

IN THE HIGH COURT OF JUSTICE
FAMILY DIVISION (PRINCIPAL REGISTRY)

CASE NO. FD13P00727

IN THE MATTER OF THE INHERENT JURISDICTION

AND IN THE MATTER OF A PURPORTED REPORTING RESTRICTIONS ORDER
AND AN APPLICATION TO DISCHARGE/VARY THE SAME

AND IN THE MATTER OF DOLLY HOUGHTON (BORN 17-6-2012)(MINOR)

B E T W E E N:-

CHANTELLE VIVIEN HOUGHTON

Applicant

AND

ALEX REID

Respondent

AND

MATTHEW GLYN O'CONNOR

Affected Person

**WITNESS STATEMENT OF MATTHEW GLYN O'CONNOR INCLUDING
APPLICATION TO DISCHARGE/VARY THE ORDER**

I, Matthew Glyn O'Connor, father and open justice and equal parenting campaigner make this Witness Statement in support of my Application made herein to discharge or vary the purported Reporting Restrictions Order made in Case No.FD13P00727 by Hon.Mr Justice Hayden on 25 September 2014 sitting in open court on the application of Chantelle Vivien Houghton.

1. For the avoidance of doubt this Witness Statement is not an evidential statement made as part of my defence to Ms Houghton's application against me for Committal issued on 21 February 2020 and of which I acknowledge personal service on 28 February 2020. It is not deployed in the Committal proceedings.

2. I refer to the Reporting Restrictions Order as "purported" because I have never seen or been served with a sealed High Court Order dated 25 September 2014 made by Mr Justice Hayden. Ms Houghton's Committal application papers included a copy of what appears to be a draft Reporting Restrictions Order copied from some Court bundle with bundle page numbers on it running from 88 to 94. I cannot be certain that Hayden J actually made an Order in the terms of this document on 25 September 2014: accordingly this Witness Statement with my Application herein are made on the uncertain premise that a sealed Order in identical terms does exist. Having been personally served with the document on 28 February 2020 it would seem that I may well be an "affected person" within its terms. I shall now refer to it as "the Order" as it does exist.

3. I hereby apply to Discharge, alternatively Vary, the Order. My reasons follows:

1. I rely on the fundamental principle of freedom of speech and Article 10 of the Human Rights Act; Freedom of expression.
2. The public cannot have any confidence in a justice system predicated on North Korean style secrecy, where miscarriages of justice go unreported and matters of public interest are censored.
3. Our family justice system is a "Devils Labyrinth". An inescapable Dickensian construct that is cruel, barbaric, dysfunctional and not fit for purpose. It is predicated on an abusive, adversarial system of justice that has turned warring parents into legalised cage fighters. Courts are for criminals, not families.
4. The courts have perversely reversed the fundamental presumption of innocence, and turned it into a fundamental presumption of guilt for applicant fathers who have to prove it is in their children's best interests to see them, when that burden of proof should be on the courts to prove it is not in the children's best interests for contact to take place.
5. Worst still, the governments unconscionable position that "a legal presumption to contact would be unhelpful" usurps the father's parental authority and responsibility for a child, making the state, via the court, the arbiter of what is in the "child's best interests"
6. It is a matter of fact that the family courts keep NO records on the outcomes for children who have been subject to these orders, and therefore the courts are "acting blind" with no empirical evidence to support their claim they are "acting in the child's best interests." Such a claim is misleading at best, and fraudulent at worst.
7. As a campaigner for open justice and equal parenting rights, I demand an open, transparent and accountable system of family justice - not prehistoric family courts, wedded to ridiculous, archaic Stone Age thinking about the roles of mothers and fathers in the 21st century.
8. Reporting Restriction Orders, aka "Gagging Orders", feed into a disturbing, Kafkaesque culture of concealment. They serve only to protect celebrity mothers from embarrassment. They conveniently airbrush out any reputational damage that might occur, ensuring that celebrity's income remains unaffected.

They do NOT protect the best interests of the children, or respect the long established principles of open justice.

9. The effect of Reporting Restriction Orders is not only to conceal from public view matters of serious public interest (and potential miscarriages of justice), but they set a dangerous precedent, allowing celebrity mothers to deny their children contact with their fathers in absolute secret, without transparency or accountability.
10. The use of such orders feeds into the public perception that the Family Courts not only institutionally discriminate against fathers, but suffer from what some have called "Mother Superior Syndrome", where the courts believe mothers should not only be the primary carers of children, but are "untouchables" beyond criticism, reproach or any sanction by the court, even when they break court orders.
11. This impression is reinforced by the fact that 97% of "live with" orders are given to mothers, meaning 97% of fathers are effectively deemed unfit to share in the care of their children.
12. Ms Houghton's claim is particularly nauseating given the shameless hypocrisy of her position. On one hand she plays the victim card, seeking the protection of the court to conceal the truth about Mr Reid being denied access to his daughter. On the other, she earns her income by selling pictures of her daughter to the media (and paparazzi agencies like FameFlynet.uk.com) along with stories about herself. It is my position that Ms Houghton wants her cake, and to eat it too. If she wants a private life, Ms Houghton should keep her life private.
13. Worst still it is Ms Houghton herself (not myself, or Mr Reid) who placed a misleading story in the media leading to these current proceedings. In an article in the Daily Mail dated 28/1/20, Ms Houghton "begs the actor Laurence Fox for a date" (ironically another father who had child access issues). The article states; "Chantelle raises daughter, aged 7, with her ex-boyfriend Alex Reid..." You can read the online article here:
<https://www.dailymail.co.uk/tvshowbiz/article-7937913/Chantelle-Houghton-agrees-Laurence-Foxs-comments-young-people-woke.html>
14. This claim is false. The court should note that it appears that at no time has Ms Houghton sought to correct this misleading impression - or ask the Daily Mail to

correct the online story - which is in my experience is quick and straightforward to do.

