

B.C. teacher fights to see his children

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By Mata Press Service

From his home in Vancouver, Murray Wood dialed an all too familiar number in Japan's Saitama prefecture last May 20. It was the eve of the 12th birthday of his son Takara.

"Is Takara there?" the Richmond teacher said in Japanese to the woman who answered the line. "No he's not," the woman said.

Not having seen Takara for one-and-a-half years, a frustrated Murray uttered in English: "Please let me speak to my son!" The woman answered back in English: "Sorry I didn't hear you."

It was only then that he recognized the voice of the woman he was talking to; his former wife Ayako Maniwa. "Oh it's you Ayako. Let me talk to Takara," he pleaded. He did not get an answer. Ayako hung up. When he phoned again, there was no response.

Takara was only 10 years old when he and his sister Manami, then seven, were taken to Japan by Ayako on the pretext of visiting an ailing grandfather. A B.C. court determined their departure date and ordered their return on a specific date. Ayako never returned the children to Canada.

When Wood kissed his children goodbye at the airport on Nov. 27, 2004, little did he know that he will be waging a futile legal battle to recover them from Japan.

Wood told *The Asian Pacific Post* that the International Assistance Group of the Canadian Ministry of Justice is in discussions with the Japanese government about the case but no concrete details are available on the status and extent of these talks.

"We try to remain hopeful. We're not going to give up on this," Wood said.

Wood was awarded full custody of Takara and Manami by the B.C. Supreme Court in February 2004. In his judgment, Justice Sherman Hood said: "[Murray Wood] is a loving and caring father ... and he has the means and skills to meet their needs in every way On the other hand, the defendant [Ayako Wood]'s ... injurious misconduct in relation

to the children must come to an end.”

Although not in attendance at the trial, despite many notifications, Ayako conceded to the orders of the B.C. Supreme Court. She did not appeal the decision and when she signed the consent order agreeing not to seek custody in any jurisdiction other than B.C., she also consented to Justice Hood’s rulings related to custody.

A Canadian warrant for Ayako’s arrest was issued in January 2005. She is charged with two counts of child abduction, an indictable offense with a maximum sentence of ten years imprisonment.

The RCMP has informed INTERPOL of the warrant and the Canadian government has made repeated formal requests of the Japanese government to return the children to Canada.

However, there is no extradition treaty between the two countries.

In addition, Japan is the only member of the Group of Seven, the world’s seven wealthiest countries, that has not signed the 1980 Hague Convention on Civil Aspects of International Child Abduction.

The convention, so far ratified by 75 countries, says any child removed from country by a parent without the other parent’s permission must be returned, and the custody resolved in the original country.

This has made Japan a “safe-haven” for parents who want to impinge on their ex-spouses’ custody.

Takara and Manami Wood

Wood’s family has set up the International Rights of Children Society (<http://www.irocs.org/>) which aims to protect the welfare of Canadian children abducted, or in danger of being abducted, to countries which are not signatory to the Hague Convention on Civil Aspects of International Child Abduction or similar bilateral and multilateral treaties.

It is estimated that every year about 400 Canadian born children are abducted by a foreign-born parent and taken to the parent’s country of birth.

Wood’s children Takara and Manami, as ordered by the court, were supposed to be in Japan only for 12 days.

Their mother Ayako had claimed that she was on a six-month leave of absence from her employer Air Canada before their departure. When she left Vancouver with the children on November 27, 2004, she had called in sick. Air Canada did not hear from Ayako again. Her employment was terminated in early December 2004.

Ayako also gave outstanding child support payments to Wood at the Vancouver International Airport. When Wood went to cash the cheques, he was told that they had been declared "lost" by Ayako.

It was later known that Ayako had requested that her telephone service be disconnected on November 25, 2004 and that she had vacated her apartment with three months rent owing.

A shipping waybill indicated that Ayako shipped 18 boxes of household goods, including the children's clothes and possessions, to Japan. The shipment was arranged before Ayako and the children left Vancouver.

Court orders stipulated that the children were to telephone their father when they arrived in Japan. Wood has heard nothing from the children.

"Every time I would call there, it's always the grandmother or aunt who would answer and say the children are not around," Wood told *The Asian Pacific Post* .

When a Canadian consular representative visited Ayako at her parents' home in Saitama on December 9, 2004, the date the children were to be returned home, Ayako told the consular official: "I have no intention of returning to Canada."

Wood has since waged a losing battle before Japanese courts.

In May 2005, a Japanese family court awarded custody of the two children to Ayako. For a brief moment during the trial in Japan, Wood was able to see Manami through a court-arranged meeting but not Takara.

All applications made by Wood before Japanese courts were dismissed by January 2006.

"There isn't a clear next step," Wood concedes when asked about his remaining legal options in Japan.