

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, Family Affairs Judge of the Court of First Instance of Saint-Pierre and Miquelon on March 22, 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 a mission on March 30, 2022 at 9 a.m. (Saint-Pierre and Miquelon time) in the library room of the Court of First Instance of Saint-Pierre and Miquelon by videoconference and with the assistance of an English language interpreter from

- 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 related or unrelated to 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. Annick CRENN, clerk at the Court of First Instance, Deputy Director of the Registry of Cabinet 3 for the control of expertise of the District Court 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 chambers of December 2021, at the juvenile court of Saint-Pierre and Miquelon;
- 2) a copy of the judgment relating to an educational assistance measure in the open environment of December 23, 2021 at the Saint-Pierre and Miquelon children's court;
- 3) a copy of a handwritten letter dated December 16, 2021 written in English by [REDACTED] and [REDACTED] for the attention of the Judge;
- 4) the report of the end of the measurement of educational assistance in an open environment established by the child-family service of the territorial community of Saint-Pierre and Miquelon dated November 23, 2021;
- 5) 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 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 collectivity of Saint Pierre and Miquelon dated October 1, 2021;
- 8) a copy of the hearing in chambers of October 19, 2021, at the juvenile court of Saint-Pierre and Miquelon;
- 9) a copy of the hearing in chambers of October 15, 2021, at the juvenile 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 community 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] for the attention of the Judge;
- 12) an information note concerning the children, [REDACTED] and [REDACTED] established by the childhood family service of the territorial community of Saint Pierre and Miquelon dated October 05, 2021;
- 13) an assessment report concerning the children, [REDACTED] and [REDACTED] drawn up by the child-family service of the community of Saint Pierre and Miquelon dated September 24, 2021;

-By email dated March 30, 2022:

- The family drawing (scan) 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 3 p.m. to 5 p.m. by videoconference with the assistance of Mr. Rodney BOUILLE, English language interpreter.

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 were held on the same day but on separate time slots by [REDACTED] and [REDACTED] during their psychological examination.

Finally, being English-speaking, we were able to verify the correct translation of our questions and [REDACTED] answers by Mr BOUILLIE who assisted us during this 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, then 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 visitation rights to the 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 take place without particular incident until 2019 when the twins confide in their father to have 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 police services by reporting the abuses denounced by his daughters. According to Mr. [REDACTED] Ms. [REDACTED] new boyfriend would have a "heavy judicial pass" and "would no longer have custody of his children". Due to the "loss of the first police report" according to the terms used by Mr. [REDACTED] Canadian justice has not been able to characterize the facts denounced as a "crime".

For her part, Ms. [REDACTED] recounted all the denunciations of Mr. [REDACTED] whom she also accused of "manipulating the twins". Mr. [REDACTED] is entrusted, by court decision, with sole custody of the twins. Having subsequently 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 procedures to recover custody of her daughters, which will not be granted to her. The situation becomes particularly divisive following the order made by Judge GIBSON in the Family Court of the Superior Court of Justice in St. Catharines (Ontario) on August 12, 2021 granting Mrs. [REDACTED] custody rights to twins in weekend at the home of a friend and outside the presence of her companion as well as a measure of psychiatric expertise for Mr. [REDACTED] in order to assess the "risks of alienation / parental manipulation" for the twins. Not having respected this decision, Mr. [REDACTED] was found guilty of disobeying a judicial order dated October 07 by the Family Court of the Superior Court of Justice in St Catharines (Ontario).

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" of which his daughters and his family would have been the object according to him. To this end, he filed with his daughters, a request for political asylum in the prefecture on September 22, 2021.

Misses [REDACTED] and [REDACTED] were the subject of a provisional placement order dated September 15, 2021. They were entrusted to the Childhood-Family service of Saint-Pierre and welcomed at the home of Mrs. Patricia SPICHER, an approved family assistant. Due to the relational difficulties the twins and their father had with the educational team and in particular with regard to compliance with

the terms of the placement, a lifting of this placement measure had been ordered by the juvenile Judge in date of October 19, 2021 with maintenance of educational support which continues to be provided by the Childhood Service Family of Saint Peter with the twins.

