

— **Petition 1707/2013 by [REDACTED], on behalf of Association of McKenzie Friends, on Abolition of Adoptions without Parental Confirm (forced adoption) over 2500 supporters.**

This petition is a part the campaign organised by the Association of McKenzie Friends, which is a voluntary organisation campaigning to stop forced removal of children from their parents.

Petition 1707/2013

Petitioner Fullname Mrs. [REDACTED]

Nationality [REDACTED]

Title

Abolition of Adoptions without Parental Consent

Document

The LEGAL FRAMEWORK

In the spirit of the Human Rights Convention Article 8, the Right to Family Life, we ask for the abolition of adoption without parental consent, commonly called 'forced adoption' or 'punishment without crime'.

In the UK, mothers have their children taken at birth, even whilst in prison. They are jailed or at least threatened with imprisonment, if they dare to complain publicly - via newspapers, TV or public meetings. Despite a long hunger-strike by one American mother, two journalists were banned from visiting her.

As another example, a video on Facebook showed the violent removal of a baby one day after birth. But it was ordered to be taken down and the parents were imprisoned. The father didn't mind going to jail for the sake of the public exposure he knew was necessary.

Children in care, deprived of mobile phones and laptops, are isolated from family and friends. If foreign, they are forbidden to speak their own language (even to each other) and are not allowed to discuss their cases with parents at 'contact', where they are strictly censored. Both parents and children undergo 'punishment without crime' which needs to be stopped as soon as possible.

Finally, the Secretary of State for Education, Edward Timpson MP stated in response to a question by Madeleine Moon MP : The number of children who die while in the care of local authorities in England is low, typically around 50 children per year. Due to these low numbers and to protect their identities, figures cannot be provided for each individual local authority.

We do not consider this number to be 'low' and are therefore very concerned about the UN and EU guidelines not being enforced, despite Resolution 1908 (2012) of the Parliamentary Assembly of the Council of Europe. This has disastrous consequences for children, such as the irreversibility of adoption orders, as mentioned in the Explanatory Note of the rapporteur.

Our REQUESTS

If family courts were operated like criminal ones, children could not be forcibly removed from parents, who would be innocent until proven guilty.

To prevent further forced adoptions therefore, we ask to ensure domestic enforcement of the UN Convention of the Rights of the Child and to ascertain genuine best interest assessments before any forcible removal of children and subsequent justifications in secret courts.

Given the extensive evidence provided by adoptees on Pound Pup Legacy , it is also necessary to make adoption orders reversible.

Regarding the enforcement of UN and EU guidelines of child-friendly justice , our requests cover various authorities and institutions such as:-

THE JUDICIARY – responsible for

- * ‘gagging orders’ that prevent family members from communicating the real facts of their case to the public, mainstream and online media – neither public nor media can rely on the state’s witnesses;
- * secret hearings in family courts that facilitate ‘forced adoptions’;
- * artificially-constructed circumventions of the parents’ consent;
- * court decisions based on hearsay evidence;
- * placement of children deprived of their parents (through death, jail or illness) not with their next-of-kin or with friends but with strangers, for whom fostering may represent the means of a comfortable income rather than the responsibility to love and care for a child.

THE CARE BUSINESS – responsible for

- * using tax-payers’ money for fostering and adoption purposes rather than for helping, rehabilitating and educating vulnerable families to care for their own children;
- * the summary removal of new-born babies from their mother – referred to as ‘dreadful’ in a judgement by the current President of the Family Courts, Justice Munby;

- * sentencing drug-addicts and their babies to a life-time of separation rather than admitting them to rehabilitation units.

SOCIAL SERVICES – responsible for

- * the unsolicited invasion of family homes, often with the help of the Police to remove children, as glaringly documented in a recent video on Facebook;
- * diagnosing psychological problems to suit their goals and playing ‘expert’ with parents’ personal histories;
- * using non-exact sciences such as psychiatry and psychology negatively against families in court proceedings and as the basis for life-changing decisions, rather than positively to help families and preserve the fabric of society, according to their professional role;
- * labelling individuals who have not been found guilty as criminals;
- * punishing innocent parents for crimes they have not committed;
- * being widely perceived as a modern Gestapo, when it is their professional role to help families and society.

THE POLICE – responsible for

- * the forcible and often brutal removal of children from their parents which traumatises children irreparably;
- * following social services’ orders rather than deploying their own investigative powers.

PSYCHOLOGY and PSYCHIATRY - responsible for

- * forcing parents and children into anti-psychotic drugging;
- * calling depression a mental illness or mental issue;
- * labelling human moods and emotions as a string of disorders, unless supported by hard medical evidence such as a brain scan.

PROPAGANDA and POLICY – responsible for

- * converting care of children into a money-making business grown by the number of children taken away from their parents;
- * fundamentally immoral adoption propaganda pushing childless couples to prey on families in difficulty;
- * advertising the joys of fostering in disregard of the trauma inflicted on the child through separation from its parents which is irreparable;
- * downgrading Article 8 of the Human Rights Convention to include adoptive families and aligning the ‘best interests of children’ with official agendas.

