

Jan 29, 2002.

Sadrudin Chatur
586 Chamberlain Road
Burlington, Ontario
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The Canadian Judicial Council
112 Kent Street
Ottawa Ontario
K1A 0W8

Attention: Judicial Complaints Department

Dear Sirs or Madams,

RE: Abuse of court process and violation of the court rules by Madame Justice Francine Van Melle of the Superior Court of Justice

I would like to file a formal complaint against Madame Justice Van Melle of the Milton Court House for acting in bad faith, bias, and turning what is supposing to be a Court of Justice into a walk in court where lawyers get Orders to go.

On January 10th 2002 after finding out that the Family Responsibility Office had illegally suspended my driver's licence without a valid court order I brought a Motion to have my licence re-instated. Honourable Justice Belleghem heard the matter on January 10th 2002.

The matter before Justice Belleghem was basically between the FRO and myself. Justice Belleghem was also intimately familiar with the issues in this case as on December 11, 2001, he had also issued a decision resulting from a trial between the same parties. After hearing submissions by all 3 parties on January 10th 2000, the Honourable Justice Belleghem made a finding that it was most likely that the order from the FRO was enforcing was not a valid court order.

Honourable Justice Belleghem was unable at that time to re-instate my licence as someone had mysteriously removed the previous court endorsements from the court file which would have shown that the FRO was fraudulently enforcing a non-existent Court Order. I believe that someone with a vested interest in removing this from the document from the court file did so with the purpose of covering up this significant error by the FRO. This incident seemed to fit in with the pattern of other mysterious happenings in my case. For example, court transcripts from previous court hearings had also gone mysteriously missing and in another incident of lost evidence by authorities, the police video of an interview with my child was mysteriously erased sometime before the tape was brought to trial.

Because of the missing endorsements from the court file, Justice Belleghem made an appropriate order that I either find the missing endorsements and have my Licence re-instated or file for a motion to vary the support order if it was to be assumed that the FRO order was valid. Justice Belleghem adjourned the matter to January 24th 2002 to allow the materials to be verified.

Luckily, a copy of the missing endorsement was found through my own efforts (not those of the court). After producing the endorsement, the court clerk admitted that the FRO order was not a valid court order as it did not have the registrars or the Judges signature and there was nothing in the Court file to support the FRO order, the clerk even provided me with an example of a copy of a valid court from my own file that has been signed and sealed. So before Jan 24, 2002, it was proven that the FRO were using a fraudulent court Order.

I did serve FRO with the missing endorsement and the necessary proof to show that the court Order they claimed to have, was in fact, a fraudulent court Order which has been suspiciously obtained behind the scenes.

At the hearing on January 24, 2002, the FRO did not show up and neither did the Mother's assignee the social services which had been appointed by Justice Belleghem on January 10, 2002. Both of these parties now knew that the Order was not valid which is likely why they did not show up.

For some strange reason, the mother's solicitor, who had previous to this date left a message on my answering that he no longer represents the mother, suddenly showed up to the court without any of the material I served upon him (just like in the walk in Clinic) and advised the court that he was now representing the mother and that he had not been served properly. Three weeks after being served, Mr.Lonn decided to bring it to the attention of the court that one page of the motion's record was missing and that he wanted to file responding material and wanted to cross-examine me. Did he contact me prior to court to inform me of this – NO! Mr. Lonn also had informed me that he was no longer representing the mother yet showed up in Justice Van Melle's court now saying he was.

Madame Justice Van Melle made a comment to Allan lonn "Have you read the endorsement" (referring to Justice Bellenghems endorsement) she appeared very disturbed that a favourable endorsement was made in my favour which is highly unusual in my family matter litigation in the past 12 years no Motions judge has ever ruled in my favour regardless of what was before the court, with or without a Lawyer.

In the court before Madame Justice Van Melle I offered to provide Mr Lonn with a copy of the motions record that had already been dealt with by Justice Belleghem on January 10th 2002, I advised the court that I did have all the missing material that Justice Bellgheum had ordered that I provide the court to have my licence re-instated.