In a handwritten letter addressed by [REDACTED] and [REDACTED] to the Children's Judge dated October 11, 2021 (Exhibit No. 11), these set out the reasons for relational difficulties and disagreements experienced with the team of education and the host family due in particular to the binding rules preventing them from talking in private with their father, adding that they refuse to cooperate with the Child-Family Service, which they accused of mistreatment towards them and towards their father. They expressed their wish to return to live at the home of their father, who they missed, in order to resume their schooling and the medical follow-up they need, in particular [REDACTED] who was taking treatment to treat his state of anxiety due to a history of abuse suffered. They finally deplore the fact of being subjected to a permanent state of stress because of the legal and educational proceedings to which they have been subject since their departure from Canada.

On October 21, 2021, Ms. [REDACTED] seized the Canadian central authority of a request for the return of [REDACTED] and [REDACTED] on the basis of the Hague Convention of 25 October 1980 on the Civil Aspects of international child abduction stating that her daughters had left their home on 12 August 2021 with their father and that an arrest warrant had been issued by the Canadian authorities against him. She reported an important conflict over the terms of custody of the couple's children since 2019 due to the attitude of Mr. [REDACTED] who would have sought to "isolate the children and keep them away from her, to make false allegations and to practice parental alienation techniques to keep her out of the lives of her daughters".

Furthermore, the Children's Judge of the court of first instance of Saint-Pierre underlined in its judgment dated December 23, 2021 the relationship influence exerted by the father on the twins raising the risk of a danger of minors that could compromise the conditions of their development physical, emotional, intellectual and social. They now reside at the home of their father after failed foster care.

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

Having reiterated their distrust of the educational service, which they accused of having transmitted information about them to their biological mother that she could use against them, [REDACTED] and [REDACTED] lamented seeing their lives marred by legal proceedings that prevent them from leading their lives "like a normal French family" with their father, of whom they cannot tolerate being separated and in whom they indicated that they placed all their trust to take care of their education until the age of majority (18 years).

Finally, heard by the Public Prosecutor at the Court of first instance of Saint-Pierre and Miquelon dated February 16, 2022, Mr. [REDACTED] as well as Misses [REDACTED] and [REDACTED] reiterated their

adamant refusal about any prospect of returning to Canada. [REDACTED] threatened to "throw herself in the water before or during the return trip to Canada claiming that her sister and her would be raped or killed there".

PSYCHOLOGICAL EXAMINATION OF [REDACTED] ON WEDNESDAY 03/30/2022 (3 p.m.-5 p.m.)

1. ELEMENTS OF [REDACTED] CLINICAL ASSESSMENT

Miss [REDACTED], born on December 24, 2008, was 13 years and 3 months old on day of his psychological examination. smart and mature, [REDACTED] was more at ease and more spontaneous than her twin.

As soon as the interview began, [REDACTED], who had arrived in a jogging suit, agreed to remove her mask. We are immediately struck by the difference in attitude at the level both physical and character that we saw in [REDACTED] by comparison to her twin. So, with light brown hair, [REDACTED] had a cut atypical: the head completely shaved on the sides and covered with half-length hair long and smooth in the middle. About her cut, [REDACTED] will call it practical since she can "change her look" according to the location of the hair that she could fold sometimes left side sometimes right side (she shows us a demonstration). [REDACTED] says she has always worn her hair like this and from her own head "I wanted this cut and it was dad who made it for me. First, I had my hair done at the hairdresser and then it was dad who cut it for me. I saw some people with this haircut and I wanted to have a haircut like that. I've had this haircut since CM2(5th grade), when I was 10-11 years old. I can switch sides".

