

IN THE BARNET FAMILY COURT

Case No. ZW23C50092

Neutral Citation Number: [2024] EWFC 449 (B)

St Marys Court
Regents Park Road
Finchley Central
London
N3 1BQ

Thursday, 12th September 2024

Before:
HIS HONOUR JUDGE OLIVER JONES

B E T W E E N:

A LOCAL AUTHORITY

and

C & D

MR O MILLINGTON appeared on behalf of the Applicant Local Authority
MS D LEWIS appeared on behalf of the Respondent Mother
MS G MITROPOULOS appeared on behalf of the Respondent Father
MS R MAHEY (Solicitor) appeared on behalf of the Children through the Guardian

JUDGMENT
(Approved)

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This judgment was delivered in private. The judge has given leave for this version of the judgment to be published on condition that (irrespective of what is contained in the judgment) in any published version of the judgment the anonymity of the children and members of their family must be strictly preserved. All persons, including representatives of the media, must ensure that this condition is strictly complied with. Failure to do so will be a contempt of court.

HHJ OLIVER JONES:

1. These are care proceedings in relation to two children: A, who is eight years old; and B, who is six. The Local Authority is represented by Mr Millington. The mother of the children is C, represented by Ms Lewis. The father is D. He is represented by Ms Mitropoulos and the children are represented through their Children's Guardian, and by their solicitor, Ms Mahey.
2. These are care proceedings relating to A and B. The Local Authority seeks care orders with a plan for long-term fostering. It is supported in that by the Children's Guardian. It is opposed by the parents who want the children to come home. It is my practice to indicate at the beginning of the judgment what the decision is going to be. This judgment is going to be quite long as a lot of the things I have been asked to deal with and to decide are going to take some time to explain. However, I do not think it would be right or fair for the parents to spend their time on tenterhooks wondering what it is going to be.
3. I know it is not going to be an easy decision for them. However, the decision I have made is to make care orders in relation to B and A. In relation to contact, the amount of contact that I am going to indicate the Local Authority should adopt as its care plan is seven times per year. Accordingly, that is each of the main school holidays, but in the summer holiday with two contacts; one at the beginning of the holiday and one at the end which will be close to A's birthday. I am now going to get on with my judgment. However, I would like the parents to listen to it so they can understand the reasons why I have made the decision that I have.

Background

4. The children were removed from their parents by the police on 1 February 2023. They were placed with a paternal cousin. That placement lasted one day. They then moved to a foster placement. That lasted about four weeks before it broke down and, in March 2023, they moved to the care of their current foster carers. They have remained there ever since and have remained together throughout.
5. The mother had a difficult and traumatic childhood. She was sexually abused by her own father and not protected by her mother. She spent the later parts of her childhood in care but that was punctuated by admissions to psychiatric units and a period in a secure accommodation unit. The mother became pregnant when she was 16 with the parents' first child, L. She was the subject of care proceedings which concluded with the making of a care and placement order and L was eventually adopted.
6. The father is substantially older than the mother. He has adult children from his marriage although there is not a great deal known to the Court about his previous family.

The Evidence

7. I have read a bundle of 3,324 pages. I have had access to a contact notes bundle of 555 pages and I have read every document that has been referred to within that. I have also read an updating bundle of contact notes and fostering logs which are a further 34 pages. I have also perused a bundle of previous proceedings documents which was a further 332 pages. In the course of this final hearing, I have been provided with a number of additional documents. I received a fifth statement from the mother plus exhibits, a series of medical notes or letters that related to the mother around the time of the births of their three children and one relating to her having a miscarriage in 2021. I have seen a MARAC letter also from 2021 in relation to protecting the mother. I have seen a small set of details of courses that the mother attended and I have the school attendance records for A and B.

8. In addition, I have been provided with a large number of police videos. The parties agreed that I only needed to watch three of them. I have watched a video of the mother from 2017 at the maternal grandmother's home where she was speaking with the police, a second video of her in her own home speaking to the police in 2021 and from 2023, a police officer doing a walk-through of the family home, the condition of which led to the police removing the children in February 2023. I have watched all of those videos twice. I have, in fact, looked at most of the other videos, particularly the ones where police officers were in the children's bedrooms talking to them.
9. I heard oral evidence from the following witnesses: I heard first from Dr Aisha Ali. She is a childhood counselling psychologist based in Maidstone. She prepared her first report which was dated 5 October 2023. She prepared that report without having viewed the videos. Although they had been sent to her, she could not access them and she told me that there were 50 Court documents that she should have been sent and had not been received. In addition, she had intended to speak to the foster carer but had not been able to do so. She told me that she had reported those omissions to the agency that she worked through, Expert in Mind. However, her report did not set out that she had not seen that material.
10. Dr Ali relied heavily on Expert in Mind, the agency. They had coordinated with the solicitor with conduct of her instruction and were managing the documentation on her behalf. She provided me with a chronology prepared by that agency although I do not know by whom, it details how and when documents were made available to her and what was done about it. It is understandable that an expert might use an agency to assist them with their work. However, ultimately, Dr Ali is the Court's appointed expert and so whether she uses an agency or not, ultimately, the responsibility lies with her about ensuring that material is available to her for her work. It was her responsibility to ensure that the Court was informed of any difficulties or omissions. That should have been reflected in her report.
11. The parties raised in written questions a robust challenge to the contents of her first report. Dr Ali submitted a second report. Surprisingly, it was essentially the same report as the first one with some changes made rather than an addendum in the usual manner. It was a feature of both reports that Dr Ali had relied on an account the mother had given her about the foster carer having influenced A, in effect, giving her a false narrative about the parents. The mother had told Dr Ali that there were documents that demonstrated this although those documents were never produced to the court.
12. Dr Ali appears to have taken that allegation at face value which is a major aspect of her filed statement and her second report. She goes so far as to say that the harm done to B and A of that false narrative was greater than any harm in the care of the parents. In her oral evidence Dr Ali tried to explain that she was trying to maintain impartiality. She was concerned about the working relationships that the parents had with professionals. However, the terminology that she used failed to maintain impartiality. What she did was she sided with the other side instead and so what was an allegation presented by the mother was presented by Dr Ali was treated as if it were a fact rather than an allegation.
13. When she had eventually accessed the missing videos and missing documents, Dr Ali shifted in her opinion. She became far more cautious. However, nonetheless, in her documents filed after then, despite her final recommendation having seemingly changed, she repeated the same phraseology about a narrative being imposed on A by the foster carer and the social worker. Dr Ali did not fare well during cross-examination. It was pointed out to her that a number of professionals, including herself, had reported difficulties with the accounts the mother had given being inconsistent. In the course of cross-examination, Dr Ali disowned substantial parts of her reports, in particular, those parts which were often repeated about the narrative having been imposed on A. Later, she was cross-examined by the parents who understandably

