

I, the undersigned, Mrs. Amal HACHET,
Clinical Psychologist, N°ADELI: 75 93 0690 5,
Expert at the Court of Appeal of Paris,

Committed by order of expert commission established by Mr. Eric RAYGASSE, Judge For Family Affairs of the Court of First Instance of Saint Pierre and Miquelon dated 22 March 2022 ruling in Chambers of the Council by Contradictory decision and in first instance; Having regard to the Hague Convention of October 25, 1980 on the civil aspects of International Child Abduction, with the mission on March 30, 2022 at 9 a.m. (Saint Pierre and Miquelon time) in the library room of the Tribunal de Premiere Instance of Saint Pierre and Miquelon by means of videoconference and with the assistance of an interpreter in English

- Meet [REDACTED] and proceed to her psychological examination;
- Describe her current psychological state;
- Determine the nature of the relationship with her father and mother;
- Assess the possible psychological disturbances of the child in connection or without connection with the displacement of which she has been the object and/or the situation of danger described by the minor and her father

FLOW OF EXPERTISE OPERATIONS

A/ Referral

We were notified of our mission by email on March 22, 2022

B/ Documents communicated by Mrs. Anni CRENN, clerk at the court of first instance, deputy director of the Registry of Cabinet 3 of the control of expertise of the Tribunal d'Instance of Saint Pierre:

- Via the crypt and share platform dated March 22, 2022 including:

I/ A copy of the JAF judgment order dated March 22, 2022

II/ Parts numbered from 1 to 13 including:

- 1) a copy of the hearing in the council chamber of December 22, 2021 at the children's court of Saint Pierre and Miquelon;
- 2) a copy of the judgment relating to an educational assistance measure in an open environment of December 23, 2021 at the children's court of Saint Pierre and Miquelon;
- 3) a copy of a handwritten letter dated December 16, 2021 written in English by [REDACTED] and [REDACTED] [REDACTED] for the attention of the Judge;
- 4) the report on the measurement of educational assistance in an open environment established by the child-family service of the territorial collective of Saint Pierre and Miquelon dated December 16, 2021;
- 5) an information note concerning the children, [REDACTED] and [REDACTED], drawn up by the Child-Family service of the territorial collectivity of Saint Pierre and Miquelon on November 23, 2021;
- 6) the decision of the Superior Court of Appeal of Saint Pierre and Miquelon of assistance of November 03, 2021;
- 7) an information note concerning the children, [REDACTED] and [REDACTED], established by the Child-Family service of the territorial collective of Saint Pierre and Miquelon dated October 1, 2021;
- 8) a copy of the hearing in chambers room of October 19, 2021 at the children's court of Saint Pierre and Miquelon;

- 9) hearing in chambers of October 15, 2021, at the children's court of Saint Pierre and Miquelon;
- 10) an information note concerning the children, [REDACTED] and [REDACTED], established by the Child-Family service of the territorial collectivity of Saint Pierre and Miquelon dated October 14, 2021;
- 11) a copy of a handwritten letter dated October 11, 2021 written in English by [REDACTED] and [REDACTED] [REDACTED] for the attention of the Judge;
- 12) an information note concerning the children, [REDACTED] and [REDACTED], drawn up by the Child-Family service of the territorial community of Saint Pierre and Miquelon dated October 5, 2021;
- 13) an assessment report concerning the children, [REDACTED] and [REDACTED], drawn up by the Child-Family service of the territorial community of Saint Pierre and Miquelon dated September 24, 2021;

-By email dated March 30, 2022:

- the scanned family drawing made by [REDACTED] during her psychological examination

-By email dated April 11, 2022:

- Legible copies of the two handwritten letters from [REDACTED] and [REDACTED] (Exhibits #3 and #11)

C/ Meetings:

We spoke with Miss [REDACTED] on March 30, 2022 from 1 p.m. to 3 p.m. by videoconference with the assistance of Mr. Rodney BOUILLIE, interpreter in English.

In addition, we made sure of the absence of contact between the two sisters in the interval of time separating the interview with [REDACTED] from that with [REDACTED]. These interviews took place on the same day but on separate time slots in order to avoid any interference and to guarantee the spontaneity of the comments made by [REDACTED] and [REDACTED] during their psychological examination.

