



In The Supreme Court of Bermuda

DIVORCE JURISDICTION

2022: No. 14

BETWEEN:

L

Mother

- v -

L

Father

Before:

Justice Nicole Stoneham

Appearances:

Georgia Marshall, Marshall Diel & Myers Limited -

Attorneys for the Mother

Honor Desmond-Tetlow, Carey Olsen (Bermuda) Limited -

Attorneys for the Father

Date of Hearing:

June 21, 22, 27, July 10, 11, 12 & September 14, 2023

Date of Oral Decision:

20 November 2023

Date draft Written Reasons circulated:

29 February 2024

Date of Written Reasons:

10 April 2024

REASONS

Care and control quantum of time & description

STONEHAM J:

Introduction

1. This case concerns two very young children (collectively ‘the Children’ or individually ‘D’ and ‘B’), whose parents are in emotional distress post-divorce. Undoubtedly, such high stress is seldom easy to manage particularly when there are children involved.
2. D and B’s parents started dating some twenty-two (22) years ago, whilst in university. Upon each successfully graduating, their Mother and Father married. At some point they moved to Bermuda, where each secured fulltime employment commensurate with their higher education and professional qualifications within Bermuda’s finance services industry. Sadly, after 14 years of marriage, their parents separated.
3. Thereabouts, each parent retained the two most experienced and skilled attorneys within the field of Matrimonial and Family law in Bermuda. Advised and guided by these most esteemed legal professionals, the parties admirably managed to put aside their emotions and readily established common ground in prioritising the welfare of D and B; namely upon the grant of Decree Nisi on 29 April 2022, their Mother and Father agreed to an order for ‘Joint Custody’. Clearly at this point, their Father and Mother respected one another’s equal legal authority to make decisions in their children’s’ best interest and trusted one another’s parenting capabilities to do so. The issue of the children’s ‘Care and Control’, by agreement, was adjourned to chambers.
4. By Summons dated 25 April 2022, the Children’s Father (**‘the Father’**) invited this court to grant an order jointly with their Mother for care and control of the two children.

B. Procedural Summary

Date:	Fact:
2022	
May	6 May 2022 - By Consent Order the parties agree directions including that the Department of Child & Family Services shall prepare a report on the competing applications of the Mother and Father, with the Mother seeking an Order for sole care & control, and the Father seeking an Order for joint care & control. Mention Thursday 14 July 2022
June	1 June 2022 - Mother files her First Affidavit & supporting exhibit
	2 June - Counsel on behalf of Father seeks an Order granting him interim access to children including one overnight access. Parties agree Father's interim access Father's Counsel confirms for the record that he has no issue with the Mother seeking sole care & control of the children during the substantive hearing.
	14 June 2022 - Notice of Application for Decree Nisi to be made Absolute
	15 June 2022 - Second Affidavit of Father dated & supporting exhibit filed
	24 June 2022 - Certificate of Making Decree Nisi Absolute dated
	30 June 2022 - Second Affidavit of Mother dated & supporting exhibit is filed
July	13 July - By letter dated the Court Social Work Office requests extension of time to complete the ordered SIR. The Court Social Worker confirms that all parties have been interviewed and supporting documents received.
	20 July - Social Inquiry Report dated & filed (20 Pages)
August	4 August - By letter to the Registrar, Counsel on behalf of the Father confirms that the parties agree that the matter be adjourned <i>sine die</i> , with liberty to restore by letter, pending the submission of a Consent Order.
October	28 October - By letter dated addressed to Registrar, Counsel on behalf of the Father requests that the Father's application for joint care and control be restored to the list for mention at the earliest opportunity.
	31 October - By email Supreme Court Administrative Assistant (SRS) requests counsel on behalf of the Father and Mother to confirm availability for Mention before the Judge on either Thursday 10 November or Thursday 1 December 2022.
	31 October - By reply email Counsel on behalf of the Mother confirms availability on 1 December 20202 as she will be off island between 9 October - 15 October.

