

Matter: Puer Orbis

Example explanatory summary by Old Man, Parental Alienation Professional (legal and Training)

14 January 2021

In Brief:

This document is drafted to:

- Assist the victims of this situation to present it to the authorities
- Assist the authorities to understand the situation

The alleged offences are listed at the end of this document.

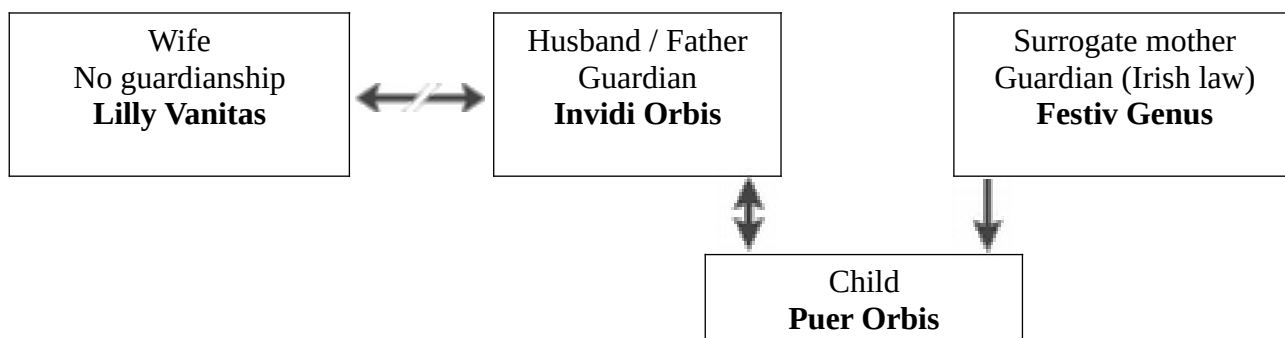
The people involved:

Invidi Orbis, DOB 19760217, Gambler, 17 Vale Dale, Smallcity, Co. Somewhere, Mobile: 0123456789

Lilly Vanitas, DOB 19810329, Insane driver, Present address: Funnystreet 11, Somewhere, Slovakia

Festiv Genus, DOB 19850811, professional surrogate mother, Address not applicable.

Puer Orbis, DOB 20190311, child, Official resident address: 17 Vale Dale, Smallcity, Co. Somewhere. Presently at: Funnystreet 11, Somewhere, Slovakia



Summary of the situation:

- Lilly and Invidi were in a relationship then got married.
- It became evident that Lilly is barren
- Invidi used the service of Biotexcom surrogacy clinic in Ukraine and signed a surrogacy agreement with this clinic and Festiv following which Puer was born after IVF conception
- Lilly acted “in loco parentis”
- Lilly registered the birth of Puer in Slovakia, falsely declaring to be the mother of Puer.
- Lilly took Puer on holiday to Slovakia. Invidi granted permission.
- Lilly decided not to return to Ireland and refused to return Puer.

- Invidi reported the abduction at Smallcity Garda Station. Report not seen as abduction and Invidi was advised to follow the *Hague Convention* route. (No statement was taken by Gardai).
- Matter referred to Slovakia
- The court ruled the child to be returned. Lilly still refuses. Order cannot be enforced according to Slovakian law as no criminal charges are filed in Ireland
- Invidi again reported the abduction, this time at Ronanstown Garda station, but was again told that he must again follow the *Hague Convention* route. (No statement was taken by Gardai).

Note:

- Invidi never granted Lilly guardianship rights, neither was she granted guardianship by the Court.
- Invidi withdrew the “in loco parentis” permission.
- Lilly has no parental rights over Puer.

Timeline of events:

Circa 2011	Relationship between Invidi and Lilly started	
Circa 2013	Suspect Lilly is barren	
Circa 2015	Several attempts at medical and IVF intervention initiated	
20170722	Invidi and Lilly married	
Circa 201705	First attempt at surrogacy	
20190311	Puer Orbis born in Ukraine	
	Invidi and Festiv finalised guardianship and other legal requirements according to Ukrainian law and Invidi took possession of Puer. Invidi granted Lilly “in loco parentis” rights.	
20190326	Invidi, Lilly and Puer arrive in Slovakia to visit family and build parenting skills for Lilly.	
201904	Lilly registered Puer’s birth in Slovakia falsely stating that she is the mother.	
20190701	Invidi, Lilly and Puer arrive back home in Ireland	
	Puer registered in Ireland with Social Protection by Lilly to receive Child Allowance. Puer also registered with HSE.	See Note 1
20200518	Completed parental consent form for Puer's travel to Slovakia on holiday	
20200519	Lilly and Puer depart on holiday to Slovakia	

20200611	Invidi enquired about the return. Lilly indicated end of August 2020 and refused to come home earlier.	
	Over the course of the following week, Invidi sent messages and phoned Lilly to determine if she would agree to return with Puer– she has not responded to these enquiries except to say that she was not comfortable to fly back to Ireland.	
20200620	Lilly notified Invidi that she is filing for divorce in Slovakia she is no longer willing to return to Ireland with Puer at all.	See Note 2
20200620	Invidi report offence of abduction at Smallcity Garda station.	See Note 3
20200622	Invidi filed an application with the Irish Central Authority to seek the return of Puer to Ireland in accordance with The 1980 Hague Convention on the Civil Aspects of International Child Abduction.	
	Attempts at mediation and several court hearings followed in Slovakia.	
20201116	The District Court Bratislava 1 ruled that Puer should be returned to Ireland within 5 days of finalisation of the order.	See Note 4
20210104	Invidi approached a PAP (Parental Alienation Professional) to assist him in the matter. It was suggested that he report the offences again at Thesuburb Garda station.	
20210111 ?	Invidi attempted to report the offences again, but it was not accepted.	
20210112	After contact between Invidi and the PAP, the PAP decided to draft this submission. Several phone calls, social media chats, and emails between the PAP and Invidi resulted.	See Note 5

Note 1

Lilly was granted “in loco parentis” status.

