

SE News
HD **'You have robbed them of the opportunity to have a normal life': What judge told paedophile father convicted of TWENTY-TWO child sex offences - as welfare officers step up hunt for couple in baby Gammy case**
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* David Farnell, Gammy's biological father, was convicted on 22 child sex charges in the late 1990s
* Pattaramon Chanbua has spoken to Daily Mail Australia from the Thai hospital which is caring for Gammy

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* 'I'm a little worried,' she said after learning Australian father David Farnell is a child sex offender
* David and Wendy Farnell were married in 2004 in Jianjiang
* They met through a matchmaking agency after Farnell's first marriage ended
* Child safety officials made a second visit the couple's home on Wednesday, seeking to interview them
* Agent Kamonthip Musikawong says surrogate mum offered to take Gammy

The father at the centre of the baby Gammy row has been convicted of 22 child sex offences, including one against a girl who was just seven and the sentencing judge says that his victims had been 'robbed of their childhood'.

It had earlier been reported that David John Farnell, now 56, had been sentenced to three years' jail in 1997 for sexually molesting two girls under the age of 13 and that months later, while still in prison, he was charged again, this time with six counts of indecent dealing with a child under the age of 13.

But further court documents have revealed other sex offences, bringing the total number of convictions against him to 22 - including a victim aged just seven.

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The charges include 'unlawful and indecent dealing' with girls when Farnell was in his 20s.

Farnell was sentenced to three years jail in 1997 for sexually molesting two girls in 'secretive meetings' in his shed or house, in 1982 and 1983, when the girls were aged seven and 10.

It was not until the women were adults that they made complaints and court documents said the women had suffered 'depression' and 'difficulty forming relationships' as a result of the abuse.

In sentencing him, Justice Michael O'Sullivan said the victims had been robbed of their childhood and had suffered emotional problems as a result.

The judge noted that Farnell had pleaded guilty to the charges, had no previous criminal record and was a 'hardworking and constructive member of the community.'

He added: 'You have a stable family life, which is an irony, really, in the particular circumstances of this case, given that you appear to have robbed the complainants of an opportunity to have such a life.'

Months later, while Farnell was still in prison, he was charged again, this time with indecent dealings with a child under the age of 13.

The jury found him guilty on four counts.

The son of pedophile dad David John Farnell has spoken out, telling the Sydney Morning Herald that it was 'heartbreaking' Mr Farnell's dark past was being revisited.

'He's taken 10 years to get his life back on track and he did and he has done so well and this, this has been shattering,' the unnamed son was quoted as saying.

'I can tell you how good of a father my dad was towards us. He's amazing,' the unnamed son was quoted saying.

'He's brought out the best in all us kids. He's just got a massive heart. He's made mistakes, we've accepted it... he's made up for them.'

He told the Sydney Morning Herald the world would soon hear from the David and Wendy Farnell, who have not been seen since Wednesday and are understood to have baby Gammy's seven-month-old healthy baby twin with them.

David Farnell is divorced from his first wife who is the mother of his three older children.

Farnell, an electrician who works in the South Bunbury area on house renovations, recently lost his own father, Keith, who is believed to have been in his eighties.

His widowed mother, Theresa, lives in a house not far from Farnell, his wife and their baby girl.

An electrician who also works in South Bunbury said most people working locally in the trade had not associated with Farnell since they learned he had been convicted of child sex charges and served a jail sentence.

'I saw him a year ago. He does renovations and bits and pieces around the place,' Trev of Bricknell Electrics told Daily Mail Australia.

'He's a bloody idiot for staying in town. Bunbury is a very small place and too small for someone like that [a convicted sex offender].

'He should have got out of town years ago.'

Trev said it would be hard on Theresa Farnell 'with this on top' of husband Keith's recent death.

Keith Farnell was described as a good man, who was a long time employee of SCM Chemicals, now Millennium International Chemicals.

His funeral notice said of him, 'A better bloke, you would never find'.