	31 October - Notice of Hearing in Chambers sets matter down for Mention on Thursday 1 December 2022
November	28 November - Father's Summons seeking an Order: - confirming liberty to travel to the USA with the children of the family during the period December 26, 2022 through January 4, 2023, and that the Mother delivers up the children's passports for that purpose
December	8 December - Third Affidavit of Father & Exhibit "RSL-3" sworn & filed.
	22 December - Consent Order agreeing directions for the substantive hearing including, <i>inter alia</i> , the filing of further affidavits, availability of Counsel & the listing of the matter for two-day hearing & Mention 19 January 2023. In addition, it was further agreed that: - - the Father shall have the children from Boxing Day, 26 December 2022 returning the children to the Mother on 8 January 2023 (13 days) and - the Father shall be at liberty to travel abroad with the children during the period 26 December 2022 to 4 January 2023 (8 nights)
2023	
January	6 January 2023 - Third Affidavit of Mother & Exhibit "SJL-3" sworn & filed
	Counsel for parties agree to delist the mention date of 19 January and relisted for 26 January 2023
February	2 February - Counsel for the Father by letter addressed to the Registrar, advises that a Consent Order will follow
	24 February - Counsel for the Father by letter addressed to the Registrar confirms listing the week commencing 19 June 2023
March	2 March 2023 - Consent Order (Directions) the parties agree, <i>inter alia</i> , that: - No further Affidavits will be filed, and that Counsel and the parties shall provide dates on which they will be available, which dates will be communicated to the Court by Counsel for the Father.

	8 March 2023 - By Notice of Hearing the matter is listed for hearing 21 & 22 June 2023
June	20 June 2023 - Mother's Summons seeking an Order, inter alia for sole care and control of the children

5. By Consent Order dated 2 March 2023 the Mother and Father agreed that the sole issue for this court's determination is the division of joint care between the parties; namely (a) quantum of time that each parent shall have care of the children and (b) how such care shall be implemented.
6. By letter addressed to the Registrar dated 20 June 2023, one day prior to the listed hearing of the Father's summons, Counsel on behalf of the Mother, expressed: -

"Following receipt of the Social Inquiry Report dated 2nd July 2022, our client was prepared to agree a joint care and control arrangement on the basis of the division of care as set out in the Social Inquiry Report's recommendations.

In light of the Respondent's {father} refusal to agree with this proposal, our client wishes the Court to consider her original position seeking sole care and control of the children of the family ...with defined access to the father. We are filing this Application out of an abundance of caution as clearly the Court has power to make such Order as it deems fit as the issue of care and control was adjourned to Chambers".

C. Issues for determination By the Court

7. The issues for determination are: -
 - a. Whether the Mother should be granted sole care and control of the children;
 - b. If not, then the quantum of time each parent shall have care of the children, and
 - c. How such time shall be described and implemented.

D. The Hearing

8. In a nutshell, the Father's position during the hearing was that post-divorce he desired to spend the maximum amount of time with his children. However, his requests to do, were denied by the Mother his requests, *inter alia*, to: -
 - i) Maintain the status quo of driving the children to school each day.

- ii) Have overnight access with the children.
- iii) Travel to the USA with the children to attend their paternal cousin's graduation.
- iv) Attend a paternal family reunion hosted in Bermuda with the Children.

9. The Father contended that in keeping with the recommendations of the Social Inquiry Report he wished to share time jointly with the Mother bearing in mind communication difficulties between him and the Mother.

10. The Mother accepted throughout that the Father loves the children. Her refusals to accede to the Father's requests for more time with the children after his departure from the former matrimonial home focused on several concerns that she had regarding the Father. These concerns, which also formed the basis of her sole care and control application, included: -

- (i) the Father's failure to communicate exactly where he was residing upon moving out of the matrimonial home.
- (ii) She did not believe it appropriate for the children to stay overnight with their Father given concern (i) above, the children's ages and concerns below.
- (iii) The Father's methods of disciplining the children.
- (iv) His consumption of wine during the marriage.
- (v) The Father's coaching schedule directly impacting his supervision of 'B'.
- (vi) The Father's strained relationship with her father (the children's maternal grandfather) since the breakdown of their marriage.
- (vii) The Father's "*passive aggressive*" behaviour makes it impossible to communicate with him.

11. The Father, the Mother and Ms. Talbot, the Court Social Worker ('CSW') who prepared the Social Inquiry Report, were each subjected to very thorough and grueling cross-examination. Given that the CSW's employment contract with the Court Social Workers' Office concluded within the week of the hearing and her plan to relocate from Bermuda was scheduled 48 hours thereafter, Counsel on behalf of the Father and Mother agreed that her evidence should be heard directly after hearing the Father's evidence. As a result, the CSW did not have the opportunity to hear the Mother's oral

evidence prior to her cross-examination.

