

HONG KONG / JUDGMENT

JKH v. AH also known as A C-LL

[2019] HKFC 249

COURT

Family Court

DECIDED

19 September 2019

CASE / FILE NUMBER

FCMC3529/2018

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bjbj FCMC 3529 of 2018

[2019] HKFC 249 IN THE DISTRICT COURT OF THE HONG KONG SPECIAL ADMINISTRATIVE
REGION MATRIMONIAL CAUSES NUMBER 3259 OF 2018

BETWEEN JKH Petitioner and AH also known as Respondent A C-LL

Coram: Her Honour Judge Sharon D. Melloy in Chambers (Not Open to Public) Dates of Hearing:
14 17 May 2019 Written closing submissions: 8 July 2019 Written closing replies: 18 July 2019 Date
of Judgment: 19 September 2019

J U D G M E N T (Access/joint care and control/shared care)

Introduction

AUTONUMOUT This judgment follows a four-day trial to determine the term time arrangements for the only child of the family, a 7-year-old boy who I will refer to as L. L was born on the XX January 2012 and he has just started Primary 3 at X College, in Discovery Bay. AUTONUMOUT Although this was initially a very high conflict situation, with each party accusing the other inter alia of assault (which had led to the regular involvement of the Police and the Social Welfare Department), by the time that the matter came on for trial the parties had, to their credit, been able to resolve a number of issues. The suit, which had initially been defended had eventually proceeded on the basis of one-year separation with consent and the decree nisi was pronounced on the 21 September 2018. In so far as L is concerned the parties had also been able to agree both joint custody and the arrangements for the school holidays.

3. Unfortunately they had not been able to resolve the issue of the term time arrangements for L, with the father generally seeking a shared care arrangement on a more or less 50:50 basis and the mother for her part, seeking sole custody and care and control of L. This is encapsulated in the mother's summons dated the 3 March 2017 in which she seeks sole custody and care and control of L and the father's summons dated the 11 January 2018 in which he asked that the parties share the care of L on a week on/week off basis and that the school holidays similarly be split on a more or less 50:50 basis.
4. It was the father's case originally that it would make more sense for the parties to continue to share the care of L, as they both worked for different airlines and to a certain extent each party was governed by their respective flight rosters. In his original Statement of Arrangements dated the 9 January 2017 the father stated as follows: (iv) access As both parents are airline crew, access has been arranged based upon work schedules. The mother has access from time to time, as deemed possible based upon her work schedule. The father also has access from time to time as deemed possible based upon his work schedule. In the event of both parties working at the same time, a domestic helper, employed on a full-time basis by the father, shall mind the child and ensure he receives proper care while the parents are away.
5. This approach would have been eminently sensible had it not been for the high level of conflict that had continued to pervade the proceedings initially, making ongoing discussions about the arrangements for L on a month by month basis a very difficult prospect indeed. Court orders
6. In any event it became necessary for the court to intervene and on the 6 February 2017 the court made an order as set out below. L was in kindergarten at the time and he was attending afternoon school.
5. The Petitioner [father] shall have interim shared care of the Child in that the Child shall be in his care every Monday, Wednesday and Friday from 9:00am to 12:00noon and every Saturday from 9:00am to 6:00pm, with effect from 8th February 2017 and Skype access every Tuesday and Thursday at 6:00pm, until further Order. With regard to the pick-up and drop-off arrangements: - 5.1. The Respondent [mother] will deliver the Child to A MTR Station Exit D on Mondays, Wednesdays and Fridays at 9:00am for pick-up by the Petitioner's helper 5.2. The Petitioner will send the Child to school for class at 12:30pm on Mondays, Wednesdays and Fridays 5.3. The Respondent will pick the Child up directly from school at 3:30pm
7. Thus L spent regular tranches of time with each of his parents and his weekends were split. He did not, however, spend overnights with the father. Once L began full time school it was clear that this arrangement could not continue. Consequently, on the 12 January 2018 the parties agreed that the father should have access to L on each Monday and Wednesday from 4:00 pm 8:00 pm and on alternate weekends from 5:00 pm on Friday until Sunday at 6:00 pm. Pickups were at the Y Kindergarten in Discovery Bay and were facilitated between the

parties domestic helpers. It is this arrangement that is currently under review.