The Thai surrogate mother who has given birth to twins on behalf of Farnell and his Chinese-born wife Wendy has already expressed alarm at learning of his child-sex convictions - before the larger number of offences were uncovered last night.

Pattarmon Chanbua told Daily Mail Australia from the Thai hospital where she is caring for Gammy, the six-month-old baby believed to have been abandoned by his Australian parents David Farnell and his wife Wendy that she was 'a little worried' about Farnell's criminal history.

Ms Chanbua told Daily Mail Australia from the hospital south of Bangkok where Gammy, who has Down syndrome, is being treated that although she has concerns after learning of David Farnell's past, she doesn't believe he will harm his own daughter.

'I am a little bit worried but not a lot because they are father and daughter,' she told Daily Mail Australia through an interpreter. 'I don't think that he will do anything bad to his own daughter.'

The revelations of the extent of his criminal convictions come as the surrogacy agency handling the Gammy case, claims that the Thai surrogate mother of the Down syndrome boy had agreed to take care of the baby after his disability prompted confusion about the surrogacy agreement.

Thai agent Kamonthip Musikawong's comments came as Thai police raided the surrogacy clinic linked to the baby Gammy ordeal.

Ms Kamonthip, who acted as the go-between for the parents, said Gammy's surrogate mother Pattaramon Chanbua and Australian biological parents David and Wendy Farnell couldn't reach an agreement towards the end of the pregnancy when it was revealed Gammy had Down's Syndrome.

'We just didn't know, if this happened, what we are going to do... until the surrogate came up with a solution... we, just like, I was very impressed with her solution,' Ms Kamonthip, who is also known as Joy, told the ABC.

'She said "I will take the dumb baby but not the... I will take the boy. Like, nobody need to worry.'

David and Wendy Farnell have not been seen since it emerged they abandoned Gammy in Thailand and returned to Australia with his healthy twin sister.

On Wednesday, officers from the Department of Child Protection and Family Services made a second visit to the Farnells' home in an attempt to interview them.

While they have not been seen since Monday, a spokesman from the department said they were not considered missing.

Two people officers arrived at the home, knocked on the door and left when no one responded.

Earlier on Wednesday, the RSPCA was forced to remove the Farnell's pet dog from their home in Bunbury in Western Australia because they had been away from their house for a long period of time.

RSPCA WA spokeswoman Maree Daniels said: 'Given the circumstances it was thought to take the animal into our care for its own safety.'

VATICAN ATTACKS REJECTION OF BABY GAMMY

The Vatican have condemned the rejection of a baby with Downs syndrome allegedly abandoned with his Thai surrogate mother.

Pattaramon Chanbua, a 21-year-old food vendor in a seaside town in Thailand, is caring for six-month-old Gammy, the biological son of an Australian couple who accepted his healthy twin sister.

The biological father, whose identity is unknown, has claimed that the couple were not told about the existence of Gammy, who also has a congenital heart condition and a lung infection.

The Vatican official newspaper said the story, which has caused global outrage, was all too predictable and 'the obvious consequence' of turning babies into a consumer product.

In a strongly worded comment piece, warning that other cases will follow, the Osservatore Romano said: 'We should not be surprised that if parents have ordered a baby renting a woman's womb they will reject a child that is not healthy and perfect.'

'If a child becomes a product to **buy**, it is obvious that as with any acquisition it must be to the purchaser's liking.'

People have no cause to be 'indignant' that the couple refused a child that was 'imperfect', the article said.

'In realty there is little to be indignant about- if you accept the logic of a child a as product this is the obvious consequence.'

Pope Francis has lamented the increase in 'wombs for hire'.

Ms Chanbua, who could face prosecution for her involvement in the surrogacy arrangement, said she did not know commercial surrogacy was illegal in Thailand.

'I did not know before that it's illegal because when I look up in the internet there are many websites in Thailand doing this **business** so it seems reliable to me,' she said.

'I did not really know that it's illegal before.'

Ms Chanbua said she met David and Wendy Farnell three times after she gave birth to the twins.

