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Legal Kids



Welcome. My name is Clayton Giles. I am fourteen years old. I started Legal Kids to give children of divorce, like myself, a place to interact. Here you have the opportunity to share your story with other kids who are in similar circumstances.

Kids seldom have any control of their lives when their parents divorce. To the courts we are nothing but property to be awarded to the parent who the court favours. The parents get the courts to favour them by spending large sums of money on lawyers and psychologists just at the time when this money is needed to support a family which now has two households and double the expenses. In the end the lawyers get the money that our parents could have spent on our family.

At the same time as I started this website, I started a hunger strike. My goal is to make the courts aware that kids are human, not property, and that we deserve to be heard at the same time as our parents. This means that what is good for our parents is not automatically good for us. It means that we want a say in what happens to us when our family breaks up.

In the end this is all about money. Divorce court is a multi-million dollar industry that feeds off the misery of our broken families. The lawyer's claim that all children are incapable of making rational decisions about where they should live after their family breaks up. This way the lawyers get to make lots of expensive court applications and have expensive trials where they argue over what the children want. They could avoid the expensive applications and trials by letting us say what we want but then they would not make any money off our parents. But just because some kids can't explain why they want something, doesn't mean that they don't know what they want. We want to be heard.

Please click on the links to the left to read about how my life has been within the court system. Each day I will update the Hunger Strike Journal. I am interested in your stories as well. Eventually I hope that this website will get kids organized well enough to affect how the courts listen to us.

Please sign your name when you leave a message in the guest book. I would like to be fair to everyone who has a legitimate comment and is willing to stand behind it. If you do not sign your name in the guest book your entry cannot be considered legitimate and unfortunately may be deleted. Offensive entries will definitely be deleted. Thank-you for your contributions.

The Hunger Strike Journal will be updated two or three times every day.

This web site went online at 4:00 p.m. MST, January 8, 2001



E-MAIL

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My Story

I was born on December 21, 1986, in Calgary, Alberta. I'm fourteen years old. By the time I was four years old my parents had separated. They were officially divorced on April 10, 1992.

I spent the first four years of my life living on an acreage. We had a nice house and lots of animals. Four dogs, three horses, three donkeys, and two goats. We had a big yard which my dad cut with a riding mower. When I was old enough to walk I would see him cutting the grass and toddle out to him. Dad would pick me up, put ear protectors on my head to protect my hearing, and I would ride on his lap while we cut the grass. I usually fell asleep in his arms and he would keep on cutting. Other times we would go exploring or planting trees. We had a great time together.

The acreage was sold when my father separated from my mother. Dad moved to Vancouver Island in February, 1990. He would come back to Calgary once or twice a month to see me and my sister Lindsay who is now 12. Sometimes Lindsay and I would go out to the Island.

Dad moved back to Calgary in April 1991 because he did not like seeing us for only a few days a month. Right from the start my mother made it difficult for us to see him. It was quite clear to me, even at that young age, that she was using us to get back at him for leaving her. I would hear her on the telephone talking to her friends or her lawyer always putting Dad down. We would see Dad on the street and she would drag us past him so we couldn't stop and talk or get a hug and a kiss. And she had her rules. There were rules about access, rules about telephone calls, rules about what we could say. She said these rules were for our own good but if that was true, then why didn't they apply to everyone instead of just Dad. All her relatives could telephone us when ever they wanted so why not Dad?

In January 1992, we began seeing Dad every day. My mother would drop us off at his house on her way to work and pick us up around 5 or 6 o'clock. This was a wonderful time for Lindsay and me. We each had a friend who would come over right after school every day and we would play until my mother picked us up. We would run around the house playing tag and yelling and screaming and Dad never told us to be quiet. He said the sound of children laughing was "like having music playing." When we went to one of our friend's houses, we would get kicked outside after about ten minutes because of the noise so back we would go to Dad's house and make all the noise we wanted.

On February 18, 1993, that all came to an end. My mother complained to the court that Dad harassed her when she came to pick us up. Now I was there all the time and Dad barely spoke to her so I still wonder where the harassment was. Well this smart judge (E.A. Hutchinson) gave my mother sole custody and he decided it would be better if we went to daycare instead of being cared for by Dad ([see the order](#)). From then on we got to see Dad every other weekend and half of all holidays. Daycare sucked compared to what we were used to. That judge was stupid and ignorant but the worst part is he is probably still out there sticking it to kids.

The amount of time we got to see Dad was never enough for Lindsay and me. We were always asking my mother to let us see the both of them on a week on, week off basis. She would never agree. But at least we had some time with Dad. He had us from Friday night until Monday morning every other weekend. The judge's order said he could pick us up between 5 and 6 p.m. on Friday. He was always there exactly at 5 p.m. and I was always ready to leave at 10 to 5. I would be standing by the front door with my shoes tied and my coat buttoned. When he pulled up outside I would run down the walk and jump into his arms.

