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## Father with no rights: Mother stops him seeing daughter for 12 YEARS - despite 82 court orders demanding she back down

- The man has been refused access to his 14-year-old daughter
- None of the 82 orders that he be allowed to see girl have been enforced
- 'My relationship with my daughter is slipping away', the man said

By [Ben Spencer](#)

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**Struggle: The man has fought for 12 years**

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A father yesterday spoke of his anguish over an extraordinary £100,000 12-year court battle for the right to see his daughter.

The man, described as 'irreproachable' by a senior judge, has endured years of legal fighting with his ex-partner, who has refused to allow contact between him and their 14-year-old daughter.

Incredibly, the family courts have made 82 orders that he be allowed to see the girl, known only as M. But

none was enforced by a system which senior judges agreed had 'failed the whole family'.

'My relationship with my daughter is slipping away,' the man said. 'Her childhood is disappearing.'

The Court of Appeal three months ago ordered that the case be resolved, saying the teenager's childhood had been 'irredeemably marred' by years of litigation.

Lord Justice McFarlane, presenting a written judgment, said the mother had 'doggedly refused to allow M to develop and maintain a relationship with her father without any good reason'.

He quoted the findings of a child psychiatrist, who said: 'The mother appears to want an unhealthy exclusive relationship with M. The mother hides her opposition to contact behind her daughter's stated "wishes and feelings".'

But the father, a 61-year-old professional who cannot be named, has now been told the legal process faces more months of delays as the family courts seek expert advice.

Speaking after the latest hearing at the family court in Leeds, he said: 'As a parent, one's frustration lies with the lassitude of the court process that allows precious, irreplaceable time with your children to slip away, and the relationship you seek to have with them dissolve into the mists of time.'

'Parents making applications to establish contact are often left defeated and frustrated by the slowness and lethargy of the court process. Time with your children can never be recaptured – it is lost for ever.'

The father – who, unlike the child's mother, cannot claim legal aid – estimates he has spent more than £100,000 in legal costs trying to see his daughter.

He said: 'It is financially penalistic, as a private individual, to fight for your rights through the family courts.'



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The couple lived together for ten years before the girl was born in 1999. She was 21 months old when they separated in 2001 and the legal marathon began.

Since then, the mother, who is now 49, has tried to prevent him seeing her.

He has even been falsely accused of sexually and physically assaulting his daughter – accusations that were proved to have no basis.

In the end a family court judge in Sheffield gave up and last year ruled that the father should not have the right to see M. But in September this year three Appeal Court judges overturned the decision and said the father could return to court for a further attempt to win access.

That court process restarted last month in the family court at Leeds, but immediately faced long delays as the father, mother and social services argued about which psychological experts should be consulted.

Mr Justice Moylan adjourned proceedings until February.

He said: 'I know this is not what was envisaged by the Court of Appeal but I think I will have to progress this by stages.'

**'Parents making applications to establish contact are often left defeated and frustrated by the slowness and lethargy of the court process.'**

**'Time with your children can never be recaptured – it is lost for ever'**

The father, representing himself, told the court it was futile to consult a psychologist unless the psychologist was an expert in understanding children who had been coached.

'This case has always, for whatever reason, been for my former partner about the prevention of my relationship with my daughter,' he said.

'It is quite apparent that M is affected by her mother and whatever is said about M's feelings and wishes should be taken, to put it politely, with a pinch of salt.'

Lord Justice McFarlane, presenting a written judgment in the Court of Appeal three months ago, said the mother had 'doggedly refused to allow M to develop and maintain a relationship with her father without any good reason whatsoever'.

M expressed a wish to see her father as recently as February 2012, and in 2007 even spent several months living with him while her mother was in hospital. But recently her position has 'hardened'.

The judgment revealed that since 2006 there had been 82 court orders for contact, seven judges had handled the case, and at least ten social workers had represented the girl.

Lord Justice McFarlane added: 'This is an unimpeachable father against whom no adverse findings of fact have been made at any stage in this process and whose demeanour before this court was dignified and measured despite the enormous frustration and anger he must feel.'

The judge, who was sitting with Lord Justice Briggs and Lord Justice Aikens, said the mother had been diagnosed with an emotionally unstable personality disorder, paranoid traits and occasional depression.

Lord Justice McFarlane added: 'These have not been helped by occasions when she has abused alcohol and illicit drugs.' At one stage, he said, the mother had been found to have hidden knives in her bag.

Lord Justice Aikens added: 'The family justice system has failed the whole family, but particularly M, whose childhood has been irredeemably marred by years of litigation.'

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