Re P and Q (Children – Care Proceedings – Fact Finding) [2015]

[2015] EWFC 26

19/03/2015

Barristers

Justin Ageros

Court

Family Court

Practice Areas

Public Children Law

Summary

Fact finding in care proceedings.

Facts

Care proceedings were brought by the London Borough of Barnet relating to two children, P and Q, who are 9 and 8 years old respectively. In September 2014 allegations were raised by the mother and her partner that the children had been part of a large group of children from north London who had been sexually abused, made to abuse one another and that they had belonged to a satanic cult in which there was significant paedophile activity. The children's school was alleged to be where this activity took place but at least seven other local schools were named. The children's father was alleged to be the leader of the cult but the allegations also included accusations made against the children's head teacher, teachers at the school, social workers, CAFCASS and Police Officers.

Pauffley J found that none of the allegations was true and that everything the mother, her partner and the children said was entirely fabricated and that the children were faced with relentless emotional and psychological pressure as well as physical abuse. The Judge found that the mother's partner, in collaboration with the mother, effectively tortured the children to concoct the allegations made.

P and Q were ABE interviewed on 5, 11 and 17 September 2014 and withdrew their allegations. Both children gave full details of the ways in which the mother's partner had secured their compliance in making the allegations.

The mother and her partner did not attend the court proceedings but the internet campaign about the allegations continued to repeat the satanic abuse claims and the Judge found that efforts to persuade internet servers to remove material had proved to be of limited value as once material had been removed it appeared elsewhere.

Prior to these proceedings the mother had issued private law proceedings in 2008 and between 2010 and 2014 the matter came before seven different judges and there were nine hearings without there being any considered judgment on the basis of oral evidence. The father's contact in this period never ran smoothly.

Held

Pauffley J held at that it is not and never will be, sufficient to consider just one or two evidential features in isolation and that it is always necessary to take into account all of the material and not just a selection. The Judge commented that the individuals who had watched online film clips, read online articles and believed in the allegations ought to reflect that it is easy to be duped on the basis of partial information and that proper consideration should always be given to the context in which allegations are being made. In this case there had been years of court conflict over the issue of contact and the mother's antipathy for the father provided fertile territory for the creation of the false allegations and their reiteration by the children.

In summary Pauffley J made the following findings:

Neither child had been sexually abused by any of the following – Ricky Dearman, teachers at Christchurch Primary School Hampstead, the parents of students at that school, the priest at the adjacent church, teachers at any of the Hampstead or Highgate schools, members of the Metropolitan Police, social workers employed by the London Borough of Camden, officers of Cafcass or anyone else mentioned by Ms Draper or Mr Christie.

The children's half brother, his father and stepmother – Will and Sarah Draper – were exonerated of any illicit or abusive acts involving the children.

There was no satanic or other cult at which babies were murdered and children were sexually abused. All of the material promulgated by Ms Draper now published on the internet was nothing other than utter nonsense.

The children's false stories came about as the result of relentless emotional and psychological pressure as well as significant physical abuse. Torture is the most accurate way to describe what was done by Mr Christie in collaboration with Ms Draper.

Both children were assaulted by Mr Christie by being hit with a metal spoon on multiple occasions over their head and legs, by being pushed into walls, punched, pinched and kicked. Water was poured over them as they knelt semi-clothed.

The long term emotional and psychological harm of what was done to the children is incalculable. The impact of the internet campaign was likely to have the most devastating consequences for P and Q.

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