12. Final submissions of Counsel were delivered on September 14th 2022. The Court is most grateful to Mrs. Desmond-Tetlow, on behalf of the Father and Mrs. Marshall, on behalf of the Mother, for drawing my attention to decided cases including: -

T.A. v D.A. Divorce Jurisdiction (2019) SC (Bda) 40 Div (12 July 2019)

Re K (a child) (shared residence order) (2008) EWCA Civ 526

A Father v A Mother (2023) EWFC 54:

13. Judgment was reserved on 14 September 2023.

E. The Decision

14. Due to prolonged medical leave overseas with my elderly mother and my subsequent unforeseen health issues arising, my *ex tempore* decision was communicated via email on to Ms. Edness, Court Administrator.
15. That decision intended to represent a final resolution of the Father and Mother's acrimony regarding their children was communicated via email from Ms. Edness, Court Administrator dated 20 November 2023 at 11:32 to Mrs. Tetlow and Mrs. Marshall as follows: -

"I have considered all the evidence including submissions of counsel and have determined that is in the best interests of these children to be in the joint care and control of their parents on a week on week off basis.

The children shall be collected each Friday immediately after school/camp (or such other place agreed between the parties) and remain in the care of that parent until the following Friday, returning the children to school/camp prepared for the day.

In the event of travel of overseas, the parent with care and control must provide the other parent the first option to care for the children.

The Parties shall continue individual therapeutic services as recommended in the SIR. The children shall remain engaged in their therapeutic services in accordance with the recommendations of their therapist.

For the avoidance of doubt the Parties shall alternate public holidays on terms agreed between them.

Each party shall have reasonable telephone and such other electronic access to the children, when in the other parent's care.

It is hoped that these young children will be able to enjoy the mutual love, support and physical presence of both parties on their respective birthdays, religious them celebrations [if any, school events and such other occasions that arrive arise involving the development of the children. Each party shall bear their own costs.

My written reasons for this decision will be my first priority upon the return to office.”

F. Reasons for the Decision

The Law

16. The Matrimonial Causes Act 1974 grants the Court jurisdiction and broad powers to determine applications concerning children. When determining any dispute concerning the care and control of children; that is their day-to-day care, the Court’s paramount consideration is always the welfare of the children (individually and collectively), and not simply the wishes of their parents.
17. When determining such disputes regards the arrangements of children upon the breakdown of their parent’s marriage or relationship, there is no presumption that the starting point is equality of time between parents. It is now clear that a child’s time does not have to be divided equally i.e. 50/50 for the court to grant a joint/shared Care and Control order. Every case will be decided on its own facts.
18. Moreover, there is no presumption in favour of recommendations contained in an ordered Social Inquiry Report. The Court will always apply what is commonly referred to as the ‘welfare checklist’ on its consideration of the evidence, whilst recognizing that both Father’s and Mother’s play critical roles in the development of their children notwithstanding with whom the children live.
19. Regards the manner in which the court should approach these parents competing applications, the Court accepted Mrs. Marshall’s submission, guided by the UK Family Court decision in *A Father v A Mother [2023] EWFC 54*, handed down on 23rd March 2023, which followed the guidance provided in the UK Court of Appeal decision in *Re K (a child) (shared residence Order) 2008 EWCA Civ 526*, that is: -
 - i) Firstly, the Court should determine how much time the children should spend with each

parent bearing in mind the best interest of the child, and

ii) Secondly, the Court should determine how best to describe the arrangement.

20. Indeed, the Court agreed that any such arrangement determined by the Court should be described as:-

- a sole care and control order to one parent with access to the non-care and control parent,
- a joint care and control order with unequal care by each parent, or
- a joint care and control order with equal time to equal parent,

21. In arriving at its decision, the Court gleaned additional guidance from the UK High Court of Justice Family Division decision in *The Father v The Mother* [2023] EWHC 1454 (Fam), handed down on 6 June 2023. Neither Counsel for the Father nor the Mother cited this guidance during legal submissions. In this UK case, Justice Lieven confirmed: -