She did not have contact with them during her pregnancy or beforehand and dealt only with the surrogacy agency.

Ms Kamonthip, the Thai agent, declined to answer questions from the Daily Mail Australia, instead directing a number of accusations at the surrogate mother.

She claims that before the Australian parents flew back home, they told Ms Chanbua they wanted to take both babies.

'Why didn't you give the boy back to the biological parents?' she posed to Ms Chanbua in an email to the Daily Mail Australia.

Ms Kamonthip continued: 'If you have had sad experience about being surrogate, why did you recruit surrogate mothers for some agencies just two months ago?

'If the agency or parents owe you any money, why didn't you go to the police earlier? Why did you do anything earlier?'

Pip Panasbodi, a consultant at CP International Education and Migration Centre, said Ms Kamonthip used to work at the **firm** but quit to get into the 'booming' international surrogacy trade.

Ms Kamonthip says on her Linked In profile she still works at the **firm** but Ms Panasbodi said she resigned in January 2013.

'I remember when she resigned she said the surrogacy industry was booming and some American people wanted to get her involved,' Ms Panasbodi said.

She had previously said she wanted Gammy's twin sister to come back to Thailand but on Tuesday said she could not comment on that 'because it is related to the law'.

David and Wendy Farnell were married in June 2004 after being introduced by matchmaking website Qpid Success.

They had known each other for eight months and Farnell had travelled to Jianjiang for the wedding.

Zhanjiang Happy Marriage Agency described them as 'very responsible and sincere to their marriage.'

'In order to know more about the lady, David came to Jianjiang on 22 June 2004 for their meeting and interaction. When the man came again in October of 2004, they held their wedding on 24 October of 2004,' a statement on the website says.

This comes after the Farnells claimed they 'never wanted to give him up' but feared they would lose his twin sister if they stayed in Thailand.

A friend of the couple told the Bunbury Mail that claims the pair left Gammy behind because he had Down syndrome were false and the Farnells only fled Thailand because the government in Bangkok collapsed.

'Gammy was very sick when he was born and the biological parents were told he would not survive and he had a day, at best, to live and to say goodbye,' the statement said.

Ms Pattaramon, who is now caring for Gammy, accused the couple of only taking his healthy twin sister back home to WA.

Earlier this week, the couple denied knowing of six-month-old Gammy's existence and said they only had a baby girl.

Farnell's wife has confirmed her husband had a conviction but she believes he is a good man.

On Tuesday, the Farnells said they never asked Ms Pattaramon to have an abortion, that they did not know Gammy had Down syndrome and that they only left the baby boy in Thailand because they were told he was going to die.

They claim that because Ms Pattaramon gave birth at a smaller hospital instead of the one they planned their surrogacy agreement became void.

The twins were allegedly born two months premature and the Australian couple said they no longer had any legal rights over them.

The Farnells were able to have a baby via an overseas surrogate, despite David Farnell's criminal history.

There are currently no tests to see if new parents are convicted paedophiles and local authorities do not automatically investigate the parents of children born overseas, except for authorities in the state of Victoria.

Two neighbours who spoke to the Daily Mail Australia said they had been aware of the father's past child sex charges.

'We've known about it for years,' one local said in Bunbury, 180km South of Perth, in WA.

'This is pretty much a street of retirees and everyone pretty much keeps to themselves.'

Another neighbour said while she was aware of the allegations, she had no idea they had a baby.

Authorities look at children born via overseas surrogates on a case by case basis, meaning sex offenders can bring home children from Thailand.

It has been reported by Channel Nine that the WA-based mother used her married name on Gammy's birth certificate but her maiden name on her baby daughter's documents.

The only obstacle the Australian couple would have faced in bringing the child home to Australia is a DNA test with the Department of Foreign Affairs and Trade. This test is only in place to prevent human trafficking.

If DFAT is concerned with findings on a DNA test it then raises the issues with the local child protection authority.

'If you are going to a dodgy agency in Thailand no questions are asked,' Brisbane-based surrogacy lawyer Stephen Page told Daily Mail Australia.