15. One can only arrive at the conclusion therefore, that this is the impression Ms Houghton deliberately sought to create as she embarks on "relaunching" her career, something she has publicly stated.
16. The chilling effect of the Reporting Restriction Order not only denies Mr Reid a right to reply to the reply to this claim, it prevents open justice campaign groups like Fathers4Justice exposing matters such as extreme Parental Alienation which is a feature of this case.
17. Should the court question my role in open justice cases, I refer the court to R (O'Connor) v Aldershot Magistrates' Court (2016) EWHC 2792 (Admin) where I owe a great debt of gratitude to the outstanding work of Dr Michael Pelling. See: <https://ukhumanrightsblog.com/2017/02/08/fathers4-access2-justice-administrative-court-ruling-on-the-publics-right-to-attend-court-hearings-and-the-court-services-limited-powers-of-control-chris-adamson/>
18. Unless we highlight these miscarriages of justice, then they will continue to fester and multiply like a virus in the darkest corners of our justice system. As Jeremy Bentham said, "Publicity is the very soul of justice. . . . It keeps the judge himself, while trying, under trial." There can be no greater disinfectant of injustice than that of the direct sunlight I wish to shine on the family justice system.
19. This is a paradigm case. In this instance there is a case of a child cruelly separated from their father and her paternal grandfather, who tragically died in December 2015, and whose paternal grandmother is currently dying in hospital from Alzheimer's disease. The child herself has not only been robbed of half her family, she been subject to the most abusive form of extreme Parental Alienation, where as I understand it, a medical expert has stated that if the child does not see the father it will cause her "serious emotional harm." Any reasonable person must ask why it is necessary to inflict such cruelty on the child's own flesh and blood, and what repercussions there will be in her later life.
20. If these facts were public knowledge, there would be outrage and an insatiable demand for the family courts to be opened up to public scrutiny, accountability and unfettered transparency. That is the very least each of us should demand of a justice system in a so-called, modern, progressive democracy.

21. Addressing the feature of Parental Alienation (PA) in this case, I will say this briefly. This IS a matter of serious public interest. Fathers4Justice will be taking our "Choose Love Not Hate" PA campaign for #ArchiesLaw to Buckingham Palace this Father's Day for an overnight, candlelit vigil. In 2017, Anthony Douglas, former Chief Executive of the Children and Family Court Advisory and Support Service (CAFCASS), said Parental Alienation was a feature in 80 per cent of the most difficult cases that come before the courts.
22. On 25th May 2019 Parental Alienation was accepted by The World Health Organisation within its classification of health conditions, coming into effect on 1st January 2022. In Ireland, 12 County Councils have recently passed motions to recognise Parental Alienation as a form of Psychological & Emotional Abuse.
23. It is generally accepted that PA is incubated in the family justice system and affects children who display an irrational dislike or hatred of the parent they have been separated from, normally caused as a result of the alienating conduct of the resident parent.
24. I understand my duty as a responsible citizen is to give voice to the voiceless and protect the weak and the vulnerable. There can be nothing more serious than the abuse of a child, and each of us - including Judges - have a public duty to not only protect children from abuse, but to call it out where we see it. Anything less than this, would make us complicit in the abuse of a child.
25. Worst still, many believe the secrecy of the court system is there to protect the reputation of the family courts and save them and the judiciary from accountability and scrutiny.
26. If the courts were concerned publicity would be against the best interests of the child - and there is no evidence to support this (not least as stories about young children regularly feature in the media), the courts could anonymise the child's name. However, the anonymity principle was introduced in the Administration of Justice Act 1960 to protect the identities of parents, not children. During the tenure of the former President of the Family Division, Dame Elizabeth Butler-Sloss, she introduced a rubber-stamp system of anonymity to prevent identification of children to "prevent the child being caused embarrassment and being talked about." She did not explain why children subject to family proceedings would be given this "protection", and

children of famous parents, or whose parents appeared in the media for often negative reasons, were not.

27. Ms Houghton's attempt to enforce this Reporting Restriction Order is another example of the double-standards at play. Mothers break court orders with impunity every day in the family courts for parenting time between children and fathers, yet sanctions are rarely - if ever - brought against them. Just 1.2% of the 4,654 enforcement applications made to court in 2015 were successful. (MOJ 2017).

28. The fact that the courts do not enforce their own orders for contact between children and fathers makes a mockery of our justice system, yet when mummy doesn't send Johnny to school she WILL be prosecuted. In 2016, 20,000 parents were prosecuted for pupil absences, and many were jailed.

29. Yet here I am, a civil rights campaigner, dragged before a court, accused of causing a z-list celebrity embarrassment, and facing committal to prison. I am deeply shocked and saddened that after 20 years campaigning, the law and justice remain diametrically at odds with each other, and that a generation of children have cruelly been made fatherless in courts that tragically end up clearing up the detritus of their catastrophic errors, 10-20 years later.

30. The poet Philip Larkin wrote, "They fuck you up, your mum and dad." Now the same can be said of the family courts. They truly reap what they sow.

30. In accordance with the *Family Procedure Rules 2010* Practice Direction 12I and the *President's Guidance As To Reporting In The Family Courts*, 3 October 2019, Paragraphs 6 & 8 I have given notice to the Press Association by serving this Statement upon the Association on **5 March 2020** with indication that there may be a hearing of my Application on 6 March 2020 at the Royal Courts of Justice.

I believe that the facts stated in this Witness Statement are true.

DATED 5 MARCH 2020 and SIGNED:

MATTHEW GLYN O'CONNOR