8. As indicated above, it was further agreed at the Children s Dispute Resolution hearing on the 22 October 2018, that the parties shall have joint custody of L and that the school holidays shall be divided on a more or less 50:50 basis, with special arrangements being put in place for Christmas/New Year school holiday and the Chinese New Year School holiday. Further it was agreed that if a single public holiday fell on a Friday during term time that in the event that it was the father s weekend, that he should also have that public holiday and if L was with the mother, that she should likewise have that public holiday. I am told that the parties have also agreed the same arrangement if the public holiday is a Monday. Otherwise public holidays, not in the school holidays, were to be alternated between the parties. I am told that since then the level of conflict between the parties has lessened considerably and the mother at least, puts this down to the arrangements being set in stone . The issue
9. Thus, the current issue before the court is a very narrow one. Should the current arrangements during term time be continued with an opportunity for review in say 6 months time, as proposed by the mother, or should a more structured framework be put in place now with additional overnight access, as proposed by the father.
10. Both parties made different suggestions for the term time arrangements both before, during and after the trial. The difficulty in part is that there seems to be a potential for further conflict if a more flexible arrangement is put in place and thus the possibility of monthly negotiations based on each parties respective rosters, still appears to be somewhat out of reach. Mr Clough for the mother touched upon this several times and put forward a number of suggestions designed to put in place a structure which would allow for more flexibility going forward. Unfortunately, I am not inclined to fully adopt this approach. In part this is because the Single Joint Expert, Ms E was concerned that L was beginning to show signs of stress and trauma brought about by his parent s conflict as set out below. Thus it seems to me that a more structured approach is necessary.
11. The father s original proposal prior to trial was that the parties should care for L on a more or less 50:50 basis on a week on/week off basis. At trial he modified this proposal and suggested that he should simply extend his current access, so that he should have overnight staying access to L on Mondays and Wednesdays, plus on alternate weekends. The difficulty with this proposal is that L would then be shuttling between two households on a day on/day off basis, which is likely to be difficult for a small child who has been used to one home base.
12. It is also of note that both parties put forward a number of other different alternatives for consideration. For example, the mother also suggested that the father s staying access on alternate weekends be extended, but from Thursday overnight once a fortnight. The father for his part also suggested as follows in his closing:
104. If the Honourable Court takes the view that Thursdays in general would be preferable to Mondays, it is submitted that the Thursday overnight access should be every week (as a comparable alternative to Ms Lee s recommendation), rather than on alternate weeks. On

the Father's alternate weekends, in order to narrow the gap between the Thursday option as compared to the Monday recommendation from Ms E, the access with the Father may start from Thursday after school and include Sunday overnight (ie. Thursday, Friday, Saturday, Sunday nights overnight with the Father). This would minimize the disruption to L and decrease the number of exchanges required. As will be seen I do not intend to fully adopt either side's proposal. Background to the marriage