Mr Page said if the couple had gone to the United States for surrogacy they would not have been legally allowed a child. There are strict rules in the US when it comes to convicted child sex offenders.

Gammy's twin sister may be able to continue to live with her Australian father if child protection authorities deem he is no longer a risk, Mr Page said.

He explained that the couple would not be able to use an overseas surrogate if they lived in Queensland, NSW or the ACT because the practice is illegal. In Victoria, a parent with a criminal conviction is automatically banned.

The lawyer, who works with Australians who are trying to have children from every state, said he always asks people who come to him for help in going through surrogacy overseas if they have criminal convictions as he doesn't want to 'facilitate paedophilia'.

He pointed to the case of Australian citizen Mark J. Newton and his long-term boyfriend Peter Truong who are currently serving 40 and 30 years in an Indiana jail, in the United States, after they were convicted of horrific child sex crimes.

They sexually abused a boy they had 'adopted' after paying a Russian woman \$8,000 to be their surrogate in 2005.

Police claimed they adopted the boy 'for the sole purpose of exploitation' and recorded uploaded footage of his abuse to an international syndicate known as the Boy Lovers Network.

He was abused just days after he was born and throughout his six years with the couple.

'They claimed they were wonderful gay parents who wanted to be surrogates,' Mr Page said.

Asked whether he thinks child protection will intervene in the case of Gammy's sister, Mr Page said: 'Who knows what will happen?'

Earlier this week, Ms Pattaramon threatened to sue the family, claiming Farnell had visited her after she gave birth.

He had only bought **milk** for the girl, she claimed, and 'never looked at Gammy'.

'The twins stayed next to each other but the father never looked at Gammy...could say he never touched Gammy at all,' she said.

Ms Pattaramon told the ABC that the Farnells had cried on the day they collected their daughter from hospital but left their son behind.

She also alleges that they asked her to have an abortion when she found out that she was carrying a child with Down Syndrome.

Gammy's plight has provoked fury across the world with critics savaging his biological parents. Donations have poured in and now stand at more than \$200,000.

THE SURROGACY PROCESS IN AUSTRALIA VS THAILAND

Commercial surrogacy is banned in Australia and it is illegal for people living in Queensland, NSW and the ACT to undertake commercial surrogacy in Thailand. It's also illegal for Australians to select a baby's sex.

Current Australian Medicare policy forbids Medicare rebates for IVF use for surrogacy and to receive surrogacy as a treatment option in Australia the following conditions must be fulfilled:

- * The intending parent has a defined medical disorder that makes it impossible or unacceptably dangerous to carry a baby in her uterus.
- * The surrogate is older than 25, and younger than the age of natural menopause (52 years of age). This may be increased slightly to 55 in the unique situation of a surrogate who is the mother or mother-in-law of the intending parent.
- * The surrogate must have already given birth to a healthy child of her own.
- * The surrogate does not have a past history of pregnancy-related illnesses or complications.
- * The surrogate has had an established relationship with the intending parents for at least two years by the time of the embryo transfer.
- * Neither the surrogate or intending parents suffer from a significant psychiatric disorder that would impair decision-making or the care of the child.

Many Australians have flocked to Thailand over the years because the rules were far less strict. However, the rules have changed this week.

After Thailand's military government reviewed 12 Thai IVF clinics involved in surrogacy cases they have announced new laws.

Surrogacy is now only recognised in Thailand if:

- * The intended parents are a heterosexual married couple who are medically infertile.
- * The surrogacy is altruistic.
- * The surrogate is a blood relative.

Surrogacy in Thailand is illegal if:

- * The intended parent or parents are unmarried under Thai law (i.e. de facto couples, same sex couples and singles are excluded).
- * Any money is paid to the surrogate.
- * The removal of the child from Thailand without permission of Thai authorities will breach Thailand's human trafficking laws.

These new laws will now exclude almost every Australian from pursuing surrogacy in Thailand.

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