In spite of the fact that I had shown Madame Justice Van Melle that the FRO was acting without authority, despite the fact that Madame Justice Van Melle was shown that the parties had been served the documents and despite the fact that in trial that Mr. Lonn indicated that there were no issues of support to be dealt with, Madame Justice Van Melle made an endorsement based on the oral submissions made by Mr. Allan Lonn, the mothers solicitor.

Another point to support my claim that Justice Van Melle has acted without jurisdiction is that the mother has filed an appeal to Justice Belleghem's Order. The fact that this matter is before the court should precluded any Appeal in regards to child support therefore it was not an issue before Justice Van Melle. The issue of Child support should be addressed in the Court of Appeals. It seems that Madame Justice Van Melle has just decided on her own to break the rules of the court and simply allow the lawyer, Mr. Lonn, to walk into the court and address the court without any

motion and no response to the motion that had been served on him by myself. Mr. Lonn simply had no standing in the court yet Madame Justice Van Melle went and heard this lawyer anyway.

Justice Van Melle's endorsement dated January 24th 2002

“Mr Lonn acknowledges that he now acts for Mrs Chatur.He has not been properly served with the documents. Mr. Chatur is to provide today to Mr.Lonn with a copy of the material and motion record relied on in the motion. Adjourned to February 21, 2002 to allow the respondent to cross-examine applicant and file responding material”

It must be noted that when Madame Justice Van Melle gave this Order:

- 1) That Madame Justice Van Melle does not have the Jurisdiction or discretion allow the matter to be re-litigated the Mother was at the hearing on January 10th, 2002 supported by her former solicitor and the FRO solicitor. Justice Melle is not the Court of Appeals.**
- 2) That Madame Justice Van Melle had no jurisdiction or discretion to make a fresh order to allow Mr. Lonn to cross ex-amine me as all matters relating to the issues were dealt with at the trial in 1991. Mr Lonn was also allowed to cross examine twice at the trial. On January 10th 2001 before Justice Langdon I had asked for an order to cross examine the OCL social worker I was told by Justice Langdon to “Get out of the Court” and thrown out of the court building by the police Officer, after filling a complaint Chief Justice Scott found nothing wrong with being told to “Get out of the court for asking to cross-examine the OCL social worker and to ask for disclosures.**
- 3) That Madame Justice Van Melle Had no jurisdiction or discretion to adjourn the matter for over a month, Justice Bellghum dealt this with on January and the mother's request to adjourn the matter for 2 months was denied. In my opinion, Justice Van Melle's main intention was to inflict as much suffering as possible she could to my children and myself because of what I believe is her bias and racist attitude towards racial minorities.**
- 4) That Madame Justice Van Melle had in front of her a sworn affidavit of service with the fax confirmation, confirming that the Mothers solicitor was served with the motions record, if I did not serve the material how did the Mother find out that there was a hearing on January 10th 2002, I don't understand how did Madame Justice Van Melle come to a conclusion that I did not serve the court documents properly.**
- 5) The mother on January 10th 2002 submitted that she had no problem with my licence being re-instated, the mother's solicitor on January 24th 2002 was there just to prove to me that he owns the courts or he was looking for some evidence to help him to defend a lawsuit I have launched against him**

After the hearing with Madame Justice Van Melle, I was approached by a lawyer who was also at the hearing. This lawyer told me outside in the hall, that he felt sorry for me the way I was treated by Madame Justice Van Melle. He also commented that it is really difficult dealing with what he referred to as “feminist” Judges. He told me that Madame Justice Van Melle was recently appointed to the bench and her bias against men was known throughout the legal community in this area. He said that lots of families are going to suffer as a result of her bias. This statement was no

surprise to me as my former solicitor who has practised law for 41 years wrote a letter stating the bias and injustice against fathers in the family court system. Even lawyers within the system are admitting that bias by judges is a problem in family court, although they would never dare say this in front of a judge or their careers would be crushed.