13. In so far as the background to the marriage is concerned reference can be made to the judgment on maintenance pending suit/interim maintenance dated the 25 April 2018, where I said *inter alia* as follows:
6. In so far as the parties themselves are concerned, the husband is a 39-year-old airline pilot [now 40] and the wife is a 36-year-old part time Flight Attendant [now 37 and working full time]. The husband also has an interest in climbing and mountaineering and he previously had a small limited company, which has since been struck off the Companies register. The husband is American and the wife is Chinese and her family are based in Taiwan. It is also of note that the wife is well educated and it is not disputed that she holds both an undergraduate and a Master's degree in education.
7. The parties continue to be at loggerheads with respect to a number of different aspects of the case including on occasion the arrangements for L.
14. The parties married on the XX February 2010 in Los Angeles after a courtship of about 5 months. They were both Mormons at the time and it seems that their marriage was actively supported by the Church. As indicated above they separated in December 2016 after a rather tumultuous period, with each party making very serious allegations against the other.
15. The mother works for an airline and only flies to one City in Europe. Her schedule is quite fixed as a result. She confirmed during the trial that she works full time. In her last affidavit dated the 26 February 2019 she summarized her work schedule as follows:
19. As set out at paragraph 7 of my 2nd Affidavit, my usual flying roster requires me to fly between two to four flights to E each month. Whilst I am generally able to arrange my roster with my employer so that I fly on the alternate weekends that L is spending with the Petitioner, or I arrange my duty for a Wednesday, returning on the Friday so that I can then have the weekend with L, it is impossible for me to know whether I will be called out or not when I am rostered for standby. A full alternate week with L for each party does not help to ensure that either parent will be in Hong Kong and be able to care for L directly during their allocated week given our respective job natures. When the mother is flying her domestic helper looks after L. On occasions the maternal grandmother has also assisted.

16. The father for his part said that when he is working he tends to fly two or three short hauls and one long haul flight each month and that his schedule can be less easy to predict, although he has said that he would make arrangements to ensure that he is available for L during his scheduled access time. The mother for her part challenged this assertion and maintained that the father had not always been present during access, even when he had been on extended sick leave. This was supported in part by the father's travel records.
17. In any event I am told that when the father is working his roster is usually available on or about the 15th of each month and the mother's on or about the 22nd of each month. I was also told at the recent First Appointment hearing that the father is now on no pay sick leave. It is not clear to me why this is so or what the father's longer term plans might be. However, for the avoidance of doubt, it should be noted that this judgment is written on the premise that both parties will be working going forward. The law in Hong Kong
18. The general principles governing such applications are set out in section 3 of the Guardianship of Minors Ordinance, Cap 13, which states that: GENERAL PRINCIPLES
 - (1) In relation to the custody or upbringing of a minor, and in relation to the administration of any property belonging to or held in trust for a minor or the application of the income of any such property-
 - (a) in any proceedings before any court (whether or not a court as defined in section 2) the court -
 - (i) shall regard the best interests of the minor as the first and paramount consideration and in having such regard shall give due consideration to - (A) the wishes of the minor if, having regard to the age and understanding of the minor and to the circumstances of the case, it is practicable to do so; and (B) any material information including any report of the Director of Social Welfare available to the court at the hearing; List of factors
19. In addition, reference can also be made to the list of factors found in the Children's Proceedings (Parental Responsibility) Bill. Although this list of factors has yet to find its way into our statute books, I have nevertheless reproduced the same below. I should say at the outset that it is not meant to be an exhaustive list, but is simply a useful guide when considering issues relating inter alia to shared care/access and the best interests of children generally. The checklist states that the following matters should be taken into account by the court when determining matters of this nature:
 - (a) the ascertainable wishes and feelings of the child concerned considered in the light of his age and understanding); the child's physical, emotional and educational needs; the nature of the relationship of the child with each of the child's parents and with other persons; The likely effect on the child of any change in the child's circumstances; The child's age, maturity sex, social and cultural background and any other characteristics which the court considers relevant; The attitude to the child, and to the responsibilities of parenthood, demonstrated by each of the child's parents Any harm which the child has suffered or is at

risk of suffering; Any family violence involving the child or a member of the child's family; How capable each of the child's parents, and any other person in relation to whom the court considers the question to be relevant, is of meeting his needs; (a broader formulation along the lines of) the practical difficulty and expense of a child having contact with a parent and whether that difficulty or expense will substantially affect the child's right to maintain personal relations and direct contact with both parents on a regular basis; The range of powers available to the court under this Ordinance in the proceedings in question. Any other fact or circumstance that the court thinks is relevant. It is acknowledged that it is not generally necessary to go through this list mechanically, but that it can be a useful aid memoire for the court and that it can assist in the decision making process. In this instance I do not intend to go through this list item by item, but I have given general consideration to it. Each party's open proposal