- felt that she had backed them and then changed her position without justification. She reopened the door to some of the aspects that she had disowned saying under further cross-examination that there was a possibility that that could have happened.
14. I found Dr Ali to be a very unsatisfactory witness. I have to treat her evidence with great caution. This a complex and nuanced case. It has a large amount of documentation. Unfortunately, it is not uncommon at times for documentation to arrive piecemeal and, unfortunately, some elements were missing. The solicitor for the child accepts that one set of documents did not get sent when they should have been. However, in this case, Dr Ali appears not to have coped. She reached conclusions without having all the necessary information. I cannot understand how she accepted the mother's allegation and presented it as if it were fact without any independent or corroborative evidence. I am concerned that she expressed her views without indicating the gaps in the evidence that she knew of. I am concerned that she felt able to present an allegation against the foster carer as if it were true without even having taken up the opportunity to speak to the foster carer.
 15. Dr McEvedy, the consultant psychiatrist, had a professional disagreement with Dr Ali. Dr Ali, in her report, had suggested that the mother may be suffering from post-traumatic stress disorder. The basis for that view appeared, rather unscientifically, to be based on the mother's difficult and traumatic life and history. Dr McEvedy, in his oral evidence, obliterated that analysis and pointed out that Dr Ali's own PTSD questionnaire had been completed by the mother and returned a score of zero. Therefore, he justifiably said, "There is no evidence to make a reliable diagnosis of post-traumatic stress disorder". I prefer Dr McEvedy's evidence in relation to that professional dispute.
 16. Ms Mahey has also drawn my attention to an invoice that was submitted by Dr Ali's agency on 8 January 2024 for having read the documents which in her oral evidence Dr Ali said she had not seen at that point. Overall, I found Dr Ali to be a deeply unsatisfactory witness. She appeared to be confused when, in an attempt to maintain neutrality, she uncritically accepted what the mother told her. In doing so, she did the reverse. She was not maintaining neutrality in respect of maintaining fairness to the foster carer. Unfortunately, as a result of these difficulties, I cannot and do not rely on Dr Ali's evidence at all.
 17. I heard next from Dr McEvedy who is a consultant psychiatrist. The only formal diagnosis he gave to the mother was of a mental and behavioural disorder due to use of cannabinoids. He was unable to give a definitive opinion of a personality disorder but noted some features. I have already mentioned his view about post-traumatic stress disorder. I found him to be a reliable and fair witness. He was careful in his analysis and was able to justify his opinions. He was unshaken in cross-examination and I accepted his evidence in full.
 18. I heard from the parenting assessor, AP. She works at the Family Assessment Centre. She prepared a detailed parenting assessment using the CAMHS methodology. I found her to be a reliable witness who was unshaken in cross-examination. It was put to her that she was focusing only on the negatives. However, I did not consider that criticism to be borne out. She did identify strengths such as the parents having a good knowledge base. However, ultimately, her analysis and conclusions were negative. There were many parts of her report that the parents challenged, in particular, about her account of things she said had been said by the parents.
 19. However, where AP and the parents' evidence disagree, I prefer AP's. Unfortunately, the parents have demonstrated repeatedly in the course of this final hearing that they are willing to disown previous statements, even ones they made moments earlier when they think it will help their case. Many of the negatives that AP identified about the parents and their care of the children, for example, in relation to a lack of acknowledgment and the extent were ones that I also observed played out in the parents' oral evidence. I accepted AP's evidence.

20. I heard from BS, the headteacher of the children's school. I found him to be a reliable witness albeit a lot of the information he provided was second-hand hearsay and had come from staff members rather than being in his direct knowledge.
21. I heard from the allocated social worker, O. I formed the impression that he has worked hard on the case. The Children's Guardian praised his work and said it was a marked improvement on the work that had been done before. Although the parents were critical of O on a number of counts, they did also seem to accept that there was a working relationship between them. O was criticised for not having provided regular email updates to the parents. That is something that he had offered at Court at a point when direct information sharing between the parents and the foster carers was being ceased. It is clear that O did not do what he said he would do and did not provide the parents with regular emails which they were entitled to expect although there were frequent phone calls and he does appear to have been mostly contactable when needed.
22. In his oral evidence, O's consideration of contact appeared to be a bit confused. In his written evidence there were contradictory amounts of contact set out: six times a year and every six weeks, which are not the same. In his oral evidence his recommendation about contact had by then become six times a year plus significant events, so to include the children's birthdays and Christmas. It did not appear that that had been particularly well thought through. Despite these issues, overall, I consider that O was a reliable witness, that he generally produced a good standard of social work in what, at times, had been trying circumstances.
23. I heard from the mother. I do not doubt that she loves the children and desperately wants them back. Unfortunately, in her evidence, she was highly inconsistent. She repeatedly denied previous statements that she had made to professionals and also things that were written in her own statements. She described herself as "a liar". She demonstrated an ability to shift the narrative without pausing to acknowledge that she was contradicting something she had said only moments earlier. I formed the impression that she had two main objectives during her evidence: firstly, to say whatever she needed to say to get the children back and secondly, to protect the relationship between her and the father from any criticism. She demonstrated a limited insight into the concerns. She struggled to accept responsibility for things that had been harmful to the children and, instead, she would deny, minimise or cast blame on third parties and professionals. She was, I am sorry to say, a deeply unreliable witness.
24. I heard from the father. I also have no doubt at all that he loves his children and he is desperate to have them back. His evidence was also inconsistent. He also, at points, tried to shift the narrative in a way that appeared to be trying to assist his case. He struggled to acknowledge his role in the harm that the children had suffered. He demonstrated, at times, a limited insight into the concerns and the effect that those had had on the children. He would deny, minimise and cast blame on third parties and professionals. An example of this was when he complained about professionals having repeatedly raised concerns about the nature of the relationship between him and the mother, seemingly, without recognising that those concerns had been raised firstly by the mother herself.
25. I heard from the Children's Guardian. He prepared an initial analysis which was critical of the parents and drew what appeared to be conclusions about the factual background of the case. It was put to him that he had been pre-judging the case but he defended his approach on the basis that his priority was the safeguarding of the children and that at the time, the Local Authority had not conducted sufficiently robust work.
26. I formed the view that the Guardian's analysis and recommendations were founded in the evidence and he brought his own analysis to those. He was criticised for not having set out a full *Re B-S (Children)* [2013] EWCA Civ 1146 analysis and he defended himself on the basis that he had to be proportionate about what to include in his report which was already longer

than is recommended. Accordingly, he had not included generic points, for instance, about the difficulties that can affect a child in foster care but only said he had considered them.