[REDACTED] however, seemed surprised at our remark about her dad's opinion about of her haircut considering that she has to make a distinction between the choices she can undertake on her own (choose her haircut) and the decisions that require parental consent. So, when we ask her if she has a tattoo or a piercing, she answers in the negative by adding "It requires parental consent for that. It's for adults and when you're a minor you're not entitled to it".

Noticing that [REDACTED] was wearing prescription glasses, [REDACTED] casually told us sarcastically she was "a little blind" before specifying to be rather "very myopic" and having worn glasses since the age of 7.

Despite this assertive and confident posture, [REDACTED] gave the impression of being nervous. She had a tendency to constantly turn behind her to take a furtive look at the library. To our question on this subject, she confided be impressed by the huge collection of library books while wondering what books as voluminous as these could contain.

If at the contact level, we observe in [REDACTED] a tendency to oscillate between a flexible and moderate attitude and a firm, rigid and decided attitude, in the whole [REDACTED] had an easy and less emotional contact than her sister with the exception of some signs of exasperation with the psychological examination situation that she nevertheless accepted "It's not my first time with psychologists! ".

At the level of language, we did not detect any slurred speech in [REDACTED] who spoke at the start of the interview spontaneously in French without an accent then in fluent English with a clear voice and moderate verbal flow. Her relatively well-polished and coherent speech was crossed by moments of a few colloquialisms, even slang (especially about her mother).

Emotionally, [REDACTED] was able to adopt a calm and collected demeanor in all except for the moments when she verbally expressed her anger towards her mother and the Canadian authorities. If she showed

some signs of anxiety, [redacted] didn't show any evidence of cyclical mood swings. The signs of weariness, lack of spirit and facial expression of suffering that we were able to identify in [redacted] turned out to be in line with the comments made by her about her situation before and after her trip to Saint-Pierre and Miquelon. So, [redacted] tended to hide her face between her arms when she mentioned the sexual touching denounced to against her mother's partner.

Calling herself right-handed like her parents, [redacted] thinks she is ambidextrous or has an inverted laterality with her twin "I am right-handed, but it is also possible that I am left-handed. (My sister or me) drew with one hand and the other drawing with the reversed hand".

My father used to say that one of us is diagnosed with ADHD, Miss [redacted] specifies that she has problems with then touching memory in connection with the acts of rape denounced against the friend of her mother, specifying that she tries to forget everything "I am blocking my memory".

Besides, [redacted] knows the approximate ages and dates of birth of the members of her family.

When we propose to [redacted] to make a family drawing (ideal) she agreed to do so without difficulty or sign of reluctance or distrust. She sketched then three filiform characters in the middle of the sheet without naming them, nor identify their age, sex or gender. At the top of the sheet, she said in English "parent(s) who love their children"

About this drawing, [redacted] provides the following descriptions "It represents parents who love their children". The "ideal" family made up of these characters seems to correspond to her current family configuration (the father, the sister and herself). The s between parentheses of the parent (s), seems to us to question the position of parentification in which she seemed to project herself, in particular lives of her twin sister with regard to whom [redacted] seems to ensure a protective role.

At the end of the exam, we asked her if she had any questions, [redacted] throws "are we finished?" before leaving without answering our goodbye.

In terms of family composition

When we ask Miss [redacted] to give us the composition of her family, she declares us in the order "Dad, grandmother, grandfather, my sister and the cat". About the cat she specifies "It's dad's cat. It's a female. I miss her".

About her father she specifies "He is 47-48 years old. He is old. He is healthy as far as I know. Apart from some disagreements between us on the choice of dinner, he is a loving father who takes great care of us. He's the best of fathers that I could have had. His only fault is that he burns the pasta and that we don't agree on everything".

About the absence of mention of her mother in the composition of her family, [redacted] declares to us irritated "Definitely not! I can't consider the biological mother like a real mother. It is my paternal grandmother who is a mother substitute for me and my dad".