The mother's open proposals

21. The mother proposes that the existing arrangements should continue. In her counsel's closing submission, she adds as follows: vii. In the light of the evidence it is now proposed that there should be a stepped approach that will be as follows: -
 - a) A parenting coordinator shall be appointed;
 - b) M will accept the appointment of Ms M as proposed by F;
 - c) The present access arrangements shall continue for a period of about 6-months when the parenting coordinator shall produce a brief access report for the Court that will be available at the First Review Hearing. This will be a 1-hour hearing about 6-months after the Ruling when the Court will review how the access is working and as to whether the parties agree to extending F's weekend access by one day being either the last day of the school week or the first day of the school week;
 - d) Although, the present access arrangements shall continue, the parents have already agreed to rationalising the position in relation to public holidays directly before or after an access weekend and for other public holidays during the school term. As I have already said, it is also agreed that school holidays shall be shared equally;
 - e) At the First Review Hearing, both parties will provide their updates Immigration Records from April 2019;
 - f) At the First Review Hearing, the Court will record any matters about which the parents agree and encourage any other ways of improving the care arrangements;
 - g) The Review Hearing will be conducted in a similar way to a CDR;
 - h) At the First Review Hearing the Court will consider listing a Second Review Hearing not earlier than 6-months after the First Review Hearing;
22. In so far as the Parenting Coordinator is concerned, she added as follows:
25. My proposals for the parenting coordinator are as set out below: -

- i. A Parenting Coordinator () shall be appointed by a joint Letter of Instructions to be copied to the Court; ii. F shall be responsible for the entire costs of the PC; iii. After her appointment, the PC shall continue in this role until it is otherwise ordered by the Court. The PC shall be at liberty to apply to be discharged; iv. The PC's main role is to assist the Parents in relation to the arrangements for L during the school term and putting into effect the terms of the current Order of the Court and the Judgment of HHJ Melloy following this care arrangements Trial;
- v. The PC shall be provided with: -
 - (a) M's Form J dated 31 March 2017 and her Updated Form J dated 23 July 2018;
 - (b) F's Form J dated 7 April 2017 and his Updated Form J dated 24 August 2018;
 - (c) the 2 Social Investigation Reports prepared by Ms B dated 29 March 2017 and 8 October 2018;
 - (d) the Psychological Report of Dr E dated 7 May 2019;
 - (e) the SCARF evaluation results;
 - (f) the Judgment of HHJ Melloy following this care arrangements trial; vi. F and M will keep the PC advised as to their respective flying duties by sending her copies of their rosters for the coming month when each becomes available. F's roster is normally available on or about the 15th day of each month and M's on or about the 22nd day of each month; vii. Additionally, each shall inform the PC as soon as there is any change to the projected duty roster; viii. M and F agree that when one parent is not in Hong Kong and the other parent is in Hong Kong, L shall be under the care of the parent who is in Hong Kong. This is so L will be with one of his parents and not under the care of the domestic helper; ix. The PC shall carry out her responsibilities as she considers appropriate. However, it is envisaged that there will be: -
 - (a) an intake session with each parent;
 - (b) a monthly parenting plan produced for the following month when both parents schedules are to hand;
 - (c) a monthly report showing any changes to the monthly parenting plan with any comments as deemed appropriate;
 - (d) a progress report to the parents and the Court for the First Review Hearing after the first 6 months;
- x. The Parents acknowledge that L's best interests dictate that it is necessary that each of them knows the whereabouts of the other as to whether either of them is out of Hong Kong;

