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**This is not legal advice, but the opinion of the authors.**

# Ricochet, Quigley and Haas effect of a “Gold-” or “Silver Bullet”

(How Children and Parents are being Wounded by Dis-Attachment)

## **NB ...This is Highly Important ... Take Notice**

1. When a “Gold-” or “Silver Bullet” is aimed at a target parent, the relevant authorities and the court should be alerted that the children will be affected.
2. Neglecting to report it, may be seen as an omission to report the cruelty by emotional abuse of the target parent and the child and the reckless endangerment of the child<sup>1</sup>.

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<sup>1</sup> 1. The Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012

# Introduction

3. In many toxic separations, the hate of the opponent is of such intensity that the hating partner may attempt any method to punish the ex-partner.
4. Many professionals would propose that the hate directed towards the ex-partner, far exceeds the love for the children involved.
5. In most cases when the hate reaches a level where silver or gold bullets are fired, the possible outcomes are not taken note of or even noticed. The same bullet that was aimed at the partner may ricochet, or “quigley” unintentionally injuring the person that fired it, an innocent party or even the children.

## Inhumane and degrading treatment

6. Most target parents suffer from legal abuse syndrome, a form of post traumatic stress disorder when experiencing the inhumane and degrading treatment associated with alienation.
7. In most cases, the experience causes serious psychological pain and suffering.
8. By not reporting the offences causing the suffering and the pain, any persons that have knowledge of it may face prosecution and in extreme cases, when found guilty in court, said person can face up to even life imprisonment.

## State official not willing to act

9. Any state officials i.e. Gardai, Social Worker, who are informed about inhumane and degrading treatment on a person, are obliged to act on that report. By not acting, the official is guilty under the Criminal Justice (United Nations Convention Against Torture) Act, of torture by omitting to address it.
10. According to Jurisprudence, (see heading **Jurisprudence** hereunder), the said official then condones the inhumane and degrading treatment.
11. The omission of action by the official, places the State at risk of being in breach of the UNCAT, by allowing torture.

# Terminology

## Angry Sadistic Alienator

12. Angry Sadistic Alienator is an alienator that tends to be controlling, angry and even sadistic in their effort to control the target parent and obtaining success in turning children against the target parent(s) who are the absent parent or the non custodial parent. The Angry Sadistic Alienator is usually an alienating parent or step parent in the case of a separation, or in the case of a child in care, it may be a social worker, foster parent or guardian at litem.
13. The table below outlines the experience of alienation cited by one therapist in Ireland, recorded June 2019, obtained by compiling evidential information from his clients:

Type of alienation	Adult Victims			Families involved	Child victims
	Mother	Father	Extended		
Separation	43%	57%	+/- 50%	44	71
Child in care	72%	33%	99%	18	24
Other	100%	100%		3	3

14. The victims of this type of Alienator suffer dreadfully resulting in inhumane, degrading treatment and causing serious harm. This situation is never in the best interest of the children.

## Gold and Silver Bullets

15. When an alienating party or child that is pathogenically indoctrinated, makes false or exaggerated allegations of an offence or abuse about the target parent, it is referred to as a “bullet fired”.

16. In most cases, said allegations by the Alienator are only made during the court hearing to prevent access and a relationship with the child/ren, the alienator knowing that as long as they “claim” the other parent is abusing the children, or committing other offences, the courts will suspend custody or visitation with the targeted parent.

17. The Alienator is also aware that the public will pay for the investigations even if the accusations are unsubstantiated, the accusation has creates (unfounded) scepticism against the other parent, as the saying which is a lie goes ‘there is no smoke without fire!’

## Silver Bullet

18. In the instance of Irish law and law enforcement, when an alienating party is granted a protection order after applying for a safety or barring order, the silver bullet is “in the barrel”. The obtaining of a safety or barring order, is the “gun clogged” and when the Gardai is called out because of an alleged breach, (that may be as minimal as even posting a medical insurance card to the alienating party), the “bullet is fired” so as to get the target parent incarcerated or permanently removed from a relationship.

## Golden Bullet

19. A golden bullet refers to a concerted attempt to permanently remove the target parent out of the life of the children, alleging an indictable offence with a possible long prison sentence or even driving the target parent to a total mental breakdown and suicide.

20. Sadistic alienators from a past piranha relationship<sup>2</sup>, usually use state or community legal aid to keep the target parent in court with exorbitant legal fee outlays, psychological report costs, contact centre costs, contact supervision costs and more. In most of these cases the target parent just gives up, abandons the child or even ends up committing suicide.