2. HISTORY ELEMENTS

At the level of its development

Miss [REDACTED] born 9 minutes after the birth of her twin sister, would have developed normally and without particular incidents. She does not present according to her declarations no disorder during the acquisition of walking, language or cleanliness. She wears glasses to correct a strong myopia since the age of 7 and anxiolytic treatment since the age of 8-9 to treat ADHD.

Referring to a few childhood accidents during which she made "sprains" (including ankle), [REDACTED] added that she had a few ENT infections as a child (ear infections), being "allergic to mosquitoes" and being "afraid of spiders and sharks".

[REDACTED] does not have an eating disorder and describes a weight normal and stable "I eat normally. I am a little shorter than my sister" and I am 55-60 kilos".

In terms of her sleep, [REDACTED] confided that she had some difficulty falling asleep in parallel with a restless sleep often populated by nightmares "Sometimes I don't sleep well when I have dreams. And it's in 70% cases, since the summer of 2019. Before that, it was occasional". When I ask her to tell me about one of the dreams she remembers, Paige replies "ok" and remained silent, and seemed to be thinking "For example, a dream where I was trying to escape from my birth mother and her husband who is chasing me. Afterwards, he grabs me and tackles me to the ground and I don't want to say any more. It would be a recurring dream according to [REDACTED] "I continue to have this dream, including at present from time to time. I know there are other dreams, but I don't care, don't remember".

[REDACTED] also expressed memory complaints "My memory problems, it developed from the facts, that's when my memory failed".

Asked about other significant events in her life, [REDACTED] spoke very embarrassed by the facts of sexual touching that she denounced against the friend of her mother "I find it very difficult to tell what happened in the summer of 2019 with [REDACTED]. At first, everything seemed normal with [REDACTED]. I was 9 or 10 years old. He started with stroking our hair when we were lying on the sofa. At one point I have I felt a warmth on the back of my neck and I asked him "What are you doing to me? " And he replied "I'm trying to get something out of your neck". But I thought he was giving me a kiss on my neck. Then it got worse. For weeks, in the car he put his hands on my thighs and told me "I'm going to become your daddy, because your daddy is crazy". I was doing martial arts at that time. It was Brazilian jiu-jitsu that I had been doing since I was 4 years old. My father wanted me to be able to defend myself at school if I had been bullied. And, [REDACTED] told me that "he was going to teach me himself".

[REDACTED] said she had witnessed other life-changing events involving the companion of her mother "I also remember other events. I remember when I was 9 years old, he had tried to strangle his son and I witnessed it. I made a statement. Another time, we were at [REDACTED] parents' house who had a swimming pool and he wanted to play a contact game with us. Then when he put us to bed, he kissed us on the cheeks while he was touching our chests. It was more chest for me and buttocks for [REDACTED] and he took off our shorts. I remember he also took off his shorts and put [REDACTED] head at this location (lower abdomen). I think [REDACTED] saw [REDACTED] touching me. With me, it was before my puberty. I was pubescent and I had my period at 11 years. At this point in her story, [REDACTED] seemed emotional and embarrassed and ran away with her head in her arms.

█████ said she reported the touching to her parents and never been protected only by her father “█████ sometimes was present. When I told her, █████ didn't believe us. I also spoke to my dad about it 5 to 6 weeks later and he immediately called the police to denounce these facts. Then my mother started harassing me with text messages. I ended up calling her saying "Stop, Stop texting us ". She called us “liars”.

On his relationship with his mother

Miss ██████████ expressed a lot of anger towards her mother whom she painted a rather ambivalent portrait. Describing her relationship with her non-existent mother, █████ mentioned all the above numerous facts of physical abuse and psychological inflicted according to her by her mother against ██████████ and which she claimed to have witnessed “She was never kind to █████ at all because of his hearing problem. I often had to repeat the words to █████ because she couldn't hear normally. And, with me, my mother was never tender no more. But I was more concerned with █████ than █████ I call her █████ and not "mother", because she does not deserve to be called a mother. Before the age of 6, I called her mom. But since that age, I only called her by █████ or biological mother. She was even more abusive with █████ than with me. If, for example, █████ wanted to go out, she would ask █████ to wear her shoes and since █████ couldn't hear her, instead of repeating the words to her, she grabbed her by the ears and dragged her out the door. Besides, █████ was a fan of spanking but my dad stopped her. He didn't let her. He came between her and us”.