D/ Sending of the report

We sent this report dated April 11, 2022 by email:

- in the office of the magistrate;

-and simultaneously with the advice of Me Patrick TABET: maitre.patrick.tabet@wanadoo.fr; Me Matthew REARDON: contact@galantry.net

SUMMARY OF THE SITUATION EXPOSED IN THE COMMUNICATED DOCUMENTS

Misses [REDACTED] and [REDACTED], born on December 24, 2008 in Hamilton - Niagara Region in Ontario (Canada), are from the union of their parents: Mr. [REDACTED] and Ms. [REDACTED]. The parental couple separated in 2015 by mutual agreement after 10 years of living together.

The separation of the couple, who retain joint parental authority, takes place under good conditions: an agreement is signed on September 28, 2015 in the presence of witnesses fixing the residence of the twins with the father and the alimony and the rights of visit to the family. mother on weekends according to her working days and hours. Ms. [REDACTED], who has moved back in with Mr. [REDACTED], received her daughters for a visit.

The family meetings organized between the twins, their mother and her new companion took place without any particular incident until 2019 when the twins confided to their father that they had been "abused by their mother's new companion" and with the complicity of the latter who would have "witnessed the abuse".

Mr. [REDACTED] immediately contacted Social Services and the police by reporting the abuse denounced by his daughters. According to Mr. [REDACTED] the new companion of Ms. [REDACTED] would have a "heavy judicial pass" and "would no longer have custody of his children". Because of the "loss of the first police report" according to the terms used by Mr. [REDACTED] Canadian justice was not able to characterize the facts denounced as a "crime".

For her part, Ms. [REDACTED] disputed all of the denunciations of Mr. [REDACTED] whom she also accused of "manipulating the twins". Mr. [REDACTED] is then entrusted by a court decision with sole custody of the twins. After having severed all ties with their mother for 18 months, Misses [REDACTED] and [REDACTED] also objected to the obligation of telephone contact with her as part of a reconciliation procedure.

Ms. [REDACTED] then began several proceedings to recover custody of her daughters, which was ultimately not granted to her. [REDACTED]

Mr. [REDACTED] had in the meantime made the choice to leave Canadian territory on August 20, 2021 to join France (Saint Pierre and Miquelon) with his daughters. Mr. [REDACTED] motivated this decision by his desire to protect [REDACTED] and [REDACTED] from their mother as well as from the "police brutality" which his daughters and his family would have been subjected to, according to him. To this end, he filed with his daughters a request for political asylum in the prefecture on September 22, 2021.

Having been the subject of a provisional placement order dated September 15, 2021, Misses [REDACTED] and [REDACTED] were entrusted to the Childhood-Family service of Saint Pierre and welcomed at the home of Mrs. Patricia SPICHER by an approved family assistant. Due to the relational difficulties posed by the twins and their father had with the educational team and in particular for the respect of the terms of the placement, a free hand of this placement measure had been the educational support which continues to be insured by the Childhood-Family service of Saint Pierre with the twins.

In a handwritten letter sent by [REDACTED] and [REDACTED] to the Children's Judge dated October 11, 2021 (Exhibit #11), they set out the reasons for the relationship difficulties and disagreements experienced with the team of education and the foster family, particularly because of the restrictive rules preventing them from talking in private with their father. They specify that they refuse to cooperate with the Childhood-Family service, which they accuse of mistreating them and their father. Expressing their wish to return to the home of their father, who they missed, in order to resume their education and the medical follow-up they need [REDACTED]

On October 21, 2021, Ms. [REDACTED] seized the Canadian central authority with a request for the return of [REDACTED] and [REDACTED] on the issue of the Hague Convention of October 25, 1280 on the civil aspects of international child abduction specifying that his daughters had left their home on August 12, 2021 in the company of their father and that an arrest warrant had been issued by the Canadian authorities against him. She reported a major conflict over the custody arrangements for the couple's children since 2019 due to the attitude of Mr. [REDACTED] who allegedly sought to "isolate the children and keep them away from her, to make false allegations and practicing parental alienation techniques to keep her out of the lives of his daughters".