“...it is important that advocates, particularly in private law cases, keep closely in mind the exhortations of the Court of Appeal in Kv K [2022] EWCA Civ 468. The Court is not there to consider what went wrong in the parents' relationship (limited or extensive) in the past, save strictly to the degree it impacts on the decision concerning the child in the future. Equally, cross examination about past failings [by both parents] is very unlikely to aid better future relations in the best interests of the child. If the family justice system is to have the slightest chance of dealing with cases in a timely and productive manner and to assist families in decision making concerning their children, then we all have to focus on the real issues and try to adopt a problem-solving approach rather than a largely adversarial one”. **Emphasis added.**

22. Indeed, this problem-solving approach (instead of the traditional adversarial approach) to ‘family justice’ was long ago recognized as the approach to achieve the best interests of children, who are the subject of court proceeding in Bermuda. Such was the recommendation of the Family Law Reform Sub-Committee in 2009 (of which Mrs. Marshall, Counsel on behalf of the Mother, was contributor) to the then Hon, Mr. Justice Ian C. Kawaley, Chairman of the Law Reform Committee.

G. Credibility

23. The Court knows all too well that divorce is one of the most emotionally painful and stressful life events. Parenting amid such stress is not easy.

24. Moreover, the Court recognizes that no parent is perfect in all aspects of childcare. Every parent will

have parenting strengths and weaknesses. Parenting skills are tested by the demands of our children, as innocent as they might be, and simultaneously exasperated by career/employment obligations.

25. In such circumstances, the Court carefully listened to and observed the Father and Mother during their evidence within the windowless 1 Oft x 1 Oft hearing chamber room. A level of tension and emotional distress manifested in their tone and demeanour. There was no doubt in my mind whatsoever that these parents loved their children and each strongly desired to continue their parental roles and responsibilities notwithstanding the breakdown of their marriage and identified parental weaknesses.
26. Each projected equal focus and capability of making decisions on all matters concerning the best interests of 'D' and 'B'. Indeed, the parties' ability to agree custody of the children confirmed to this court, their mutual respect for one another's legal right and ability to make equally responsible decisions in matters related to the children's education, medical treatment, religious upbringing and general welfare. Indeed, they demonstrated, quite sensibly in my opinion, this shared legal right on engaging appropriate therapeutic services for the children considering the Social Inquiry Report's confirmed finding that the breakdown of the marriage has had an emotional impact on both 'D' and 'B'. I therefore find that both Mother and Father are honestly committed to the supporting the children's wellbeing.
27. Nevertheless, I find that the Mother's evidence was fixated on specific memories of the Father's responses to the children's behaviours during the marriage - in the past. Consequently, there is no need to rehash it. Notwithstanding her criticisms regarding the Father's disciplinary style during the marriage, she was truthful in that she never attempted to shrink from complicity. She admitted that during the marriage she did not oppose the "Red light/Green light" disciplinary lighting system installed in the children's bedroom to signal when the children could and could not get out of bed. The Mother also accepted that she would often say to the children "*I'm going to get daddy*". She readily agreed that the dynamic in the marriage was that the Father was the disciplinarian and that her role was less disciplined. The Court rejects Mrs. Marshall's submission that the Father's style during the marriage was "tantamount to abuse".

28. Similarly, the Mother readily accepted that the Father had not spanked the children since leaving the matrimonial home in November 2021. She freely expressed her appreciation that since leaving the marriage, the Father sought out a therapist to not only support him in unpacking the aftermath of the breakdown of the marriage but also assist with improving his parenting skills.
29. I have no doubt that the Mother is a good parent. In fact, the Father confirmed that she was a good Mother and so too did the CSW. However, the Court understands the overwhelming sense of betrayal that the Mother experienced; the Mother's evidence throughout was that she wanted to save the marriage. In the circumstance, the Court is empathetic to the crushing pain of shattered dreams. The visceral fears experienced on the immediate aftermath of the breakdown of any marriage, especially when children are involved, are devastating. I have no doubt that such fears were driving the Mother's position in these proceedings. Consequently, the Court attached little weight to much of the Mother's evidence where she recalled various occasions after their separation that the Father's care of the children during his time with them, did not meet her standards.
30. The Father appeared resolute in his desire to spend maximum time with the children. I find he was rightly focused throughout these proceedings on the future care arrangements of the children. I have no doubt that the Father regretted not exercising the access, albeit restricted access following his departure from the matrimonial home, a departure dramatically and chillingly described by Mrs. Marshall as "*without a glance backward*" including, the access offered in or about September 2022 and for three (3) months thereafter. His extraordinary composure during Mrs. Marshall's brutal cross-examination, I find, demonstrated the Father's true measure; a Father properly focused on the best interests of his children. The Court is satisfied that the Father has maturely taken full responsibility for his decision to leave the marriage and for its impact on the children. The Court is satisfied that his engagement of therapeutic services after leaving the marriage, which reportedly continued as at the hearing, will provide the Father with the necessary support and skill to develop appropriate responses to the children's behaviour.
31. If, the Mother's contention that the Father had an issue with managing his anger response, were true, the Court has no doubt whatsoever that Mrs. Marshall's cross-examination style would have sent

him, as we say in Bermuda, “right off”.