27. The Guardian's recommendation for contact was changed just before his oral evidence. In fact, he had changed his mind at the beginning of the morning but that was not communicated to the other parties before he gave evidence at 2.00pm. He accepted that it would have been better to have let the parties know earlier and he would take that as a learning point. I accept the Guardian's evidence and analysis although I treat it with some caution because it would have been better for him to have, in effect, shown his working and provided a full *Re B-S* analysis for the parties and the Court to consider.

The Law

28. For the Court to consider whether to make a care order or a supervision order, I must first consider the test under section 31 of the Children Act 1989, referred to as "the threshold criteria". The Court can only make a care order or a supervision order if it is satisfied that at the relevant date, the child concerned is suffering or is likely to suffer significant harm and that the harm or likelihood of harm is attributable to the care given to the child or likely to be given to him or her if the order were not made, not being what it would be reasonable to expect a parent to give to him or her.
29. In relation to findings of fact, the burden of proving an allegation falls on the party who makes that allegation. In this case, it means the Local Authority must prove its allegations against the parents and it must do so to the civil standard of proof, the balance of probabilities. The Court must be satisfied that the occurrence of the fact in question was more likely than not. It is not for the parents to prove they did not do something that is alleged. I remind myself of the words of Butler-Sloss LJ as she was then in *Re M and R (Child Abuse: Evidence)* [1996] 2 FLR 195 when she held that "The Court must reach a conclusion based on facts, not on suspicion or mere doubts".
30. I give myself a *Lucas* direction. In this case, the mother has admitted telling lies. I remind myself that there may be another reason as to why a person may tell a lie. A person may lie deliberately because they are supporting what is alleged or they may lie for other reasons, for example, to bolster a weak case or to protect someone, out of panic or to cover up disgraceful or embarrassing behaviour. If a person lies about one matter, it does not mean that they are not telling the truth about something else. I remind myself of the case of *Re S* [2014] EWCA Civ 135 in which Macur LJ when considering the issue of dishonesty said that, "The fact of a parent's non-disclosure or deceit is not necessarily determinative of parenting capacity nor, depending on the circumstances, an ability to cooperate with the authorities".
31. My paramount consideration is the welfare of the children in accordance with section 1 of the Children Act 1989 and I have particular regard to the Welfare Checklist under section 1(3). I am mindful of the statutory principle that delay is likely to be harmful to the child. I acknowledge that the Court should take the least interventionist approach commensurate with the child's welfare and I have to and I have considered the human rights of the parents and the children to a private and family life. I remind myself that any interference with the right to private and family life has to be justified and proportionate.
32. I have considered the no order principle and section 1(5) of the Children Act, namely, where the Court is considering whether or not to make an order under that Act with respect to a child, it should not do so unless it considers it would better for the child than making no order at all. I remind myself of the well-known case of *Re B-S* which I have already referred to and that although the child's interests are paramount, the Court must never lose sight of the fact that those interests include being brought up by the natural family unless the overriding

requirement of the children's welfare make that not possible and that the Court must consider all the realistic options before coming to a decision.

33. In making an assessment of the parents, I must take into account the assistance and support that would be available to them and I should avoid a linear analysis in favour of a global, holistic evaluation of all the realistic options which takes into account all of the negatives and positives, all the pros and cons of each option.
34. I turn now to the threshold. I have an extensive schedule which I am asked to consider. I start at paragraph five which is the first part in dispute. This relates to the state of the family home on 19 May 2022. When the police attended the home, they reported the home to be in a poor condition, untidy, cluttered with a number of boxes, with cockroaches in the bathroom and the kitchen. The parents accepted elements of this. The Local Authority relied on the written evidence of the police officers who attended the family home on 19 May 2022. They described it being immediately evident that the property was unkempt and dirty with clothes all over the floor and bed. The police report states that the children's bedroom was the cleanest room in the house albeit it was untidy with clothes scattered around. The report states that the living room had a pile of rubbish lying around. The officers saw cockroaches present which the father said he had been trying to get rid of. They report the kitchen to be in their words, "a questionable level of hygiene", smelling of stale food and unclean with a sink full of vegetable peelings and cockroaches running across the floor.
35. I did not hear from any of the officers who attended on that occasion. I do not have video from body-worn camera footage. The parents dispute that it was dirty and unkempt, that there was rubbish lying around the living room or that the kitchen smelt of stale food and was unclean. The mother says that there were black bags of clothes that she intended to dispose of which were in the living room. The father accepted the property was in a poor condition but he put responsibility on the landlord.
36. I prefer the evidence of the police report albeit it untested in cross-examination to the evidence of the parents. The parents are unreliable witnesses. The police officers were, at that time, present for an unrelated matter and had no reason to fabricate evidence in relation to the home conditions. The descriptions they gave were, in my judgment, similar to the body-worn camera footage that I viewed of a later police attendance on 1 February 2023. For those reasons, I find paragraph five of the threshold to be proved to the necessary standard although I do note that the police did not take the view that it was necessary to take any further action. On that occasion, they did not intervene in relation to the children other than to send a police notification form through to the Local Authority. Accordingly, on that basis, I am satisfied that the conditions, overall, were less severe than was observed on 1 February 2023.
37. Paragraph six. This is the allegation that on 9 September 2022, when school staff attended a home visit, the flat was messy. The living room was taken up with boxes piled high. Next to the sofa, there was a low unit open, full of alcohol bottles and there were two open bottles of Calpol and Nurofen at child height. B, it is alleged, was observed running around inside and outside the flat and on the sofas, and the bottoms of his feet were very dirty and dark black in colour.
38. The mother disputes that the flat was messy but accepts there were boxes piled high in the living room. She accepted in oral evidence that there was a low unit containing alcohol that was within reach of the children. She told me it was for visitors but she accepted that it was not a good idea to have that around the children but told me that the children never did anything with the alcohol. Both parents assert that any open bottles of Calpol or Nurofen would have been empty. The mother denied that B's feet were dirty and asserted that he was wearing shoes and trainers at the time. The father, in his response, suggested that B may have

been running in and out of the house and, if he had been barefoot, that might explain his feet being dirty.

39. I have seen the record that the staff members from the school's early years team prepared for their visit on 5 September 2023. The visit is recorded on the school's CPOM records system. It reads:

"At the bottom of the stairs, in the front garden, there were lots of full rubbish bags which had started to smell. The dustbins were all full. At the top of the stairs, there was also a pile of rubbish bags also full and smelling...We went into the flat and Dad apologised for the mess saying they were hoping to move...Dad led us into the living room where Mum was sat folding washing. Walking past the bedroom we could see an unmade bed with lots of clothing thrown onto it and onto the floor. The living room was taken up with boxes piled high. There was not much space left in the room; only the two sofas and a small floor space between them. Next to one of the sofas, there was an open low unit full of alcohol bottles. [xxx] noticed two open boxes of Calpol and Nurofen (with the bottle inside) at child height. B was running round the house and on the sofas. The bottoms of his feet were very dirty. They were dark black".

