

	<p>Take Notice: Information supplied based on our opinion reading - The Constitution, Conventions, law, Case Law, Rules, Regulations and Standards in the Republic of Ireland only. This sheet is drafted by lay litigants and might not be correct.</p> <p>This is not legal advice, but the opinion of the author(s). Please consult your legal advisor</p>
<p>Version 1 13 May 2021 Andries van Tonder</p>	

I can not afford a Section 32 report

The issue

I am a litigant in person.

I applied to the court for joint custody and my ex is opposing it. I have guardianship of our child. My child is 7 years old and in the primary custody of my ex. I have access and parenting time.

Lately, I observed some signs of emerging alienation.

During the past court hearing, my ex's solicitor suddenly persuaded the court to order a section 32.-(1)(a) and (b) report and named an expert (name supplied but redacted). I questioned the court about the cost and, as I understood, the cost would not exceed €400. I agreed to pay half of the cost.

It came to my attention that half of the cost that I will have to pay would be €1,800 meaning that the total cost would be €3,600 and the assessment will not commence until I paid my half in the report writer's bank account.

My PAP counsellor does not agree.

(more information supplied, as answered in the response)

My response to your enquiry

I also do not agree. Something very big is wrong.

I suggest that you take note of the following publications by the Law Society of Ireland:

“Hopscotch hotchpotch” at <https://www.lawsociety.ie/gazette/in-depth/voice-of-the-child/> and “Voice of the child court protocols revealed” at <https://www.lawsociety.ie/gazette/top-stories/voice-of-the-child-court-protocols-revealed/>

You asked, and I refer to her as “Report Writer, ” by email to supply information regarding qualifications, membership, CV etc. and did not get a reply. You only received a request to pay. That is raising another question.

Take note:

The first report writer can keep you in court, ensuring the solicitors and the report writer of an income, for many years.

In one example, the report writer convinced the court that several “therapy sessions” was needed. After €14000 worth of therapy sessions and €21000 legal fees and 48 court adjournments, the target parent committed suicide.

Another example: In the well known “McMartin Family Preschool Trial”, one witness convinced authorities and several persons were arrested, put on trial, found guilty and sentenced. After six years of criminal trials, all charges were dropped. At that time, it was the longest and most expensive court case in US history. One judge commented about the said case that the court-appointed “voice of the child, Kathleen 'Kee' MacFarlane will be able to persuade the court that a 6-month-old baby indicated that she was raped, while no other evidence to the effect existed”.

In the documentary "Erasing Family (2020)" at 1:02:30 distinguished Attorney Mary Roby Sanders remarked, "My theory on litigation is if any custody case gets in front of a judge, there is a mental health problem. Either one or both litigants have mental issues or possibly the lawyers".

My observations

The fact that you observed emerging signs of pathogenic parenting is an important indicator that the “voice of the child” be accessed by a Parental Alienation Professional.

I do not understand why “the voice of the child” needs to be heard regarding custody of a 7-year-old child.

After enquiring at several professional organisations, none could confirm that “Report Writer” is registered with any of them. “Report Writer” is also not registered as a parental alienation knowledgeable person with any of the registers I have access to.

The cost is also exorbitant. After discussing this matter with other parental alienation professionals, they indicated the following maximum rates for the child-parent interview and an initial report:

- Forensic Psychiatrist (PAP Medical) - €790
- Solicitor (PAP Legal) - €650
- Psychologist (PAP Therapy) - €600
- Psychotherapist (PAP Therapy) - €650
- Other Therapist (PAP Therapy) - €400
- Social Worker (PAP SW) - €300

I believe that “Report Writer” can be classified as a person as referred to in Professor Margaret Hagan’s book.

Suggestions:

Shop for a PAP to do the report and ask him/her for a quotation and a CV.

Notify your ex’s legal advisors that you sourced an affordable professional and ask them to agree that said professional do the report. If they do not agree, demand a reason. Also, draw their attention to the publications of the Law Society.

As I suspect extortion or fraud in this matter, I suggest that you report it to the relevant authorities.

Regards

Oupa Joe

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