Categorically refusing any prospect of reconnecting with his mother, █████ specifies that she has not seen the latter for more than 3 years “She’s a liar, she doesn't give a fuck about us (sic). She chose her boyfriend and not us. She sacrificed us for him. She preferred him to us.” █████ also kept a traumatic memory of the intervention of the Canadian authorities for the return her and her sister to their mother.

Claiming not to know the reason for separation of her mother with her father back when she was 7 years old, █████ referred to a choice made by the two amicably “I don't know why they broke up. But, as far as I remember, I believe that they have agreed to go their separate ways”.

In terms of her relationship with her father,

Miss ██████████ described a better relationship with her father than with her mother even if she spontaneously confessed to sometimes disagreeing with him about meal choices “but we always find a compromise with my dad when he does not agree” and or sports practice “Like, I have been doing judo since I am in Saint-Pierre and Miquelon, Dad is worried because of the Covid. But, I tell him yet I will keep my mask”.

Among the best memories of her life, █████ cited “the good times spent” in company of her father, her friends and her father's “children of friends”.

In terms of his relationship with his twin sister,

Although ██████████ was born 9 minutes early, █████ seems to have the ascendancy over it at the level of character. She also seems to assure of ██████████ a role that is both an accomplice and a protector “We have a normal sibling relationship. Sometimes we have arguments. It's half and half at the level of differences and similarities. Sometimes people confuse us in terms of names even though we don't look like (real) twins. I remember a picture in a bathing suit with my sister where we were dressed the same,

but not the same color. It's me who chooses first the style and the color than my sister. Today I know that I do not feel identified with my twin".

On the level of his relationship with his paternal grandparents

████ spoke only briefly about her relationship with her paternal grandmother, whose she seems very close "My grandmother loves me and I like her. We have a real bond. I used to help her garden. I don't celebrate Mother's Day, but I do celebrate Grandmother's Day".

At the level of her school career

████ declares in accent less French that she goes to school with her sister in class 4th in a French-speaking school since arriving in Saint-Pierre et Miquelon adding that she had not always been in the same class as her sister because of a heterogeneous school level "We don't have the same school level, my sister and I. It depends on the materials. Me, I prefer English and French and I have never doubled in class". About her job of the future, █████ says she wants to "do a simple job and earn a lot of money".

In terms of her extra-curricular activities, █████ practices "combat sports" including "Brazilian jujitsu" and "judo" "It's been since I've been in Saint-Pierre, I do judo. But before I was doing Brazilian jiu-jitsu that I started the age of 4 years" by motivating her choice of a combat sport by a situation of the school bullying experienced in Canada "It was to defend myself. Bullying only stopped when my dad came to the principal to settle this affair".

████ situation on the date of her psychological examination

Miss ████████ affirmed to sleep well and to eat well and to be in good health since she left Canada "I have felt healthy since" even though she continues to take his anxiolytic treatment "I take this treatment in the morning for anxiety since the age of 8-9 years. It's Concerta. No, it's not the one that is █████'s medicine. For me it's hydrochloric".

She also did not report any suicidal thoughts or attempted suicide or act of scarification. Ruling out the possibility of returning to her homeland, Miss ████████ asserted that only a miserable life would await her there "For me to return to the Canada sucks (Canada sucks). I will not be returning to Canada, as I have been traumatized by Canadian police and Canadian judges. Even though my family and I miss my Canadian friends, but I can call and see them on Facetime. I don't know anything about my future. Everything will depend on the outcome of our case. There are two scenarios for me: return to Canada and have a miserable life or stay with dad and be happy".