40. The school CPOM records have all been redacted to exclude the names of everyone other than the children and the parents. The headteacher told me that this was what they had been advised to do. I repeat now what I said to him then, that redaction to preserve the confidentiality of third parties and especially other children is obviously appropriate but that it is quite wrong that the identity of members of staff should be obscured. It is regrettable that none of the legal representatives identified this problem earlier in the proceedings when there would have been time for appropriately redacted documents to have been submitted. The difficulty is that it makes it harder for the judge to know what is going on but more importantly, it takes away from the parents the opportunity to know who it is said was making these allegations against them.
41. Notwithstanding that though, I prefer the evidence of the CPOM record to the parents' accounts. It has the benefit of being close to contemporaneous. The school staff had no reason to mislead about what they saw whereas there are serious issues about the parents' credibility and, in particular, they tend to seem to say whatever is likeliest to help their case. I find that the home was untidy. I accept the evidence that the father apologised for it being messy and explained the landlord problems both of which have a ring of truth about them.
42. I find that the living room had boxes piled high. That was also observed in the police report in May 2022 and I saw it in the body-worn camera footage from February 2023. I accept there was alcohol in the low unit open, within easy reach of the children. I find that there were Calpol and Nurofen bottles within reach of the children. However, I find on the basis of the CPOM recording that these were actually open boxes rather than open bottles. There is no evidence that the bottles themselves were open. It seems to be more likely that they would have been closed inside the box. I find that B's feet were very dirty and dark black as observed by the members of staff that day.
43. Paragraph seven alleges that on 31 October 2022, when staff at school had occasion to change B's trousers, it was noted that B was very dirty. His feet were filthy. His socks and underwear were dirty and he smelled strongly of urine. The parents dispute that B was dirty when he went into school. The parents suggest that he must have soiled himself while he was at school. The father points out that when B first began at school, he was still wearing a nappy and so accidents were liable to happen. The parents disputed that his feet were filthy as he was being bathed daily.

44. The CPOM recordings states that B came in from lunchtime and had pooped all over his trousers and that he did not know whether it was his own or from an animal. When they took the trousers off to change him: “We saw that he was very dirty. His socks and underwear were dirty and he had lots of dirty marks over him. His feet were filthy. He also smelt strongly of urine”.
45. I make no findings in relation to the faeces or the urine. It is quite feasible that by lunchtime, B had had an accident. I do not know whether there was animal faeces in the vicinity that he might have come into contact with. Similarly, it is quite possible that he had wet himself at some point in the school day and I do not draw any conclusion from it being described as a strong smell. However, I do find that the recording by the staff of what they saw under his clothes was accurate, that he was observed to be very dirty with filthy feet and lots of dirty marks over him.
46. The parents had a good working relationship with the school and they had no reason to make up false allegations about the way B presented. I do not accept that the sort of dirt that was described on B that day could have accumulated during the school day. In my judgment, it is likely that he was already dirty under his clothes when he attended school that morning. I make no finding about the dirtiness of his underwear or his socks given the possibility that he may have soiled himself in the course of the day.
47. Paragraph eight. On 11 November 2022, when staff at the school had occasion to change B, it was noted that B was very dirty and that he had the same dirt marks on his face from the previous day and that he had lots of dirt under his fingernails. The parents deny that B was dirty and assert that he was clean when he attended school that day. The CPOM recording which is timed at 9.15am states that: “B wet himself during breakfast club today. I took him to get changed when he arrived in class. He was very dirty and had the same dirt marks on his face from yesterday. He also had lots of dirt under his fingernails”. I accept that near-contemporaneous account is accurate and I prefer that evidence to the assertions of the parents.
48. Paragraph nine. The allegation is on 9 January 2023, A attended school with her coat smelling of smoke. During breakfast club at school, A held out her coat to another child and said, “Smell this; it smells like cigarettes and my mum smokes”. During a subsequent conversation between the school staff and the parents, the mother said she did not care about the cigarettes as everyone knows she smokes. The mother, in her evidence, accepted that A had a coat with her that day at school that smelled strongly of smoke. She told me it was her own coat and it smelled because she was a smoker. She said she did not realise that A had the wrong coat with her but went on to blame the school for not preventing A from wearing it.
49. In my judgment, it does not really matter whose coat it was. The fact is that A went into school with a coat that smelled strongly of cigarettes and another child told her, “It stinks”. It is the parents’ responsibility to send A to school with clean clothing and, on this occasion, albeit it is not one that was repeated on any other occasion as far as I am aware, but on this occasion, they did not do so and A, as a result, had to cope with a difficult peer interaction.
50. Paragraph 10 alleges that on 1 February 2023 when the police attended at the family home, the property was in an unsafe and unhygienic condition in that the flat was extremely dirty and was filled with clothes and rubbish, that there was dog faeces in the hallway, the children’s room and the front room, that there were used nappies in the children’s bedroom and on the kitchen work surface, there was dirty bedding in the children’s room and that there were cockroaches in all rooms. In the children’s room there were sticky cockroach traps with over 100 both dead and still moving cockroaches attached.
51. The mother denied the flat was extremely dirty or had loads of rubbish although she accepted it was cluttered with boxes and bags of clothes. The father accepted the property was untidy and that there was some rubbish around as well as lots of clothes which would either have