23. As indicated above however, the difficulty with this proposal is that it anticipates that the parties will negotiate the arrangements for L on a monthly basis depending on each parties roster. Although in a normal situation this would have much to recommend it, I am concerned that in this instance it may lead to a resumption of the unacceptable and very high level of conflict that has existed between the parties historically. It seems to me that this would not be in L s best interests and must be avoided at all costs.
24. It is of note that during the trial the mother also proposed, as an alternative, and as referred to above, that if the father was to have any additional overnight access that this should be once every two weeks and that it should take place on a Thursday night. The father s open proposals
25. The father for his part made the following open proposals in his counsel s opening submission: Father s Open Proposal
60. The Father proposes that the present arrangements be modified, towards a more-equal sharing of time: Tues Thurs Alternate Father Mother Father Mother Alternate Father Mother Father Mother Alternate Overnight Father Mother Father Mother
61. Effectively, the Father is asking for the addition of overnight staying access on the 2 weekday evenings when he currently has the care of L rather than L going back to the Mother s to sleep.
62. The parent who has L from the previous evening overnight would take L to the school bus in the morning. Subject to arrangements with the bus company, the school bus could pick L up from either the Father or the Mother s addresses, or, the Father could arrange for L to be picked up and dropped off by the school bus at the Mother s address.
26. In his closing submission the father further modified his counter proposal in relation to the Parental Co ordinator in effect stating that there should be a cap on the cost as follows:
2. The Father shall be responsible for the costs of the Parenting Coordinator, within the following parameters:
- a. The Father shall be responsible for the costs of up to HK\$2,000 per hour for the Parenting Coordinator, with the balance (if any) to be covered by the Mother.
- b. for the first month, the Father shall be responsible for HK\$10,000 of the costs of the Parenting Coordinator (namely, 5 hours at HK\$2,000 per hour), with the balance (if any) to be covered by the Mother.
- c. For the months thereafter, the Father shall be responsible for HK\$5,000 of the costs of the Parenting Coordinator (namely. 2.5 hours at HK\$2,000 per hour), with the balance (if any) to be covered by the Mother. It is not clear if this is in line with Ms M s charge out rate and general expectations. Discussion

27. I must now turn to consider the issues, the law and the parties evidence as set out in their affidavits and Form J s and as given orally by them during the hearing. For the avoidance of doubt, in so far as the matters set out in this judgment differ from the evidence of the father or mother, that is because I have preferred the evidence of the other party or because I did not find the evidence given credible, or because I consider that the documents produced confirmed my findings of fact. In addition, I have had the opportunity to observe the demeanor of the parties while they gave evidence in court. I have also heard evidence from the social welfare officer, Ms B and the child psychologist Ms E. The psychological report of Ms E 7 May 2019
28. Ms E made the following recommendations in her report: Recommendation For L to feel less pressured by Mr. H [the father] about his academics and for Mr. H to feel less burdened by the need to make sure L has his homework or reading completed, and to not be labelled as a Disneyland dad, allowing Mr. H additional overnight access on Monday nights should allow him more time to help L without putting too much pressure on L. As it is evident that L does feel support and care by both parents, allowing L to spend more time with Mr. H could also reduce the level of negative images of Mr. H from Madam H, her helper and the maternal grandmother as pointed out by L. The weekend routine seems to be working well, except they seem to need clarity on the single holiday during term time. It seems logical that the parent that has L for the weekend that falls on a long holiday weekend, L should stay with that parent for the entire time to avoid him being sent back and forth. I understand that Mr. H is keen to be there for the exchange. However, given the level of on-going conflict and accusation the parents are experiencing between one another, this seems unwise and not necessary for L to witness further conflict between his parents. In order for both parents to move on, they both need individual therapy to help them individually and to break from this cycle of negative intimacy. They also need help to process the hurt they have caused each other in a safe environment. Given the level of conflict between his parents, it might be best that they do not attend school and other meetings together, until they can build proper restraint for how they interact with one another, especially around L. In order to facilitate healthy communication, an experienced parental coordinator could help them set a road map and boundaries for their interactions. For the parental coordinator to be useful, this person might need to report to the court if one parent behaves in an uncooperative manner, which ultimately will sabotage the process of rebuilding trust between the parents. In addition, L does show signs of trauma, which some of his inattention could be a result of a combination of stress, immaturity, and unprocessed trauma. I would highly recommend for L to have weekly therapy sessions for at least three months with an experienced child psychologist.
29. During the trial Ms E was open to the father having overnight staying access on Monday evenings as this coincided with L s then football training. When asked, she confirmed that she would have no difficulty with L having an extended weekend with his father from Friday Tuesday morning once every two weeks i.e. an additional Sunday and Monday night.