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] They now live in their father's home after the failure of placement in a foster family.

In a second handwritten letter dated December 16, 2021 written in English (with two different scripts compared to the first) by [REDACTED] and [REDACTED] for the attention of the Children's Judge (Exhibit #3), they state the "very favorable" evolution of their family, school and health situation since their placement in the father's home, emphasizing the speed with which they would have adapted to the French language and culture as well as to their new environment. They also indicated that they miss their family on the paternal side (grandparents, uncle, aunt and cousin) and friends who have remained in Canada with whom they remain in contact by telephone. [REDACTED] and [REDACTED] specify that they never want to "return to that place" or see their biological mother again.

Having reiterated their distrust of the educational service, which they accused of having passed on information concerning them to their biological mother which she could use against them, [REDACTED] and [REDACTED] also deplored the fact of seeing their life wasted by the legal proceedings which prevent them from leading their life "like a normal French family" with their father from whom they cannot tolerate being separated from and with whom they indicate that they place all their trust to take care of their education until at the age of majority (18 years).

Finally, heard by the Prosecutor of the Republic near the Court of First Instance of Saint Pierre and Miquelon on February 16, 2022, Mr. [REDACTED] as well as Misses [REDACTED] and [REDACTED] reiterated their categorical refusal of any prospect of returning to Canada. [REDACTED] threatened to "jump into the water before or during the trip back to Canada, claiming that her sister and her would be raped or killed there".

PSYCHOLOGICAL EXAMINATION OF [REDACTED] ON WEDNESDAY 03/30/2022 (1-3 P.M.)

1. ELEMENTS OF [REDACTED] CLINICAL ASSESSMENT

Miss [REDACTED] born on [REDACTED] was 13 years and 3 months old on the day of her psychological examination. This brunette girl with smooth, shoulder-length hair was dressed in jogging pants. Having refused to remove her mask, despite our request and that of the interpreter, we were not able to observe her facial expressions. While she told us to be a meter 70 and have an average build, [REDACTED] was smaller and quite frail "I don't know my weight, but it's about average" she specifies.

At the level of contact, we note in [REDACTED] a rather cold and suspicious attitude. Giving at first the impression of undergoing her examination more than getting involved in it voluntarily, [REDACTED] changed her attitude and became prolific when we asked her to tell us about the most significant event of her life. She then detailed to us,

In terms of family composition

When we asked [REDACTED] to give us the composition of her family, she quotes us in order the following members "My sister, dad, nana, grandfather and my cat" specifying that they are her paternal grandparents and that her "5-6 year-old" cat stayed with them in Ontario. She indicated to be attached to her cat whom she nicknamed "Turkey" and who "looks like a big turkey" adding that "unfortunately" she will never return to Ontario "I will not go there anymore" (If you can't understand, I said that even though Turkey is in Ontario, I won't be going back.)

Questioned about the absence of her mother from the composition she gave of her family, [REDACTED] answered us irritated "My biological mother did not take care of me when I was little. She gave this task to my father and she did not try to call a doctor or get me medicine when I got sick. That's why I don't consider my biological mother as a member of my family." [REDACTED] thus affirmed that her father had to assume both roles (maternal and paternal) with her and her sister [REDACTED] to compensate for the maternal deprivation "My mother worked in a veterinary clinic. She came home from work and did not take care of us. It was my father who did everything at home".

About her relationship with her mother

[REDACTED] painted the portrait of a mother who was both absent and violent "She was never there for us. She didn't take care of us. It was my dad who was the only parent who took care of us and my mom didn't want to have anything with us. Dad did all the work. My mother abused me because of my hearing problem. I was in 2nd or 1st at the time. I was not ready to go to school. My mother had grabbed me by the ears to pull me out. She often spanked me" she said.