- been ready to go to the laundry to be washed or to be thrown away. The mother asserts that the dog faeces was present because the police raided the property and, in doing so, scared the dog. She denied the presence of faeces in the children's room or the front room. In his response, the father explained that the dog was only eight weeks old and had been collected the previous day. He says a lot of it was fresh poo which had occurred when the officers attended and that the officers had prevented the mother from cleaning it up. He said that further dog faeces had been produced from the puppy while the police were in attendance.
52. The mother denied the presence of used nappies in the children's bedroom but accepted a used nappy was on the kitchen work surface. She said it had been taken off that morning. The father accepted there was a used nappy in the kitchen which he said had been taken off B in the night. He says that the nappy in the children's bedroom was taken off by B himself whilst the officers were present and the officers were assisting him to find some trousers to put on. That is one of the interactions that I saw in one of the other videos which I was not asked to look at. The mother denied that there was any dirty bedding in the children's room. The father denied that the bedding was dirty although he did say that there was a ketchup stain on the quilt because B eats in his bed and that this stain must have been mistaken for blood. He also says that the body-worn camera footage shows that the dog urinated on B's bed while the officers were present. Again, that is something also that I observed in one of the videos.
 53. The parents accepted that at that time there were cockroaches in all the rooms but that this was not a problem of their making due to the property's infestation. The father said that the infestation had been present since 2019 and that he had been using sticky traps to try to control it because the landlord had failed to address it. He exhibits to one of his statements a report from a surveyor in relation to a disrepair counterclaim that the parents had lodged when the landlord sought possession of the property for rent arrears. The parents tell me that they had received a sum of damages as a result of that counterclaim albeit I think it was mostly wiped out by the rent arrears.
 54. I have read these reports. I have also viewed the body-worn camera footage of the police who walked through. On the basis of that evidence in that footage, I am satisfied that at that time, the property was both unhygienic and unsafe. It was dirty and overfilled with clothes and rubbish. The kitchen was cramped with bags and clothes items on the floor so that there was barely any floor space visible. The kitchen worksurfaces were covered with items including food items. There was dirty washing up in the sink. The kitchen, I accept, did have a lock to keep the children out. The lock was high up on the door so they could not access it and I observed on the video the officer unlocking it to be able to get in.
 55. I accept the police officer's account that there were dirty plates and pans on the worktop as well as takeaway containers present in the kitchen. I also accept the account, the parents accept it as well, that there was a full nappy on the chopping board on the work surface which I could see in the camera footage. The children's bedroom was cluttered with clothes on the floor. A stained, reddish mark could be seen on the duvet. The sticky traps could be seen with hundreds of cockroaches stuck to them. Immediately next to the cockroach trap was B's water bottle with his name written on it.
 56. PC K's statement sets out that he found soiled nappies on top of the children's wardrobe. In the video and the stills from the video, the dog faeces can be seen in the hallway. The mother says that the police officers covered the faeces with a hairbrush. A hairbrush can be seen over the dog mess although it would have been bizarre and objectionable act for the police to deal with dog faeces by placing a hairbrush on it. I would have expected the parents to have made their feelings more strongly known at the time if that had happened. It is difficult on the visual evidence to see dog faeces elsewhere in the house although it would not be surprising if it had been trodden around given the number of people in the house at the time of the police raid.

57. I find that there were used nappies in the kitchen and the bedroom. B was wearing a full nappy when the police arrived and he later took that off so that may explain the presence of one nappy in the children's bedroom. However, it undermines the parents' claim that the nappy in the kitchen had also been taken off in the course of the night or earlier that morning. The bedding in the children's bedroom was dirty. I accept that the dog urinated on it on B's bed while the police were there. However, the staining to the duvet was obvious. I cannot determine whether it was blood as the officers suspected it to be or whether it was ketchup as the parents asserts. It has not been tested. Either way, it would be a substance that would have been attractive to vermin such as cockroaches.
58. I also accept that B would eat in his bed. Perhaps that is not surprising given the state of the infestation. However, eating there would have attracted vermin to his bedroom and specifically to his bed with potential crumbs and bits of food being dropped. I accept that there were cockroaches in the home. They can plainly be seen in the videos and photographs. I have read the report of the surveyor who inspected the property on 5 September 2022. In his report, he records seeing mouse droppings on a window ledge in the front bedroom alongside some popcorn and he commented that excesses of food would encourage mice.
59. The report sets out the parents' assertion the downstairs neighbour suffered a mouse and cockroach infestation and that the father suggested there may also be a hoarding issue with that neighbour. The report sets out that the mouse and cockroach infestation began in 2019, that the landlord had arranged some pest control treatments which resulted in some relief from the infestations but that the mice and cockroaches had returned in or around January 2022. The report reads:
- “Hygiene standards within the property certainly require improvements. Because the ground-floor flat is filthy and verminous then cleaning within the defendants' flat is not necessarily the main issue. However, all vermin seek food and an unclean premises will likely sustain more vermin than a cleaner premises. It may also undermine any pest control treatments which rely on bait to be taken”.
60. The surveyor had no evidence to confirm whether the flat below was filthy and verminous. Later questions to the surveyor which I have also read the answers to indicate that he did know where the source of the infestation was. He reiterated the importance of premises being clean as treatment of an infestation would be more successful than in a dirty and cluttered premises. He referred to an email from the environmental protection officer dated 16 September 2024 that stated that there was cockroach activity in the downstairs flat but did not indicate any wider issues of hoarding or filth.
61. I have considerable sympathy for the family and their difficulties with the cockroaches and the mouse infestations in the home. The father's evidence about how he would go to sleep thinking of cockroaches and wake up thinking of cockroaches was compelling. It is a horrible problem for them to have had to deal with.
62. I am not in a position to determine whether the neighbour downstairs was the source of the infestations. That is the parents' assertion but there is no evidence that proves it. The home was seen to be cluttered and dirty on a series of occasions. In May 2022 and in February 2023, police officers observed a number of aspects of poor hygiene with takeaway boxes, dirty plates and pans, spilt food and used nappies being observed. It was also a feature that the rubbish from the flat was poorly organised with bags piled outside the front door which was damaged and not secure as well as at the bottom of the external staircase.
63. In his inspection report, the surveyor was also critical of the hygiene in the home. In my judgment, there was much about the state of hygiene and cleanliness within the home that would have encouraged vermin. I note that in relation to the infestations in the surveyor's

report in Annex 3, in the column for “Liability for the infestation”, it is marked as “Landlord and/or tenant”.