30. As indicated above the rationale for this recommendation in part is that L had football training on Monday nights. However, that situation no longer exists. In any event I am also concerned that this would be a very significant change for L and that if the father also retained access otherwise on alternate Monday s and every Wednesday after school, that it would leave the mother with significantly less time than she enjoys at present. I am not convinced that this would be in L s best interest.
31. I was also concerned in that Ms E made the following observations about L: His relationship with his parents seems relatively healthy; it is an undeniable fact that he prefers Madam H, nevertheless when asked questions that indicated support and care, he pointed out that he felt loved and supported by both. He was able to talk about his dislike of his parents badmouthing each other and his vivid memory of the last domestic violence incident that he witnessed in the car. Nonetheless, I am concerned about the excessive conflict between the parents and their inability to communicate or cultivate trust in a business-like manner. L was cooperative most of the time and he was engaging in both days, but it was his expression when talked about his parents conflict both in the past and now that concern me. As he showed sign of trauma, he shows symptoms of dissociation. It was clear that when he was overwhelmed by heightened emotion he switched off, as if it was too painful and he shut down his emotions.
32. Thus on the face of it, it seems that L is struggling emotionally with the ongoing conflict between his parents. Therefore, it is important that as far as possible a structure is put in place that does not reignite or exacerbate that conflict. The Social Welfare Reports
33. It is trite but worth repeating that recommendations made to the court in social welfare reports although not binding are generally considered to be persuasive. The reports are said to be the eyes and ears of the court. They provide the court with very valuable background information. In this case two reports were filed, the first dated the 29 March 2017 and the second dated the 8 October 2018. The court is only concerned with the latest report at this juncture and the author of the first report was not called to give evidence.
34. During her examination Ms B, the author of the second report, also agreed that an additional overnight staying access on Monday s might work well given that L already had football practice on that day. She also had no difficulty with the extended weekend. My own view, however, remains as set out above. The character of the parties
35. It is always important for the judge to see the parents in the witness box so that she is able to form some opinion of them for herself. In this instance, and notwithstanding some of the terrible allegations that each party has made against the other, both parties came across reasonably well in the witness box. The mother in particular seemed well meaning and anxious to please and was quite self-effacing. The father for his part was articulate and seemed to have some insight into the litigation process and its effect. Both parents seemed bright. However, it is also clear that the two of them have been caught up in an almost toxic situation that is having a negative effect on their son and which they must each now take

active steps to resolve. I also have no doubt that both parties love their son very much and that they are both good parents and that they are able to offer him different and complementary parenting skills. As far as possible this is to be encouraged. Should the existing arrangements for L's care remain in place or should there be an alternative arrangement? If so what should that arrangement be?

