

## Detailed Feedback

After a thorough review of the parenting plan you sent to me these are my observations;

- **Inaccurate/ Wrong Information**

Your client deliberately gave wrong information about the date of my son's conception, this is material because a conception date prior the break up could be viewed to imply that I broke up with her to somehow run away from my obligations. I would have viewed this as a mistake if there was no repeat and your client had corrected it with you when I raised directly with her.

- **Malice and bias**

While I am aware as a professional you represent your client it is important to remember her that we are dealing with a child, who's interests must always take precedence. Throughout the document the bulk of the financial obligations have been shifted to me, yet contact is at a minimal which I don't understand because;

1. A child is borne of 2 parents who have mutual rights and obligations in relation to their wellbeing. If your client viewed her financial means as inadequate it doesn't justify abdicating them for me to pick up the slack, more than anything is a sign of her competence as a parent if she brought a life to this world while knowing fully well she can't provide for him.
2. My child has the right to benefit from the best his parents can offer, if that can't be done by both parents then the one who has the means carries the obligation. This however should not be viewed to imply that the obligations of the party that lacks the means are terminated, they are merely postponed. If this is revealed to be the case I will gladly provide 100% of whatever my son needs, I am prepared. Since however the obligations of the other party are postponed the expectation is that when their situation changes they make the necessary arrangements for retrospective reimbursement and failure to do so there are statutory and civil remedies for that.
3. S5.2.8 expressly prohibits sleepovers. Again, other than malice I cannot find any justification for this because;
  - a. Your client has, since 2015 stayed in 2 of my properties. During that time, she felt so comfortable to bring not only her friends but also family, not only to visit but also sleep over, ironically this is not the case when it comes to me; I have never stayed at her place and the only time my friends or family ever saw her residence was after my son's birth.
  - b. Your client is aware of my meticulous attention to detail and proactive measures for security which are not only limited to a fence and dogs but extend to an alarm supported by armed response from D&D tactical as well as local CCTV monitoring. This is further enhanced by the excellent relationship I have with my neighbours as well as the constant 24-hour occupancy within the premises.
  - c. My residence is Glenvista, an area I deem conducive to the wellbeing of any family because the crime incidents are minimal (since 2015 I have never had an incident), the area is mostly occupied by families thus mostly similar interests, the streets are accessible in case of an emergency by response vehicles and;
    - i. One of the residents is trained in first aid,
    - ii. There's a clinic within 2 kilometres and my family doctor is located 3 kilometres from my house but most importantly resides within the same suburb in case of emergency,
    - iii. Also, important to note is that Netcare Mulbarton is within a 4-kilometre radius.
  - d. Maybe she is concerned about comfort but again I don't see how that is possible because residence ample room and space, something she would attest to; in 4 months this will have increased by at least an additional 120 square metres of dwelling space.
  - e. In case of baby safety; as a consequence of staying with my now 1-year old nephew the property is fully baby proofed which includes covering of plugs, eliminating hazards; I've even gone as far as to demolish my swimming pool in the interests of reducing unnecessary risks and replaced it with 60 square metre dwelling.
  - f. Worth noting as well is that within the same residence there's my mother, 1 sister permanently and nephews; all which mean my son will never be without family and company. All the said family members are not only having the best interests of my nephews by virtue of blood ties

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but have demonstrated their competence in the subject as can be evidenced by my 2 nephews; Solo who is now 8 years is a happy child which who, despite a major relocation 2 years back or so remained an excellent student with marks to prove that. I also have flexible working arrangements which allow me to work from home if there's nothing compelling me to be in the office.

- **Baseless Conclusions**

Different sections in the document make conclusive decisions despite lacking any justification including;

- a) What method was used to conclude you client's residence as most suitable in the interests on my son?
- b) There's section's dealing with financial obligations including nursery, schooling, medical aid and cash contribution to mention a few, again I cannot understand how this was arrived to. Since my son's birth I've given your client full access to notify me at any point where my son needs anything and consistently whether prompted or proactive I have provided for his needs. Since his birth monthly I have either personally or otherwise and despite never apportioning that spent between myself and your client my expenditure never even came close to R3000.

Unless there is acceptable justification I cannot see a situation where one parent is burdened with more obligations or entrusted with further rights than their equitable share. Simplest example is in relation to his tertiary education, as a parent I have already created and paid for at least a year in advance an investment that will give him R770 336,47 at end of year 17; the ideal is that this is done jointly but even if done individually it'll still serve his best interests, rather than the sub-million amount he now has R1540672,94.

I'm sure your client will confirm thus far any financial requirement she's relayed to me in relation to my son, reasonable and otherwise have been honoured within 2 hours at worst including the most recent 11th hour notification, the R10 000 demanded by her family for damages etc; all these were fulfilled within 10 minutes of receiving the message.

All these elements lead me to conclude you are negotiating in bad faith which is not in the interests of my son as well as contrary to the country's laws, as such I would like you to refrain from such conduct. The agreement I want to present before the family advocate must embody what the legislator intended;

- Best interests of the child take precedence,
- Parents have mutual rights and mutual obligations,
- Promotes cooperation rather than an adversarial relationship,
- And again, prioritises the best interests of my son.

As part of my commitment to the above I have elected not to appoint an attorney but act in my own capacity, I think this should bear testimony to my non-adversarial approach. Rather than dismiss this process as collapsed based your actions and motives thus far I will allow you time to consult with you client so that you can present me with a revised document. It is also worth noting rather than the case manager the document refers to we've previously nominated people for this [Mrs Yoliswa Sidlova](#) from my side who is a highly respected and accomplished jurist with years of experience as a practitioner, all Magistrate ranks and acting Judge while she proposed Phakama Mbikwana whom I accepted. Both nominees are competent to fulfil the role as they are both parents who have experience in raising kids but are also relatable as they have done so while making a success of their careers; we've both met with them and they both expressed their willingness to assist and acted. This would ensure that the best interests will not only be as viewed by us as parents but also supported by experienced advice and strong legal grounds.

I have made full provisions for my son, financially or otherwise; I have the means to take care of all his needs independently, not because this is what I intended but because life has taught me to plan for the worst. I would think your client is in the same position, because as a parent I believe one ought to be prepared for the worst.

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