Just what kind of Justice system do we have when judges just ignore the rules and contrary to the evidence properly submitted before the court, just go ahead and make up their own rules which appear to favour lawyers and the mothers they represent. What kind of justice system do we have when a lawyer can just show up to court, without documents before the court and just reopen an issue after it has been dealt with at trial just a few months previously?

As far as I am concerned, the evidence in this matter clearly showed that Madame Justice Van Melle acted in bad faith without authority and totally ignored the procedures set down by the court and just went ahead on a path because she felt it should have been different. If Judges are allowed to do this then the Law is nothing but a farce and is being used to confuse those with less experience in the law and to allow lawyers to pull the wool over the eyes of the public.

I would respectfully ask that the Judicial Council take the unprecedented steps to have Justice Van Melle's Order of Jan 24, 2002 declared null and void. If Madame Justice Van Melle can just make up her own court rules as she goes, then why can't the Judicial Council make its own rules to correct such blatant abuse of the legal process by Judges who make up their own rules as they go. Could it be that the rules apply on to the people and not the lawyers and judges? The family court system and its complex and rules which seem to benefit only the lawyers, has totally bankrupted the mother and myself and has adversely affected my children.

If the Judicial Council cannot strike the Order of Madame Justice Van Melle and if the Judicial Council determines that my complaint is not valid, then could the Judicial Council kindly advise me as to what Act of Parliament or what rule of the court would have allowed Madame Justice Van Melle, before motions court, to overrule another judge (Justice Belleghem), especially a trial judge who just recently heard the matter at trial and in addition give permission to a party who was unsuccessful in trial to reopen cross examinations at the motion court level. It seems that the actions of Madame Justice Van Melle do not follow the rules of common sense which in my mind should have higher priority than most of the these rules designed to confuse and drive up the cost of justice for the people of Canada.

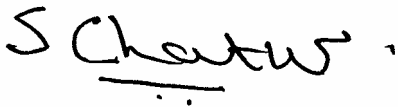
If the Judicial Council cannot correct an injustice and show the people of Canada that the rules can be bent for the purposes of promoting justice for the people of this country, then the family court system in Canada is nothing but a joke and a farce and not worthy the respect of the people of Canada. If the people cannot be assured fair and just laws and to have rules that are clear and intended to ensure fairness and compliance by all, including the Judges, then the Justice System and those who claim to enforce such laws, are in contempt of the people of Canada. In my opinion this is no less treason.

I now leave this problem in the hands of the Judicial Council to fix but in closing, I present to you this one main question: Does the Judicial Council have the will and desire to do what is right for the process of fundamental Justice, or will the Judicial Council come up with some excuse to let a fellow judge off the hook and then to say that they can do nothing to help a citizen of this country receive justice for his family. Will the Judicial Council correct the mistake of one of the Judges or

will they tell me that I, as a parent made penniless by the court system, must continue to play by the rules of the court and expose myself and my family to even more utter destruction through the family court system process which most Canadians already acknowledge is bias against loving fathers.

Many Canadians will be looking at what the Judicial Council does to correct this blatant show of favouritism to a lawyer and the disregard of the principles of fundamental justice by Madame Justice Van Melle. I am only one of many Canadians who are now standing up on behalf of our children and our fellow neighbours and saying that the family justice system in Canada has destroyed enough families because of its bias against fathers and its failure to follow the principles of fundamental justice. Enough is enough! I know that I am speaking for a great many Canadians when I say that its time to clean up family law in Canada and to get many of these incompetent judges such as Madame Justice Van Melle back to ensuring justice and equality in our courts (not meant to discredit those fine Justices who do their job the way Canadians expect). It's time to stop this blatant destruction of families through Canada's morally corrupt, biased and adversarial family court system and get Canada's family court system back on track!

Yours truly

A handwritten signature in black ink that reads "S Chatur". The letter "S" is large and stylized, followed by "Chatur" in a cursive script. There is a small mark at the end of the signature.

Sadrudin Chatur

Attachments:

cc:

Senator Anne Cools, Senate of Canada

The Prime Minister of Canada

Various members of the House of Commons

Various members of the Provincial Legislature, Province of Ontario

Various news media

The United Nations