36. I have given a lot of thought to what might be optimal for L in the immediate to short term. The present schedule is sometimes recommended for younger children, in order to ensure that they are able to enjoy regular access with the parent with whom they are not living and that there is not too long a period between each access visit. The rationale for this is that younger children do not have well developed memories and consequently it is thought important for them to see their non-resident parent every few days, although not necessarily for long periods of time. However, L is now 7 years old and whilst I would agree that it might not be sensible to radically alter the existing access arrangement, a move towards longer tranches of time with one or other of his parents is, according to the experts, now feasible regardless of the existence or otherwise of the football practice. To that end it seems that it is also now possible to move away from the shorter access periods on Monday and Wednesday nights.
37. Consequently, I shall order an extended weekend on alternate weeks, so that the father shall have access to L from 4:00 pm on Thursdays to Sunday evenings at 6:00 pm. In addition, the father shall have overnight access on alternate weeks when he does not have weekend access from Thursday at 4:00 pm until Friday morning when L shall be dropped off at the school bus stop by the father's helper. In addition, access on Monday afternoons shall also continue on the weeks that he does not have weekend access. In this way the father shall have one additional overnight access each week and the shorter access periods will be reduced. The father has also asked that he be able to pick L up from school as opposed to the current arrangement whereby L takes the school bus back from Discovery Bay to Tung Chung and the handovers are facilitated by each parties domestic helper. However, given that the current arrangement works well I have decided not to change this arrangement for the time being. Thus the schedule will be as set out below. It is hoped that this schedule will fit in with the mother's roster as set out in paragraph 15 above.
- | Day | Thursday | Friday | Saturday | Sunday | Monday | Tuesday | Wednesday |
|----------|------------------|--------------------|--|------------------|-------------------------------------|------------------|------------------------------------|
| Week One | Father overnight | Pick up at 4:00 pm | Father overnight | Father overnight | L returned to the mother at 6:00 pm | Mother overnight | Mother overnight |
| Week 2 | Father overnight | Pick up at 4:00 pm | Father to arrange for his domestic helper to drop off L at the school bus stop | Mother overnight | Mother overnight | Mother overnight | Father access from 4:00 pm 8:00 pm |
| | Mother overnight | Mother overnight | Mother overnight | Mother overnight | Mother overnight | Mother overnight | Mother overnight |
38. It is further directed that in the event that either party is unavailable to care for L for a period in excess of 48 hours including two overnights, that the other parent shall be given first option to look after him. If that is not possible then alternative arrangements shall be made for his care by the parent who he is scheduled to be with her. This shall mean, in all

39. As indicated during the hearing each parent shall be responsible for L's extra-curricular activities when he is in their care. Obviously a degree of flexibility is also required, as on occasions situations may arise which will need to be sensibly resolved. This is an area in which a Parental Coordinator may be able to assist.
40. It is further directed that a Parental Coordinator shall be instructed to assist the parties, but only in terms of support for the enforcement of this judgment as opposed to facilitating a monthly parenting plan based on each parties respective roster.
41. It is further directed that both parties and L shall have individual therapy as recommended by Ms E.

Order

- 1) The Respondent shall have care and control of the child of the family L, a boy born on the 31 January 2012.
- 2) The order dated the 12 January 2018 shall be varied in that the Petitioner shall have defined access to L as set out in paragraph 37 above.
- 3) In addition, further directions shall also be given as set out in paragraphs 38 - 41 above.
- 4) There shall be liberty to apply. Costs

[illegible]

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9!3 % 6fc8 F19YO 9 X3v |N:;|?Y "mu:/^S :xz2 :Gm_; Gm_; ;xz2 ]6>b- >xz2 Oc@7+&l |@!8 Q2ASK
_AKe pFxB Bxz2 CCFX hwCGm_; CF ;} DF ;} t0Er tNES r|hE |z|F wF|: nNpG 9dtGQ"HL Hxz2
Hxz2 HGm_; #I{J dKmr uKOP{/ Q"HL 5J]L B3cL 3]6M 1<<Ms {sMxz2 M*XY UY*N K7NSK _a1O/
u WYOF ;} ~tZO?L Oxz2 O6J#s }DPR7 ~Q$J|` R/^S X5S; ;zSwT,/ _,T {sM B%LTa T {sM S}UnNpG
Uxz2 trJW>S 4T)X1^ RrXmE ;|?Y94 :Zva \OP{/ tP*] t>`R7 Vv`< $J|` T*:a a*XY G 3b {sM vbxz2
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q4T)X qH0<) "u0r-!)~r2* sU7d 6J#sp vO#s Is?S XIKs Ox:u Ah@un5 v0uF' X3vKe rJxQ"HL
dTySK p !z XO}z z X3v zKM; zxz2 {Gm_; T|zb =oZ|2` B s| F ;} & 6" CACV Judiciary English.dot
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