64. I have not seen the judgment in relation to the parents’ disrepair claim. I understand that they were ordered a sum of money that was set off against their rent arrears. I do not know what findings the County Court judge made in relation to the infestations and I note that there were many other aspects of that disrepair claim including the presence of mould, inadequate ventilation and dilapidated kitchen units and surfaces which may or may not have been part or possibly all of the sum of damages awarded.
65. I accept that the parents made efforts to deal with the infestation. The traps are evident. The boxes which were piled high were attempts to preserve their items from the vermin. Unfortunately, the clutter that that process generated probably contributed to the problem by providing more nooks and crannies for the vermin to hide in. However, the parents also told me that they tried insecticidal bombs and also tried filling gaps between the floorboards. I accept the parents’ evidence that they often ate takeaways or at a café rather than preparing food at home which would have been very expensive. The father told me it cost £200 a week.
66. The evidence I heard from the mother was that clothes were worn once and then thrown away because of the cockroaches. If that is right it would be a very expensive way also to manage the problem. In that context, it is with some sadness that I note that the surveyor’s report placed the cost of professional pest control for mice at £270 and for the cockroaches at £150. Ultimately, the presence in the house of food waste, dirty plates, stained bedding and dirty nappies is likely to have encouraged the vermin and undermine efforts to control infestation. The mother told the parenting assessor of her efforts in replacing carpets and painting the property had made no difference.
67. The mother disputed it in her oral evidence but I accept AP’s evidence that the mother told her she had lost interest and given up. AP’s opinion was that the parents lacked motivation and, within the PAMS assessment, she identified a lack of knowledge as to how to keep the home clean. That is something that they have, at times, plainly been able to manage to do. The current accommodation that the parents live in, albeit without the children in their care, I have seen photographs and it is of a good standard. I also note that within two weeks of the children being removed, professionals reported that the flat has been cleaned and tidied to an acceptable standard. In addition, in the body-worn camera footage from March 2021 when the police attended the home, the address looks nice and tidy.
68. In my judgment, by failing to maintain better standards of hygiene by removing items such as food and nappies immediately, the parents are at least, in part, responsible for the presence of the vermin in the home. I recognise that there may also have been important external factors well beyond their control but nonetheless, I am satisfied that the parents were responsible for the dirty, unhygienic conditions and that the children suffered significant harm as a result.
69. Paragraph 11 is that the children were taken into police protection on 1 February 2023 and the parents were arrested for child neglect. That is not disputed although I note that subsequently, it appears to be no further action in relation to that arrest.
70. Paragraph 12 relates to education. As at 22 June 2021, A’s attendance at school was at 39%. The father accepts this level was extremely low and explains that A had illnesses, that she had been taken out of school when they were taking B to medical appointments and that also, the parents took her out of school for a cheaper holiday. I recognise also that reception year children as A was at the time are particularly prone to illnesses and absences as a result. Nonetheless, an attendance level of 39% is extremely low by any standards and, in my judgment, would have been harmful to A’s education.
71. Subparagraph (b) is that at 26 May 2022, A’s unauthorised absence was above 10% and the school completed a referral to the Local Authority for a holiday penalty notice charge. The

- father accepts this is correct, that they had taken A from school for a Butlins holiday. They had asked the school for permission but it was refused but they decided to go away anyway and accepted the fine. I note from the school attendance records that in addition to a week's unauthorised holiday in May 2022, A was also recorded as being removed from school for an unauthorised holiday for seven days between 31 January 2022 and 8 February 2022.
72. Subparagraph (c) is that as at 1 February 2023, A's attendance was 91% and B's was 87%. I recognise that these are much-improved figures compared to what preceded them. Considering A's school attendance records for that academic year up until February, there are four days of unauthorised absences, two days of authorised absence and three days of illness. B's attendance record shows nine days of illness, one day of unauthorised absence and two days of authorised absence. Those attendance levels were below target levels. However, I cannot find that these attendance levels for the children during this period demonstrate significant harm attributable to the care the children were receiving from the parents.
73. Paragraph 13 relates to domestic abuse. The Local Authority's case is that there is a significant history of domestic abuse between the parents over a number of years. The Local Authority invites the Court to consider the nature of the relationship. By all accounts, there is a substantial age gap. The age of the mother when the relationship began is a matter of dispute. The mother says she was 16 years old at the time and the father was 48. That is a 32-year age gap. The mother says that she became pregnant with their first child, L, very shortly after they got together. She was 16 years and 10 months old when L was born and L had been born prematurely at 33 weeks' gestation.
74. The Local Authority's case is that at the time the parents commenced the relationship, the mother was 15 and they rely on her accounts to the police contained within the body-worn camera footage when she has alleged exactly that. In his oral evidence, the father told me that when he met the mother, she told him she was 19. The Guardian pointed out that there is a document from L's proceedings which casts a different light on the relationship. A child and family assessment was completed by A Local Authority in January 2015. In that assessment, it is recorded:
- “C stated that she had known D for about four years. He helped her in October 2012 when she was in a secure unit. Prior to that, she knew D when he helped her out when she was struggling with money. C reported that she and D went out around Christmas time 2012 and they had a drink and one thing led to another and that was how she got pregnant. C further reported that she had an on/off relationship with Mr K, aged 25 years now, so she was unsure who the father of the baby was”.
75. A child protection conference record by another local authority dated 14 October 2015 records that the parents got together around the time that the mother had absconded from a secure unit, that their first child was conceived soon after when the mother was only just over 16. With the police body-worn camera footage, the mother alleges to the police officers that the relationship began when she was 15. The maternal grandmother, at that stage, chips in saying, “Disgusting”. The mother has accused the grandmother of being a malign influence who has made up false allegations and pressured her and bullied her, in her words, to make these false allegations. She also says the police had bullied her or redirected her in her allegations.
76. I have to bear in mind, also, that within this case, the mother has repeatedly lied to professionals and to the Court. She accepts she has lied. Just because she has lied about one thing does not mean that she has lied about another. In this instance, there are two possibilities: either she lied to the police in 2021 about how old she was when they started their relationship or she is lying to the Court about it now.

77. In my judgment, the account the mother gave to the police as recorded on the body-worn camera footage is more likely to be truthful than the account she gave to the Court. I am satisfied that in the face of a greater threat from Social Services in these proceedings and generally, the parents have been pulled together. There are numerous examples of each of them changing their evidence in the hope of presenting themselves in a better light and also to protect the other parent. However, the way in which the mother spoke to the police in 2021 was compelling and believable. The other allegations that she made at the same time such as having been assaulted by the father were corroborated by injuries that she was observed to have as well as the view that I have formed of witnessing that video of her being genuinely terrified by him.
78. There is also, in the bundle, a chronology relating to L's proceedings. It sets out that the mother had been made the subject of an interim care order on 2 November 2012 and of a secure accommodation order on 14 November 2012. However, prior to then, the mother is reported to have called the maternal grandmother on 24 October 2012 and, again, on 25 October 2012 while she was missing and informed her that she was staying in Clacton with her 45-year-old boyfriend. The mother turned 16 on 12 November 2012.
79. When I consider all of the information as well as the accounts the parents have given through their statements, their oral evidence and to the police on the body-worn footage, I am satisfied that the parents' relationship began when the mother was 15 years-old and the father was 48 years old. She was, therefore, below the age of consent. While it may be that the mother lied about her age to the father saying that she was 19, that would still have been a very substantial age gap. Importantly, also, is the fact that Mother, at the time, was significantly troubled. Her relationship with her own mother was highly dysfunctional, she had been abused her father, she had gone missing repeatedly since 2012, she had been self-harming, cutting her arms and legs and she had had two admissions to a psychiatric hospital in August and in September 2012 after taking overdoses.
80. I am satisfied, on the balance of probabilities, that at the time that their relationship began, the mother was extremely vulnerable and that there would have been a substantial power imbalance between the parents. Accordingly, in that context, I consider the allegations of domestic abuse. It is accepted by the father that there had been arguments in the past that resulted in the parents shouting and screaming towards each other and that there were police callouts to domestic incidents involving verbal arguments on 10 February 2017, 15 March 2017 and 16 August 2017. It is accepted by the parents in their evidence that occasionally, they were verbally abusive to each other.
81. The parents have given different accounts at different times about domestic abuse in the relationship. In the mother's first statement, she made a blanket denial that there had been any domestic violence. Similarly, in his first statement, the father denied there had been any domestic abuse and disputed that there were even any concerns about the relationship. Both parents have claimed to have gained a greater understanding about domestic abuse as a result of engaging with the Freedom Project. The mother, according to her third statement, stated she had completed a six-month domestic violence course when she was pregnant with A, although, in her evidence, she absolutely denied having done such a course. I am satisfied that that denial was a lie by the mother who was trying to present a positive narrative that the Freedom Project course had shifted the parents' insight and, having done an earlier course would have rendered that narrative less compelling, particularly given the first statement was a blanket denial.
82. By the end of their oral evidence, each of the parents had accepted considerably more violence had occurred than they conceded at the beginning. I deal with the key incidents. There are a series of allegations over four days in August 2017. The mother gave her initial account to