COLLUSION on the part of HOSPITALS and SCHOOLS – responsible for

- * claiming injuries to children are non-accidental without medical/forensic proof;
- * employment of professional ‘experts’ at Local Authority expense, motivated by financial gain rather than concern for children;
- * acting as a spying machine for families so parents already fear to bring their child to emergency stations;
- * the Vichy-style role of named teachers.

SUPPORT for our PETITION:

1. Motion for a resolution – 9 October 2008:
 - a. Para 10: “The Assembly believes that these reports and concerns provide evidence of possible violation by the United Kingdom of Articles 6, 8 and 13.”
2. Resolution 1908 (2012) – 30 November 2012
 - a. Para 5.3: “promote, disseminate and monitor the implementation of the 2010 Guidelines of the Committee of Ministers of the Council of Europe on child-friendly justice”.
 - b. From the Council’s website on child-friendly justice :

“Intended for use by professionals working in the criminal, civil or administrative justice systems, these Guidelines address themes such as the family, mistrust of authority and the need for respect, and the importance for children and young people to be listened to.”

c. From B. Explanatory memo by [REDACTED] rapporteur:

3.2.3. The United Kingdom

Paras 22-25. “In a number of cases against the UK, the Court found that “State action lacked proportionality and was therefore contrary to the provisions of the Convention. For instance, problems caused by the irreversibility of adoption orders and the failure of the authorities to adequately investigate alternatives to removing a child from its parents at birth.”

3. Signatures of Online Petitions

a. Parents who have lost access to their children, either after birth or later through care and adoption have voiced their grievances in many Facebook pages and blogs, generating a plethora of online petitions.

b. Together, these petitions have gathered more than 10,000 signatures, as demonstrated on this post on Punishment without Crime .

c. Most recently, the following petitions have been launched and continue to be signed, adding up to 2,188 signers today, 31st May 2013:

i. The Secrecy in Family Courts should be lifted Now –

with 1,420 signatures and 22,800 page views since May 2011;

ii. Stop Forced Adoptions in the UK -

with 674 signatures and 2,976 page views since 18th May 2013;

iii. Stop Secret Family Courts encouraging Forced Adoptions in the UK – with 94 signatures since 25th May 2013.

In conclusion, families should be allowed to raise their children according to their convictions and natural law, as long as there is no physical mutilation or real violence. Children can rebel against their parents' convictions but not against the State's. Once adopted, they can find their parents via Facebook, but no counselling can repair the feelings of abandonment and of not having been loved.

Social Services should help parents keep authority over their children rather than transfer parental authority to the State. Otherwise, democracy falls into the grip of ideology, by destroying its fundamental value building unit: the family.

[REDACTED]

[REDACTED]

Association of McKenzie Friends

www.mckenzie-friends.co.uk

A pdf version with web links is available as

<http://punishmentwithoutcrime.files.wordpress.com/2013/05/13-05-31-eu-petition2.pdf>

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The Commission's observations

As already recalled during the meeting of the Petitions Committee on 19 March 2014, the Commission is aware of the specificity of the adoption policy in the United Kingdom. The UK is known for a continuing high rate of domestic non-relative adoptions, most of which now involve adoption from the childcare system of children with "special needs". A majority of these are adopted without the consent of the birth parents. In these respects the pattern of domestic adoption in the UK is much more like the United States than mainland Europe, where the level of domestic adoption tends to be low and there are legal barriers to adoption without parental consent.

There is currently no European Union legislation on adoption, which is regulated by national laws and by some international Conventions.

Under the Treaties¹ on which the European Union is based, the European Commission has no general powers to intervene with the Member States. It can only do so if an issue of European Union law is involved.

The facts described by the petitioner relate to interventions by the relevant UK authorities on issues of parental responsibility and decisions on adoption as well as the placement of a child in foster care. However, EU law as it currently stands - notably Regulation (EC) No 2201/2003 ('the Brussels IIa Regulation') - only governs issues of jurisdiction and of recognition and enforcement of judgments given in another Member State. In particular, the granting of custody and visiting rights, the arrangement for their exercise and the role of the social and child protection authorities are not governed by EU law. Moreover, this Regulation explicitly excludes adoption from its material scope of application.

The Commission has recently launched a public consultation on the review of the abovementioned Brussels IIa Regulation (<http://ec.europa.eu/eusurvey/runner/BXLIIA>) which will also run until mid-July 2014.

Finally, it is possible to invoke the Charter of Fundamental Rights of the European Union only where Member States are implementing EU law, which is not the case here for the above mentioned reasons. In the absence of any link with EU law, it is for Member States, including their judicial authorities, to ensure that fundamental rights are effectively respected and protected in accordance with their national legislation and international human rights obligations. The concerned parents should seek redress at the national level through the competent national authorities.

In case the parents concerned believe that the cases of adoption without parental consent may imply a violation of the European Convention for the Protection of Human Rights and Fundamental Freedoms (for instance Art.8- Right to respect for private and family life), they may wish to address the European Court of Human Rights, after having exhausted all the domestic remedies available in UK and within six months of the domestic decision becoming definitive.

¹ Treaty on European Union and Treaty on the functioning of the European Union

Conclusions

In the light of the above, it is not possible for the European Commission to follow up on this issue.