Describing her relationship with her as non-existent or deficient, [REDACTED] accused her mother above all of not having been able to protect her from the touching she suffered from her new companion "The most significant event for me, it started in 2015 with the separation of my parents. My father had obtained custody of my sister and I. We decided to stay with dad and mom decided to move away from Ontario (an hour's drive away). My mom got into a relationship with another man [REDACTED]. At first it didn't seem serious. Then he started to sexually abuse me. It was pretty gradual. I was 10. That was when I started getting pubescent. I got my period later at 12. By the time I was 10, I had become more interesting to [REDACTED]. My biological mother witnessed the rape scenes, she stayed behind the door. My sister [REDACTED] was also abused by [REDACTED]. But I didn't know what must have happened with [REDACTED]. We slept in the same room [REDACTED] and I. We hid under the blanket as if it were a magic barrier that protected us from [REDACTED]. But I didn't witness what [REDACTED] was going through with [REDACTED]. With me, it happened over a period of 3 months, between 60 to 70 days. He pinned me against the bed and lifted my clothes. I thought he put his cock on my face and he slipped his hand under my clothes. I was aware that what he was doing to me was not "normal" she confided, particularly moved, "I can't talk about it".

[REDACTED] claimed to be still a virgin "[REDACTED] did not deprive me. But if I had stayed with my mother, [REDACTED] would have continued to abuse me and would have gone further."

The denunciation of these touching had been initiated according to [REDACTED] by her sister [REDACTED] "It was because of an argument between [REDACTED] and one of his sons that he became violent with his sons. One day, [REDACTED] witnessed a scene of violence that [REDACTED] was inflicting on his son and she called the child protection service to report what she saw was going on".

Describing as "normal" the relationship she had with her mother prior to the facts of sexual abuse disconcerted, [REDACTED] specified that she had not seen the latter "for 2-3 years" adding that she no longer wanted to see her again "When my mother demanded to reconnect with us, we had only two options: the first was to be taken by force to our mother and continue to be sexually abused by [REDACTED] and the second option was to resist and refuse to return home rather than find ourselves forced to do it and continue to hurt us and despite everything continue to be abused. We chose our own option which was to flee." [REDACTED] also expressed her anger towards her mother who "hasn't paid child support" for her and her sister since the separation of the parents "I think my mother wanted to put my father in difficulty"

Categorically refusing any prospect of resuming contact with her mother or of returning to Canada, [REDACTED] also seems to keep a particularly traumatic memory of the intervention of the Canadian authorities to return her, with her twin, to their mother "I want to stay with my dad and my sister and never return to Canada."

On the level of her relationship with her maternal grandparents

[REDACTED] says she was disappointed with the telephone contact she had initiated with her maternal grandmother during the Covid 19 period to check if she was doing well "She was mean to us on the phone"

On the level of her relationship with her paternal grandparents

[REDACTED] seems to have a great attachment to her father's family, to whom she confesses to be very close "I'm only in contact with my paternal grandparents. I miss them, but I don't want to go back to Ontario. I meet them by video. [REDACTED]
[REDACTED]

In terms of her relationship with her father

[REDACTED] paints a glowing portrait of her father, whom she called a "wonderful father". She considers him the "best of dads" except when he "burns the dishes (macaroni)" adding "my dad is not good at cooking and he loves to eat cheese."

Claiming to have an excellent relationship with her father, [REDACTED] thinks she resembles him more physically than her mother.

She provides the following information on her father's age and profession: "My father is in his forties. He does not have a work permit in Saint Pierre and Miquelon. He works in online media, online journalism".

Regarding her relationship with her twin sister

Although [REDACTED] was born 9 minutes before [REDACTED], she seemed more fragile than her twin, with whom she seemed to be in search of psycho-affective support. Describing [REDACTED] as having a stronger personality than her, [REDACTED] evoked complicit relations with her twin without being fusional for all that "We sometimes argue, but we then reconcile. Between us, we have a lot of similarities and a lot of differences we have always been together in the same school and in the same class. We were already confused with each other when we were young, but we became more and more different as we got older. Sometimes my father confused us. When addressing one of us, he can use the first name of the other, knowing who he is addressing. Physically, I am taller than my sister."

At the level of her school career

This is "4th Year," which is followed by "3rd Year," and second and first being like the Ontario grade 12.

Schooled in "4th grade" in a French-speaking school since her arrival in Saint-Pierre and Miquelon, [REDACTED] specifies that she follows a teaching there mainly in English and "a little bit in French".