## Ricochet

21. Ricochets occur when a bullet or bullet fragment is deflected by an object rather than penetrating and becoming embedded in that object. Ricochet behaviour may vary with

<sup>2</sup> A Piranha Relationship is a relationship where one partner, “the piranha”, enter the relationship only to benefit financially from it.

bullet shape, bullet material, spin, velocity (and distance), target material and the angle of incidence. A ricochet may cause damage, injury or even death.

## Haas effect

22. The opinion of Mr Justice Haas in one of his rulings (as copied hereunder), is the best example of a child judging themselves as bad. “If one of my parents is proven as bad, half of me is bad. If both parents are bad, I am completely bad, therefore no one can blame me for my actions. Blame my parents.”

### **From a judgement of Judge Michael Haas - 2001**

As quoted in *Burke v. Burke*, Tennessee Court of Appeals, No. M2000-01111-COA-R3-CV, Aug. 7, 2001 and *Krupp v. Cunningham-Grogan*, Tennessee Court of Appeals, No. M2005-01098-COA-R3-CV, August 29, 2006 and many more.

*“Your children have come into this world because of the two of you. Perhaps you two made lousy choices as to whom you decided to be the other parent. If so, that is your problem and your fault.*

*No matter what you think of the other party—or what your family thinks of the other party—these children are one-half of each of your.*

*Remember that, because every time you tell your child what an “idiot” his father is, or what a “fool” his mother is, or how bad the absent parent is, or what terrible things that person has done, you are telling the child half of him is bad.*

*That is an unforgivable thing to do to a child. That is not love. That is possession. If you do that to your children, you will destroy them as surely as if you had cut them into pieces, because that is what you are doing to their emotions.*

*I sincerely hope that you do not do that to your children. Think more about your children and less about yourselves, and make yours a selfless kind of love, not foolish or selfish, or your children will suffer.”*

## The bullet misfired – Some examples

23. From the above, it is clear that a bullet fired may injure and usually does injure parties that were not intended to be injured.
24. The author can testify of many instances where the person who fired the gun, sustained more serious injuries. In all the cases the children involved suffered serious consequences and outcomes, including, but not limited to suicide.

## Silver Bullet Ricochet

Due to the in camera rule, the following information in this example has had to be redacted.

25. In December 2015 MMF obtained a protection order against MSF after she absconded from the family home with the children, not allowing MSF any access to his daughter and his stepson.
26. In January 2016 the application for a barring order was heard in the District Court and granted against MSF. At the same hearing MSF was ordered to pay €30.00 maintenance per week for his daughter. MSF’s family offered MMF an unknown amount as settlement for the maintenance of the child, till the age of 23. The amount was accepted.

27. MSF attempted again, by mail, email and text to persuade MMF to allow a limited relationship with the children. The request was refused. During December 2016 MSF asked again for limited access and a chance to deliver Christmas presents. The request was answered with an arrest for breaching the barring order. MSF was incarcerated for 2 months.
28. MSF decided to give up, not attempting any further contact with the children or MMF.
29. MMF lost all the money paid by the family of MSF as maintenance settlement. MMF approached MSF for help but it was refused. MMF attempted to have the maintenance order revised but it was also refused by the court.
30. Around March 2017 social services determined that the children, who were still in the sole custody of MMF, were neglected and that they are in need of care. Protecting the children social services applied for a court order to take the children in care. The order was granted. Social services decided that kinship care would be in the best interest of the children and the children were placed in the care of MSF. MMF appealed the decision of the district court, without success.
31. In June 2018 MMF was admitted in the Psychiatric unit of the local hospital. On release 14 days later, she committed suicide.
32. The silver bullet injured MSF but in the end, killed MMF who fired it.

### **Quigley of a Gold Bullet**

This example, from the British and Polish press, may not be 100% factually correct.

33. Maria Kislo was only 12 years old.
34. She was alienated from her father for several years.
35. Maria's mother used a Golden bullet on her ex spreading a story that he was cheating on his new girlfriend with his ex wife. Maria's father was then brutally shot to death by his new girlfriend's brother-in-law, about six months after Maria's parents' divorce.
36. On the day of her father's death, her mother openly expressed her happiness about the death, in front of Maria.
37. When Maria was found hanging, a note at her feet read "Dear Mom. Please don't be sad. I miss Daddy so much, I want to see him again."
38. The golden bullet fired by spreading false information, not only killed the target, but also the innocent child.

### **A full Haas effect**

Respecting a request of the court, the name of the child is changed

39. Maggie was 12 years old and partly alienated from her father. Maggie's mother actively disparaged the father and actively twisted the mind of the little lady through pathogenic parenting.
40. Maggie labelled herself as "bad like my dad".