32. The Court agreed with the Mother’s evidence regards occasions, including the pool incident, and the incident where the Father’s toe was jammed/stubbed in the door inadvertently by one of the children, when the Father’s reactions were not appropriate and frightening for the relevant child. However, the Court is satisfied on the evidence that the Father wishes his reactions to the children’s behaviours were himself better but I find that he too was honest in his evidence. His parental decisions post-divorce to spend time with ‘B’ and care for her even though she was running a fever did not make a, in my opinion, “*dogged determination to get ‘his time ’ with the children irrespective of the wellbeing of the children*”, as argued by Counsel for the Mother. He is steadfast to continue his parental role as he rightly should, I find.
33. The Court attaches much weight to the CSW’s evidence that the children are safe both in the care of the Father and Mother. I have no doubt that this is true.

H. The Mother’s Approach to Litigation

34. Before addressing the CSW’s analysis of how much time should the children spend with each parent, the Court must address the very troubling approach adopted by Counsel on behalf of the Mother in these proceedings. Too much court time was expended cross-examining the Father on past events, events as far back as his childhood exposure to parental chastisement. Such a deep dive into the Father’s childhood did not assist the Court’s determination of how much time would be in the children’s best interest to spend with each parent moving forward post-divorce.
35. Nor did Mrs. Marshall’s cross examination of the Father on his spousal characteristics, including criticism made of the Mother in his First Affidavit, where he contended that she prioritized her professional career, care of the children and housework above marital relations throughout the marriage. Whilst such criticisms of the Mother were entirely unfair, such evidence did not advance the issues to be determined by this court.
36. Parental fault-based approaches to proceedings concerning children have no place in modern-day resolution of parental disputes. Such evidence is not only irrelevant to the issues but detrimental to

future co-parenting. Consequently, the Court attributed no weight to such evidence of either parent. Similarly, evidence regards without prejudice correspondence concerning agreements made upon receipt of the filing of the Social Inquiry Report, are all matters of the past. The Court is not bound by such correspondence.

I. How much time should the children spend with each parent?

44. The CSW's analysis of all information gathered, included interviews with the children's maternal and paternal grandparents and their play therapist. The CSW's recommendation that followed this analysis was expressed on page 19 and 20 of the Social Inquiry Report, as follows:
1. *{Mother} and {father} should share joint care and control of the minor children.*
 2. *{father} is to have defined access to the children as follows:*
 - a. *Wednesday and Friday off school/ camp weekly until 7:00 PM*
 - b. *If the Wednesday or Friday transition occurs during a public holiday, the receiving parent is to collect the children from the other parent's residence, unless otherwise agreed upon.*
 - c. *Alternating overnight weekend access with collection from after-school/camp on Fridays and returning to {mother's} residence on Sundays by 6:00 PM*
 3. *{Father} is to have liberal access to {the children} as mutually agreed upon. A request for additional access should be made no less than 24 hours before the requested access period. These requests should be allowed within reason.*
 4. *{Mother} and {father} are to alternate holiday access with the children. Unless otherwise agreed upon.*
 5. *{Father} and {mother} should continue to engage in their individual therapeutic services.*
 6. *{The children} should remain engaged in therapeutic services unless otherwise recommended by their therapist. "*
45. When asked by Counsel on behalf of the Father, whether she agreed that "joint care and control?" encouraged equal parental duties/responsibilities, the CSW replied "Yes". Asked whether it encouraged children to develop their relationship with their parents, the CSW replied "Yes". When asked what the driving force behind the time the children should spend with the Father, the CSW confirmed that it was "*the voice of the children*". When questioned whether the 'D' and 'B' each said that they wanted "*equal time*", she confirmed "yes".
46. Whilst "*the voice of the children*" (referred to as the ascertainable wishes and feelings of children) is but one factor (contained in the 'welfare checklist' applied by the Court in disputes involving children) that the Court must have regard, it is well established that children under the 10 years of age neither possess the capacity to fully understand the circumstances of their warring parents nor

have any appreciation of the impact of how much time they wish to spend with mommy and/or daddy. Consequently, the Court did not attach too much weight to these reported wishes of ‘B’ and ‘D’ in reaching its decision. However, it is evident that these children love their Father and enjoy being in his care.