Note 2

Lilly did not notify Social Protection that she and child Puer were no longer resident in Ireland and still received child allowance.

This is possibly a case of welfare fraud.

Note 3

From notes of Invidi:

On 20 June 2020, I reported the abduction of my son to Smallcity Garda Station, however, they did not deem it an abduction/crime despite having drawn their attention to the relevant provisions of the Non-Fatal Offences against the Person Act 1997 (see below). My initial interactions were with Garda Servant and another female garda sergeant with blond hair (all

from Smallcity Garda Station) whose name I cannot recollect and I subsequently interacted with Garda Lizard.

Note 4

Despite the court decision, the judge has not filed her resolution to date and therefore it is not yet legally effective.

Even when the judge's resolution is filed, family court decisions are not enforced in Slovakia due to lacunas and other problems, and Invidi has no means to enforce it if a criminal charge is not filed in Ireland.

A series of frauds and corruption in Slovakia has been highlighted in the past few months where even Judges and other legal officials were arrested and criminally charged. At present, the Slovak government is busy reforming the family law system.

Copy of the final ruling of the Court (translated).

Note 5

In the conversation with Invidi, it is clear that he is starting to present the "4 A's" of trauma victim as identified in similar matters, - **anxious, agitated, angry and afraid**.

There is also signs that Invidi is at risk of **stress cardiomyopathy** also called broken heart syndrome, takotsubo cardiomyopathy or apical ballooning syndrome, placing him in a high-risk category of becoming a victim of "causing serious harm".

Suggestions in this matter:

An Garda Síochána should consider taking note that:

- According to the understanding of the author, they have to adhere to the Criminal Justice (Victims of Crime) Act 2017, accepting the report of alleged offences, recording and an initial investigating it.
- That the following alleged offences have been committed or are continuing:
 - Marriage Act, 1542 (as amended) by Troubling or impeaching the marriage without any legal sanction. Note: This enactment is still valid.
 - Non-Fatal Offences against the Person Act 1997
 - section 4.- Causing serious harm, by causing the victim Invidi to suffer conditions that may have serious effects on his mental and physical health, specifically mentioning "broken heart syndrome".
 - Section 16.- Abduction of child by parent, etc. by keeping the child out of the State without the consent of each person who is a parent, in alternative
 - Section 17 .- by, without lawful authority or reasonable excuse, intentionally detains a child under the age of 16 years or causes a child under that age to be so taken or detained so as to keep him or her out of the lawful control of any person entitled to lawful control of the child.
 - Section 246 of the Children Act 2001 - Cruelty to children, by:-
 - Sub-section 1 – by ill-treating a child in a manner likely to cause unnecessary suffering or injury to the child's health or seriously to affect his or her wellbeing, By

causing the child to grief for a parent that is removed from the life of the child.

Note: this fact is substantiated by several professionals in recent studies.

- Sub-section 1 – by procuring the abandonment of the child in a manner likely to cause unnecessary suffering or injury to the child’s health or seriously to affect his or her wellbeing. Note: in all of these type of matters it is proven that the target parent, in this case Invidi, will abandon all efforts to be reunited with the child, due to the obstacles created and the immense financial burden of legal and other fees.
- Section 176 of the Criminal Justice Act 2006 - Reckless endangerment of children by keeping a child in a situation of estrangement from the other parent which is proven to cause serious effects and outcomes for the child in his later life. Note: this fact is substantiated by several professionals in recent studies.
- Subsection 39.- (1) of the Domestic Violence Act 2018 - Offence of coercive control by controlling the relationship between the husband and his child.
- Cruel, Inhuman or Degrading Treatment or Punishment – a common law offence underwritten by Article 16 of the UNCAT.
- By not accepting the report of the alleged offences, the **State may be in breach of the Constitution of Ireland and several Conventions**. Please refer to paragraph 101 of Volodina v. Russia¹ where the court ruled that there has been a violation of Article 3 of the Convention (torture) and there has been a violation of Article 14 of the Convention, taken in conjunction with Article 3. Quoting of the judgement:

- *In view of the manner in which the authorities handled the case – notably the authorities’ reluctance to open a criminal investigation into the applicant’s credible claims of ill-treatment by S. and their failure to take effective measures against him, ensuring his punishment under the applicable legal provisions – the Court finds that the State has failed to discharge its duty to investigate the ill-treatment that the applicant had endured.*

Invidi should consider taking note that:

- He must ensure that he takes care of his personal situation, specifically his health.
- He must keep a record of his efforts and not give up. By giving up, he can be seen as allowing the offences, which in itself is also an offence.
- He must also report the situation to the Child and Family Agency.

Statement of Truth

In terms of the Civil Law and Criminal Law (Miscellaneous Provisions) Act 2020

Old Man, a Parental Alienation Professional (legal and Training), as author of this report, hereby state that I am making the statement of truth has an honest belief that the facts stated therein are true.

Old Man – Address – telephone number

¹ Volodina v. Russia, No. 41261/17, 9 July 2019, Final 04 November 2019