41. When social services and the police got involved in the family due to Maggie's mother's behaviour, Maggie became very emotional, stressed and became known as the "poet" due to her postings of poems and essays on social media. In her postings, it became clear that the Haas effect was evident. She posted many items where she begged people to forgive her for "being of bad blood", and that she do not want to be friends any more "because I will only disappoint you in the future".
42. Maggie decided to commit suicide live on social media. During the process she again begged friends to forgive her. The most shocking statement was "I am the child of a very bad man and a very bad woman. Nothing in me is good, only bad blood".

### **Bullets missed, Ricochet, Quigley and ...**

43. William Steyn and his wife Mary divorced circa 1999. Mary and the children moved in with her mother. Although William became briefly estranged from the children, he still adequately provided for them and their mother.
44. During June 2000, William attempted to have contact with the children. Mary refused and active alienation commenced.
45. The matter visited the courts more than 150 times, with applications for access, increase in maintenance, and more. Both William and Mary were represented by private lawyers.
46. On the 21<sup>st</sup> February 2008, Mary applied to the court for an interim protection order. The order was granted.
47. On the 5<sup>th</sup> March 2008, Mary reported a breach of the conditions of the order to the police. According to the report, it apparently occurred earlier that day when William allegedly trespassed on their property, damaged a door and threatened them. When the police wanted to arrest William, he could not be found and his information was flagged as a wanted person.
48. When William returned from a business trip in Portugal on 2<sup>nd</sup> May 2008, he was arrested at the airport and detained 3 days without bail.
49. The protection order hearing and the alleged breaching of the conditions of the interim order, were heard by the same magistrate on 12<sup>th</sup> May 2008. The outcome was:
  - The allegations of the breach of the conditions were proven to be false. Mary and her mother did not know that William was abroad on business and that his sports car, that they saw, was driven by a mechanic that serviced it.
  - Mary and her mother were charged with perjury and both received custodial sentences.
  - The application for a protection order was dismissed.
  - The magistrate found that the two lawyers were friends and corruptly kept the access and maintenance matters in the court. He ordered that the police should investigate the corruption.
  - Both lawyers ended up losing their licences and one ended serving time in prison.
  - The children were placed in foster care while a reunification process took place.

# Jurisprudence

1. The state responsibility under the European Convention of Human Rights (ECHR) goes beyond the traditional concept of responsibility and includes acts which are not directly inflicted by a public official but executed with their active or passive agreement or those occurred with their lack of intervention. This infers the notion of consent or acquiescence, which can give raise to state responsibility under article 1 of the ECHR.
2. The European Court of Human Right (ECtHR) has ruled that a state is in breach of the ECHR when it has neglected to implement measures to prevent acts of torture administered by non-state actors<sup>3</sup>. For example when a step-father was proven to have physically abused his child was acquitted by the jury who considered the punishment to be “reasonable chastisement”, the ECtHR disagreed and ruled that the state failed to provide adequate protection for the child.
3. The ECtHR has ruled, in *Opuz vs Turkey* that the state was responsible for the act of torture inflicted by a husband on his wife, because the state had knowledge of impermissible act but failed to prevent, prosecute and punish the suspect<sup>4</sup>.
4. The inter-American Court on Human Rights ruled in *Velesquez-Roderguez V Honduras*, that the state was responsible for the act of a private person through its failure of due-diligence to prevent the act of torture<sup>5</sup>. The state after being informed and by not acting to stop this abuse or preventing its continuance, the state are in breach of the UNCAT by failing to prevent, prosecute or punish or interfere in the impermissible act.
5. The UNCAT has also elaborated the concept of consent or acquiescence by public officials in *Dzemajl et al. vs Yugoslavia*<sup>6</sup> where law enforcement failed to prevent the destruction of Roma settlement. The lack of action constituted “acquiescence” in terms of article 16.
6. Numerous other examples are quoted in the ECtHR ruling in *Volodina v. Russia*<sup>7</sup> 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 paragraph 101 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.*

7. If the state does not have knowledge of the atrocities, the state can not be held responsible<sup>8</sup>.

<sup>3</sup> A v UK (25599/94) rep-1996-vi judgment of 23 Sept 1998, See also Z et al. V UK (2001).

<sup>4</sup> *Opuz Vs Turkey* (Application No. 33401/02), [2009] ECHR 879, 9 June 2009.

<sup>5</sup> *Velesquez-Roderguez Vs Honduras* (1982).

<sup>6</sup> *Hajrizi Dzemajl et al. v Yugoslavia*, No. 161/2000, 21 November 2002

<sup>7</sup> *Volodina v. Russia*, No. 41261/17, 9 July 2019, Final 04 November 2019

<sup>8</sup> IACtHR case *Gonzalez et.al (“cotton field”) vs Mexico*, 16 November 2009

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