

## FIRST INSTANCE COURT, NO. 9, VALENCIA

**ÁNGEL MANUEL TURBI PINAZO**, psychologist on the Psychosocial Team assigned to the Family Court of Valencia, **FINDS**

That pursuant to the Judges' rulings in Court Order No. **759/05** for VOLUNTARY JURISDICTION PROCEEDINGS (FOR THE RETURN OF A CHILD), an investigative report has been drawn up as requested in respect of "if the return of the child might present a physical or psychological risk to the said child".

### METHODOLOGY.

- Individual semi-structured interview with the child: VICTORIA SOLENNE INNES.  
24-06-05
- Bender Visual Motor Gestalt Test, given to VICTORIA SOLENNE INNES.  
24-06-05
- Family Drawing Test given to VICTORIA SOLENNE INNES.  
24-06-05
- Animal Drawing Test given to VICTORIA SOLENNE INNES.  
24-06-05
- Examination of information available in Court Orders

### IDENTIFICATION DATA.

Name of child: VICTORIA SOLENNE INNES.

Date of Birth: 17-04-2000. At the time of the investigation, 5 years and 2 months old.

Address: Avenida de la Avioneta, No. 16, Buñol.

### PRESENT CIRCUMSTANCES.

Victoria Solenne Innes is attending the "Sagrada Familia-Atalaya" school in Buñol, where she is in the second course of Infant Education.

The child has been enrolled in, and attending the said centre regularly since January 2005, the month when she was brought from the United States to our country without the consent or knowledge of her father.

Prior to the said date, during intermittent periods and stays in Buñol, the child was taught in the same centre, although the courses were not complete.

After her parents' separation, both of them agreed and promised not to travel outside the United States with the child without the written consent of the other party.

Traductora Jurado e Intérprete de Conferencias  
Sworn Translator and Conference Interpreter

C/ Cáceres, 48 · 28045 Madrid  
Tel/Fax: +34 91 517 68 68  
Mobile: +34 669 70 28 16  
email: nmokbel@nakom.net

In January of the year in course, María José, the child's mother, fell in breach of this agreement by travelling to Spain, thereby breaking the father-child relationship.

As a result of these circumstances, the United States Judges have granted provisional custody of the child to her father. Police are currently searching for Mrs Carrascosa is in compliance with a warrant issued for her arrest, as reflected in the lawsuit brought by Mr Innes.

Mr Peter Innes has requested the Immediate Return of the child to the state of New Jersey.

## EXAMINATION

### CHILD: VICTORIA SOLENNE INNES.

Victoria arrived at the interview in the company of her mother and maternal grandparents. Her father was also present on the premises. Her physical appearance was clean and neat.

Although she did not object to the assessment, she appeared reserved and shy, which made fluent dialogue difficult, but the form was normal. Incoherence appeared in the content which gave rise to a suspicion that the content had been prepared for the child by adults.

She refused to do various tests proposed by the interviewer.

Right at the beginning of the interview the child began by saying, *"I don't have a dad"*, in spite of his being outside the interview room: *"He's very bad, he hits my mum."*

When asked about her father, the child replied, *"Dad works at stealing money."*

Examining the child's affection for her father, she said, *"My mum tells me to tell him I've never loved him. Mum tells me: Victoria, let's call the police so they'll take him to prison and he'll leave us alone."*

Examining this affection more deeply, the child said, *"I love him a little bit, but mum says we should tell the police so he'll be in prison and never come home and they'll take him away. I didn't love him because that's what mum tells me."*

Because of her shyness when speaking, she did not explain any of her current activities except for her schooling and her relationship with family members on her mother's side.

As for her stay in the state of New Jersey, the child did not mention any situations of risk but rather showed contentment with the stay in itself, without giving any specific information.

**Nagibe Mokbel Llatr**  
Traductora Jurado e Intérprete de Conferências  
Sworn Translator and Conference Interpreter  
C/ Cáceres, 48 · 28045 Madrid  
Tel/Fax: +34 91 517 68 68  
Mobile: +34 669 70 28 16  
email: nmokbel@nakers.net





A preference and a clear attachment was observed for her mother, she being the only one of her parents to have maintained a relationship with the child since January 2005, when the father-child relationship was broken.

The verbal rejection of her father was only justified by the child on the indication of her mother and not because of any circumstances shared with her father.

As for the Bender Visual Motor Gestalt Test, we conclude that the child is above average on the maturity scale, taking children of her age as a reference.

There are no indicators to reveal any Brain Damage.

Taking the emotional indicators of the test into account, we find:

- Acting-out type conducts in the child
- Signs that indicate anxiety, withdrawn behaviour and shyness.

Taking the Family Drawing Test into account, the following conclusions are reached:

- Absence of both parents in the drawing, indicating instability when faced with the family situation, giving rise to tension.
- Signs that indicate instability, insecurity, even hints of feelings of culpability for the present family situation.
- Signs that indicate a need for affection.

As for the Animal Drawing Test, we can highlight:

- Insecurity.
- Need for support.
- Need for affection and protection.

It is important to point out that the session to examine the child was carried out in two sessions, with a 30 minute break, as the child showed signs of weariness and a reticence to continue. In the said break, the mother made totally negative comments (out loud) about the father in the presence of the child.

## CONCLUSIONS

Bearing in mind the interview held with the child in question and the tests carried out on her described above, and the information available in the court orders, the following conclusion is reached:

1.- We find emotional instability in the child, possibly a reaction to current family circumstances.

2.- There is clear evidence of the child's having been manipulated by her mother by means of attitudes and utterances, in order to create a negative image of the father, thereby favouring a rejection towards him.

3.- The father-child relationship was broken after the child was brought to Spain by her mother, with no communication between father and daughter being facilitated since January 2005.

**Nagibe Mokbel Llata**

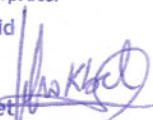
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4.- We find no evidence to point to any serious physical risk to the child if she were returned.

5.- The child's return would mean certain emotional and adaptation difficulties incurred by a change of residence, even more so as this would also mean a change of country. However, we do not think that maintaining a relationship with both parents would lead to any serious psycho-emotional imbalance.

6.- Maintaining the child's place of abode in our country would mean a cessation of the father-child relationship, since the mother's attitude is contrary to this relationship. This would entail risks to the child's psycho-emotional development.

7.- We consider it to be in the child's interest to maintain a relationship with both parents.

Valencia, 30 June 2005

Valencian Regional Government

[Stamp: Generalitat Valenciana  
Followed by illegible words and  
signature  
Family Psychosocial Team]

Angel M Turbi Pinazo, Psychologist

*I, Nagibe Mokbel Llata, English Sworn Translator and Interpreter, hereby certify that this is a complete and faithful translation into English of a document written in Spanish.*

*Yo, Nagibe Mokbel Llata, Traductora e Intérprete Jurada de inglés, certifico que la que antecede es una traducción fiel y completa al inglés de un documento redactado en español.*

**Nagibe Mokbel Llata**

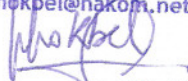
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Mobile: +34 669 70 28 16

email: nmokbel@nakom.net



*In Madrid, this 23<sup>rd</sup> day of July, 2008*

*En Madrid, a 23 de julio de 2008*