One day my mother would not let me out to see Dad. He stood out on the sidewalk and I stood inside the door waiting anxiously. When she finally said I could go she explained that Dad was too early. It was 2 minutes to 5.

At that time Dad lived in an apartment building which had a swimming pool. The three of us went swimming every day. I would see other kids there and they would be playing in the pool alone while their parents sat on a bench and read a book. Never Dad. He was always in there with us. We had a small football which we used to have games with or we would wrestle or play keep away. We had a 7' inflatable dragon we called Spike. But Spike was always getting punctured and having to be replaced so he became Spike Junior and then Spike the 3rd and so on.

All this came to an end on March 3, 1995. My mother made an application in Court of Queen's Bench before Justice M.B. O'Byrne demanding that Lindsay and my access to Dad be stopped. She claimed that Dad had not paid court costs awarded to her. She also claimed Dad did various things to her which upset her and therefore he did "not merit access to the children." She never claimed we were mistreated or that we were compromised in any way by our father because we weren't. In fact I think she knew that he was a better parent than her.

Dad was always reasonable. He would discuss everything we wanted to discuss. He was concerned about what we did and thought, and whether we were happy or sad. His only rules were that we respect each other and treat everyone equally. On the other hand my mother would never discuss anything. She made up rule after rule and when she ran out of rules we complied with, she'd make up some more. Her moral values varied according to who she was dealing with. I have no respect for my mother but I respect my father greatly.

O'Byrne was an idiot. There were two psychologist's reports saying how deeply attached I was to my father. There was expert trial testimony saying it would be harmful to me not to have access to my father. The only evidence my mother presented pointed squarely at her as a selfish and vengeful parent who cared so little about her children's emotional well-being, that she was willing to destroy them to get vengeance on her ex-husband. There was nothing that said what she was asking for was in any way beneficial to her children. If the judge thought that my father had in some way injured my mother he could have made him pay a fine or something. Instead he used Lindsay and me as weapons of punishment without the slightest regard for our welfare. O'Byrne, in one of the most ignorant and despicable rulings in court history, granted an order taking two children away from a loving, wonderful parent ([see the order](#)). The Honourable Mr. Justice M.B. O'Byrne is not so honourable. He's pond scum.

When my mother gleefully told me that the court had made an order saying I could no longer see my father I was devastated. That was the worst day of my life and I will always remember it. I was only eight years old and I had no way of understanding what had happened. At first I thought I had done something wrong and the court had taken away my father to punish me. I was ready to do anything to make up for what I did if only they would tell me what they wanted. But nobody would tell me what was wrong and I became more and more confused.

After March 3, 1995, my life went downhill very quickly. I was constantly either angry or depressed. I was always in trouble at school for acting out. I was afraid of my mother because she is very good at making you feel small and insignificant. She is a master of emotional abuse. So I spent my anger at school because I knew the teachers couldn't and wouldn't do what my mother did to me. I spent many hours standing in the hall or sitting in the office. I would fight any kid who said anything I didn't like and there was nothing I liked them saying.

All this time my mother was making excuses for my behaviour, everything but the real reason that I wanted to see my father. And the school was buying the excuses because my mother is a school teacher. Her name is Marnie Harrison and she teaches in Calgary at Acadia Elementary School. My mother's training allows her to present herself very well. It is only after you get to know her in her household that you realize what kind of person she really is.

Even though there was a court order against him and it said the police could arrest him if he violated it, my father still came to see me. He would park his car by the school and wave to me as I walked to my mother's house. When I got braver I would stop and talk to him. Then my mother would call the police and they would arrest my Dad and take him to jail. Dad was arrested on many occasions and put in

jail for several days each time. Altogether he spent 21 days in jail. Finally the police wouldn't come anymore when my mother complained so she would come to our school, park her car out front, and take Lindsay and me out a side entrance and walk us home through back alleys so we couldn't see Dad.

Then Dad starting coming to school at lunchtime and talking to us through the fence. So my mother took sick leave from her job in January of 1996 and came and got us at lunch time and ran us down back alleys to home. During this time Dad made an application to get access back. Justice Hart made an order saying that Dad couldn't make an application again for access until he paid my mother's court costs([see the order](#)). I guess Justice Hart believes that children should be bought and sold.

Finally, on June 18, 1996, my mother made another court application before Justice S.J. LoVecchio. She complained that Dad was trying to see us and it was upsetting her. The judge found my father in contempt. My mother asked that Dad be jailed for a year. The judge told my Dad that if he did not voluntarily agree not to try to see us anymore, Dad would be sent to jail for at least six months or more. At first Dad said he would go to jail before he volunteered not to see his children. But then a lawyer stepped up and advised my father she would help him get us back and he should not go to jail as he would not be able to do anything from there. So my Dad agreed but then the lawyer did nothing. So another great judge issued another great order that used children as weapons of punishment and victimized Lindsay and me once more ([see the order](#)).