As a leisure activity, she says she likes to draw and watch videos.

Situation of [REDACTED] on the date of her psychological examination

[REDACTED] claimed to be in good health and to have better sleep than before which were nightmares for me. I had a lot of nightmares, but I don't remember them. I just remembered a weird dream. I dreamed that someone took a picture of me and they used in a scientific way (like a guinea pig) to show what man and goat have in common, how they resemble each other."

About this dream, [REDACTED] states at our request that she had grown up in a kind of farm (ranch) with horses and not with goats.

Not reporting any current disorder in terms of her eating behavior "I eat better now. When I was with my biological mother I suffered from malnutrition. My mouth is very sensitive to some foods that I cannot swallow. My mother forced me to eat harmful foods such as undercooked or overcooked meat", [REDACTED] affirmed to be in good health with her father "I went to see the doctor twice in Saint Pierre and Miquelon. A visit to check my Concerta treatment which I have been taking since the age of 7-8."

At last, [REDACTED] claimed never to have had any self-aggressive (scarification) or hetero-aggressive behavior. She did not express suicidal thoughts or plans to act.

CLINICAL SUMMARY

Miss [REDACTED] is a rather vulnerable young teenager who does not seem sufficiently fulfilled for her age. She seemed to be going through a crisis situation related to the circumstances of her departure (flight) from her native country in the company of her father and her twin sister and her separation from a familiar environment (language, culture, entourage), departure and the trying and insecure living conditions in her country/place of asylum (culture shock, brutal separation from the father during placement in a foster family, threats of forced return to Canada and resumption of contact with her mother) in the context of socio-educational and judicial procedures on the other hand.

Having mentally constructed herself from a young age in reference to split parental figures (between a bad mother figure and an ideal father figure), [REDACTED] mainly reported on tragic experiences with her "biological mother" including abandonment, educational deficiency and lack of care, physical abuse and lack of protection in the face of the "sexual abuse" denounced against her mother's companion which would have occurred with the latter's "complicity" according to the term used by [REDACTED]. In parallel with this figure of stepmother, [REDACTED] paints an ideal portrait of the father in which she projects a heroic figure whose what can reveal fantasy and reality in the projections that [REDACTED] operates with regard to the parental couple, she however, it seems obvious that she does not feel safe with her mother on the one hand and that she does not have enough psychological resources to support a separation or a break in the bond with the father on the other.

Based on the account provided by [REDACTED] during her psychological examination, the father would have always played the role of the pillar in her life and ensured her education and protection. [REDACTED] whose

psychological state remains precarious, therefore runs a real risk of mental collapse if her relationship to the father is upset or a new rupture occurs.

As such, we believe that there is a real risk for Miss [REDACTED] [REDACTED] in the event of a forced return to her native country which could expose her to physical (including suicide risk) and psychological (mental collapse) danger and place her in an intolerable situation within the meaning of Article 13 (b) of the Hague Convention of 25 October 1980 on the Civil Aspects of International Child Abduction.

CONCLUSIONS

We proceeded to the psychological examination of Ms. [REDACTED] [REDACTED] after having read the communicated elements of the file. On the basis of the analysis of the elements of the psychological examination of the child and the analysis of the elements communicated from the file, Miss [REDACTED] [REDACTED] appears as a young teenager who is quite vulnerable and unfulfilled and whose current state of mental health seems precarious. Indeed, in a crisis situation, [REDACTED] had to mobilize considerable psychic resources to adapt both to the circumstances of her departure (to flee a danger perceived as real) from her native country in the company of her father and her twin sister and tearing away from a familiar environment (language, culture, entourage) than from insecure living conditions in one's country/place of asylum (culture shock, sudden separation from the father during placement in a foster family, threats of forced return to Canada or forced resumption of contact with his mother) within the framework of the socio-educational and legal proceedings in progress. Furthermore, Miss [REDACTED] [REDACTED] does not feel safe in contact with the mother, although she seems to have built a good bond of attachment with the father. At last, any new move for the child is likely to jeopardize his state of psychic balance, which remains precarious.

I certify that I have personally carried out the operations entrusted to me

Done in Paris, 11/4/2022

Madame Amal HACHET