- the police that the incident had started on 28 August 2017, four days before she spoke to them. The father gave an account of the events on 22 August which were partly witnessed by his sister, T. The father described the mother becoming angry and saying she was leaving him, throwing a drink over him, tea or coffee; his account varied. He claimed that the mother went out but later returned and was screaming and shouting, calling him a paedophile, and then would hit herself in the face repeatedly.
83. The father had left and gone to his sister's and returned. When he did, the mother had by then left. He and his sister found her outside a church graveyard but she was still shouting. According to the account he gave to the police, he got out of his van carrying A in his arms and asked the mother to swear on A's life but the mother threw a bottle of Ribena over him and A. Later, the mother came into the home and was trying to get A. The father told the police that he had pushed her away. Eventually, she calmed down and they sorted things out. He stated that the following day, the parents went to a fair with A and had a nice time but the day after that, the father says the mother left whilst he was at work.
 84. In her evidence, the mother accepted that she had thrown drinks over the father and called him a paedophile. She told me that she had hit herself in the face but it was only on one occasion and not repeatedly. Her response to the threshold denied hitting herself in the face at all. The mother gave a very different account to the Court. She said that there was an incident when the parents had argued and she had thrown an ashtray at the father and the father had, in an attempt to knock away the flying ashtray, unintentionally hit her in the face. Father told me he could not recall such an episode.
 85. The account the mother gave to the police in 2017 was markedly different. She had gone to the maternal grandmother's address and the officers were called. I have seen the video. She was visibly very shaken. She had bruising across large parts of her face and neck as well as more bruising on her legs, arms and hands. She told the police that four days earlier, the father had hit her across the head and pinned her by the arms after an argument. When she said that she would leave him and take the child, it had escalated and he had strangled her before attempting to break her foot. She ran out of the house. The police officers were called but she said they had done nothing and she had returned to the home. After they had gone, she said that Father had slapped her around the face several times and gouged at her eyes and told her to slit her wrists or hang herself.
 86. She said that on the evening of 23 August 2017, the day of going to the fair, the father had had sex with her which she had not wanted but she had allowed it to happen. As a result, he had trusted her more the following day and so had left her and the child alone at the property and she used that opportunity to run away to go to the grandmother's address. She told the officers that she had been forced to stay until the father trusted her. She said that he takes the child and uses her against the mother. She told the police that she was not allowed to contact other people and when she is allowed to talk, she has to repeat to the father every word of conversation she has had. She reported strangulation on multiple occasions which she had not reported. She said he is controlling, not letting her eat, telling her what she can and cannot wear and when she can and cannot have a bath.
 87. Asked if he uses weapons, she said he only uses his fists to hurt her. She alleged he had made threats to kill her and her mother and that she had said he told the grandmother that he would firebomb her house. I have seen stills from the videos and on the video itself, bruises to the mother's face, throat, back of her neck, knee, leg, forearm as well as some other parts of the body that it is difficult to identify from the images, can be seen. She also explained to the officers that she had cuts to her hands from trying to defend herself.
 88. I have watched the body-worn camera footage twice. The mother gives a free account, uninterrupted by questions from the police albeit with the grandmother chipping in at the

narrative as she explains it. The mother also accuses the father of “throwing piss” over her, of breaking her phone and says that she cannot go out in the area because he will get her. Later, the mother resiled from that account entirely.

89. In her oral evidence, initially, she tried to blame B for causing some of the marks but she had to abandon that when it was pointed out that he had not been born at the time. It appeared that she was getting confused with the 2021 events. Instead, she put forward an explanation that she had never mentioned before in that the bruising was from Botox in her cheekbone and fillers in her lips. When it was put to her that she had never mentioned that before, she replied, “I am a liar”.
90. Eventually, she said that the bruising to her eye was caused by the father hitting her when she grabbed his glasses and threw an ashtray at him although later, she changed her account to it having been a cup of tea she threw at him. She said that he hit her with his fist but it was unintentional as he was defending himself from the ashtray. Later, she said that when she threw the cup of tea and got the black eye, she had called him a “paedo” and I note that that is the particular name that she calls him that appears to touch a nerve in terms of his reaction.
91. She blamed the bruising to her thumb on a biking accident; something which had not been mentioned before. When I compare the two accounts, the father’s account of the events in August 2017 is difficult to believe. In effect, it is that there were a series of flare-ups on the 22nd which became physical and the mother threw drinks over him only for them to have a lovely time the following day at the fair before the mother then went to the grandmother’s and made false allegations. In contrast, the mother’s account is recorded in the CRIS reports that she was being controlled by the father but that on the 24th he had let his guard down after they had had sex and she took the opportunity to flee is, in my judgment, far more believable.
92. I am satisfied, on the balance of probabilities, that the father did seriously assault the mother. I am satisfied that that assault included strangulation which is supported by the marks to her throat and the back of the neck and that he had pinned her arms down which, again, is supported by the marks to her arms, and that he hit her in the face causing bruising. I reject, entirely, the suggestion that the mother had hit herself. While it is possible that a person might seek to fabricate a false allegation by injuring themselves, I reject that in this case. Firstly, I note that the mother, even when she did accept it, could not bring herself to accept that suggestion in its entirety and claimed it was only one hit. Secondly, there are many other injuries that were not properly accounted for. Thirdly, it was after the mother had called him a paedophile that, on the father’s account, she had hit herself repeatedly in the face. In my judgment, it is more likely that being called a paedophile touched a nerve and he hit her repeatedly as a result.
93. The next major incident involving the police was on 24 March 2021 when the police were called to the grandmother’s home. The mother is seen in the photographs and videos to have a very bruised cheek below the eye, a large bruise to the top of the thigh, bruising to her knee and her arm and a large bruise to the top of her foot. The police and the London Ambulance Service noted the bruises as well as more bruises to the mother’s torso. The mother gave the account to the police at that point that the relationship began when she was 15 and that the father had been having an affair and, nine days earlier, had left the house. She alleged to the officers that the previous night, she had been assaulted by the father when she was 10 weeks pregnant and he had stamped on her stomach so that she was in immense pain and bleeding from the vagina.
94. Later, in her oral evidence, she told me that she was angry with the father for not being present when she was miscarrying so she made up allegations. She alleged to the police that he had been continually violent to her throughout the years, normally when the children are in bed or at school. She said he hits her with household objects, he controls her money, he dictates who she can and cannot see and would often assault her if she has seen someone. She said he