47. Asked to explain the term “*joint care and control*”, the CSW expressed that the term “*joint care and control*” expressed in her recommendation was intended to mean that when the Father had “access” to the children they would be in his “care and control” for that period of time and “nothing more”. This expressed intention of the CSW is simply incorrect with the practice in this jurisdiction regards “access”. Access in Bermuda does not mean “live with”. Access to children in Bermuda means leisure visits and nothing more.

48. Unsurprisingly, Mrs. Marshall’s submitted that the use of the term “*joint care and control*” by the CSW in paragraph 1 of the recommendation was a misnomer. The Court rejects this. The Court finds that the CSW analysis within the Social Inquiry Report supported the Father’s position of shared care responsibilities of the children, specifically when she expressed that:-

- “*The parties have equally cared for the children throughout the years, and they have been equally involved in all decisions related to the care and well-being of the children*”
- “*Both D and B” who are familiar with a father that has been present and hands-on daily since their birth, {and} now only get to see him for a couple of hours a few days of the week ...they have expressed to both parties, this writer, and their therapist, Mrs. Shaya-King, wanting to spend more time with their dad and wanting to be allowed to spend the night. ...Mrs. Shay- King noted the close bond and relationship the children have with their father and remarked that it is great that the children are seeing their father and hoped for the time frame to be extended. In observing the children in both {the father's} and {the mother's} care, it is clear they are securely attached to their parents. While the separation of their parents has been extremely difficult for them what has caused the most distress to them is their inability to share equal time with their parents”.*

49. The Court accepts that this thoroughly reasoned analysis conducted (whilst not under intense combative cross-examination style of Mrs. Marshall on the eve of personal and professional obligations to be completed within hours prior to relocating overseas) properly reflects the true circumstances of these children. I have no doubt that Mrs. Marshall rattled the CSW during her evidence.

50. The Court therefore is satisfied on the evidence before it that these children during the marriage of their parents had the opportunity to witness and experience a Mother and Father not confined by traditional and or gendered parental roles; Mother and Father were equal when it came to their parental responsibilities. There is no evidence before the Court that such an arrangement is not in the best interests of the children post-divorce moving forward.
51. Moreover, the Court is satisfied and therefore finds that the use of the word “equal” as expressed by the CSW’s analysis meant just that - its ordinary meaning i.e. 50/50.
52. Both Mother and Father are young, in good health, highly educated and have economic security in that they are both employed qualified professionals in the financial services industry in Bermuda. The Father has engaged a therapist to provide support moving forward. The Court is satisfied that each parent can meet the financial, emotional, and educational needs of both ‘D’ and ‘B’. Notwithstanding the Mother’s grave concerns including the Father’s current living arrangement consisting of a one-bedroom apartment, the CSW was satisfied, and the Court therefore finds that the Father’s housing is adequate to meet the children’s housing need and that there are no child safeguarding concerns in the Father’s home.
53. Consequently, the Court is satisfied that in these circumstances it is in the children’s best interest to spend equal time in their Mother and Father’s care.

How should such arrangement be described?

54. Such a care arrangement in these circumstances shall be described as a joint care and control order to be implemented on a week on/ week off basis.

Conclusion:

55. The Court concurs inter alia with the submission of Counsel on behalf of the Father that "it is to be hoped that in time, he can repair the relationship with their Mother for the sake of their welfare".
56. Both ‘D’ and ‘B’ have suffered in the short term.

57. Mrs. Tetlow's presentation of the Father's position is welcomed by this court. The Court concurs with her; *"after counsel for both parties cease to be involved, the mother and father in this case will need to continue to deal with each other and their children so that {B} and {D} can continue to thrive in their care. The parents will attend class presentations, sports days, graduations, family events and maybe in the fullness of time, engagements and weddings"*. It is hoped that in time, this Mother and Father will repair their parental relationship for the sake of the long-term welfare of the children.

Dated the 10th day of April 2024