After the year was up Dad again tried to get access. My mother opposed it all the way even though she knew how badly I missed my dad. She insisted that we had to have a psychologist's report - the third one - and that Dad should pay for it which the court ordered. Then my mother told the psychologist that Lindsay and I were very happy with her family setup and her new husband, that we had "a very good relationship" with our stepfather, and that she was totally opposed to us having access to our father which would return us to the state we were in before she got our access taken away. The state that we were in was that we were very happy. And what we thought of our stepfather is unprintable.

I didn't like the psychologist and she made some pretty stupid recommendations but she did recommend we get our access back. Justice LoVecchio followed her recommendations and made the order ([see the order](#)).

I was finally reunited with my father on May 23, 1998, more than three years after my access was suspended. That was the best day of my life.

Even though I was back with my father and very happy at his home, things were getting worse at my mother's house. I kept asking her to let me have more time with Dad and she kept refusing to discuss it. Meanwhile she kept making more rules. Like I could not use the computer unless it was after 5 p.m. or below 0 degrees outside. And we couldn't have cable because I might watch too much TV. I couldn't stand to be around her and spent most of my time in my room or at friend's houses. But I slowly started to stand up to her and slowly started to take control of my life.

In May 1999, I took the bus to Dad's house after school. Was he surprised! At the time Lindsay and I had a sitter because my mother was out of town. I called the sitter and told her where I was and she called my mother's lawyer who told her to call the police if I didn't return. Dad suggested I go back for now and try to work something out with my mother so I did. That evening the sitter took me over to one of my mother's school teacher friends, Lois. Lois told me that if I ran away again I would be responsible for my dad going to jail. Thanks Lois.

In October, 1999, I ran away again but I told my mother where I would be. She called the police and told them my Dad was keeping me against my will. They surrounded my Dad's house. There were cops and cop cars all over the place. I was really upset which was what my mother wanted. What kind of mother does that to her child? At the time Dad was in a wheelchair from a badly fractured leg and he met the police at the door with his leg turning blue. The police asked me where I wanted to be, I said, "with my dad," and they left. I returned to my mother's house after school the next day.

In October, 1999, I was also kicked out of school. I was extremely unhappy at my mother's house and this was reflected in my behaviour at school. I spent more time in the hall or the principal's office than

I did in class. I never did my assignments or homework and my grades were terrible. My mother had sole custody.

On January 10, 2000, I ran away for the third and final time. I phoned my mother and told her where I was. I have seen her once at a psychologist's office after my dad made a deal in court with her lawyer that she never kept her end of. When my Dad brought this up at the next court date Justice LoVecchio did nothing about it. I have only one regret. I wish I had the guts to do this a long time ago.

I am extremely happy with Dad. We get along so well. This is a happy home and I am very content here. Dad got me back in school after Easter break and I did very well. I got a 90 and an 85 in two of my exams and my behaviour was very good. I started a new school in September. My behaviour is fine and when the teacher's learn I was kicked out of school last year, they can't believe it. My marks aren't as good as they should be but I worked on my behaviour last semester and I will work on my marks this semester.

Things are not resolved yet with my mother. Even though I have not seen or spoken to her for a year she still insists on keeping custody of me. This means that I can't do anything that requires legal permission, like get a learner's permit, or travel out of the country. My Dad made a court application before Justice LoVecchio on March 6, 2000, for a change in custody which was adjourned at my mother's request. He has been to court about six times since and each time my mother has gotten the matter adjourned for some silly reason. Justice LoVecchio is the case manager and Dad can't go to any other judge(except he did succeed in getting an emergency order to get me in school in August)([see the order](#)). Dad tried to get Justice LoVecchio to get off the case but he refused. Dad sent letters back and forth through my mother's lawyer and Justice LoVecchio([see letters](#)). We were supposed to be in Court on December 19, 2000, but my mother said she was too busy at school to go so Justice LoVecchio gave her another adjournment.

Now we are up to the present. I am sitting with my life in limbo waiting for the court to act on a matter which should have been settled a long time ago. As always the court is concerned with my mother's best interests and not mine. The court continues to victimize me. But just like I did when I ran away from my mother for the final time, I am saying I will no longer quietly be victimized by the Court of Queen's Bench of Alberta. I have started a hunger strike to bring attention to the court and their systematic abuse of children([see hunger strike journal](#)).

If you are a kid whose parents have divorced and you have a similar experience with a court, I would like to hear from you. You can post your story at ([your story](#)). Good luck to all of us.



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