- regularly tells her, “If you have anyone in the house, I will stick a knife through you” and had recently said, “I’m going to kill you; if I can’t fucking have you, no one can”. She also alleged numerous incidents of vaginal rape.
95. The mother was escorted to the hospital by the officers and indicated she no longer wished to pursue the rape allegation and refused to assist with that investigation. She refused to provide samples and did not want to attend the Havens. While at the hospital with the officers, the mother received a text message from a friend who stated the father had contacted her and said he wanted to kill himself. The mother consented to a MARAC referral being made.
 96. I have seen the body-worn camera footage of the police talking to the mother who is plainly in pain. At times, she is hunched forward with her hand across her pelvis. She is upset and emotional. She appears to be very frightened. She makes reference to the father having been with her for nine years and says she is 24 saying, “Work it out”. She shows the police on her phone what she describes as “constant messages” from the father. Asked if the relationship has been abusive for the whole nine years, the mother nodded and said, “All my kids were premature”. She looks upset and possibly angry when she explains, at that point, that A came early because her placenta came away when she fell down stairs. She added the gesture of inverted commas whilst saying the words “fell down the stairs”.
 97. She explained that her oldest daughter had been taken away for adoption because she had stopped attending appointments because she was “black and blue”. She said she is not allowed to speak to her family members, that she is not allowed to have anyone in the house, that all her money goes through his bank accounts and that he demands to know where she is. On a couple of occasions, the mother spontaneously breaks down and cries in despair, on one occasion, groaning, “He’s going to hurt me”.
 98. The account that she gave to the police in that video, in my judgment, was compelling and believable. The mother has submitted during this final hearing a fifth statement in which she exhibits an email she sent to the police on 7 May 2021 in which she indicates she wishes to withdraw all of her allegations against the father. She states that she did not know the seriousness of the allegations and was just going to go along with what the police and the grandmother were telling her. She denied the father had done anything to her ever. She alleged that they were malicious allegations made up by the grandmother and alleged that she was bullied by the police and the grandmother to make up lies against the father. She then gave an account of having lashed out at him and grabbed his glasses so that he could not see and lashed out at her, that she had pushed him out of the flat and slammed the door on him causing her foot to get caught in the process of slamming it shut. She also blamed B for causing bruises to her leg, thigh and knees.
 99. In her oral evidence, when she was asked about the police bullying her, she said that they had re-corrected her and told her to say no when asked whether the sex was consensual. I have watched the video. The police do not, in my judgment, bully the mother or “re-correct” her. The grandmother was present but there was nothing I saw in that video that suggests that the mother was subject to an overbearing influence when she was speaking, although I recognise, I do not know what could have been said between them before the police arrived.
 100. In her oral evidence, the mother’s account was inconsistent. She said the father had never been physically violent to her intentionally. She said she ripped his glasses off when they had an altercation. He pushed the door open and whacked her in the face. She described herself as “squished like a pancake by the door” and that the father was “swinging around behind the door” to get his glasses and hitting her in the process. She blamed B for headbutting her and causing some of the bruises to her face but also said the father had hit her.
 101. She also said that the father had also been “unintentionally violent” to her in 2017. She denied there were other occasions of repeated verbal arguments in 2017 but eventually accepted

- those, not least because she had accepted them in her previous statement. Her account shifted through the cross-examination when she was taken to the evidence and eventually, she accepted four episodes of verbal arguments leading to the police being called in 2017 as well as the major incident. By the end of her evidence, she described the father having trapped her behind the door and swinging punches or hitting her with an open hand behind the door.
102. In his evidence, the father, having heard the mother's evidence the day before, accepted that when the mother took his glasses, he had pushed her. He accepted that he had slammed the door on her and had, in his words, "smashed the door back quite a few times", whilst she was behind the door. He accepted that bruises on her face, arms, torso and feet had come from him trying to get around and hit her. He did not know if he had caused the bruises to her arms and torso but thought it could have been by smashing the door at her, in his words, "quite a few times".
 103. Those accounts by both of the parents were in stark contrast to the mother's retraction email to the police. I find that in March 2021, there was a serious incident of domestic violence. The father assaulted the mother causing the bruising to her face, torso, arms, legs and foot. Father trapped the mother behind the front door and slammed the front door against her to hurt her. He swung punches around the door, again, I find, to hurt her. It was an intentional assault. I find, also, that the parents were verbally abusive to each other. That was accepted. I have heard evidence from the mother of calling the father "a paedo", "a nonce", "a batty boy" and "a cunt".
 104. I find that the father has made threats of violence towards the mother. The parents' accounts to the Court about domestic violence or domestic abuse were wildly inconsistent and often sought to minimise. I prefer the more contemporaneous accounts given to the police by the mother in the body-worn camera footage which are corroborated by my observations that the mother was terrified of the father at the time. I find that there has been physical violence predominantly by the father towards the mother but, on occasions, by the mother towards the father as well. I reject the suggestion that there were only two incidents of violence in 2017 and 2021. I prefer the mother's contemporaneous accounts given to the police that there was a consistent history of regular physical violence by the father towards her.
 105. I observe that there have been no further police reports of violence since 2021. However, I observe that since that time, the mother has been entirely estranged from the maternal grandmother. I reject the suggestion that the grandmother was controlling the mother and bullying her into making false allegations. In my judgment, the maternal grandmother was the only means of escape that the mother had on those occasions in 2017 and 2021 notwithstanding there being serious difficulties in the relationship between the two women as well as the grandmother having her own serious personal difficulties. However, in my judgment, the 2021 incident led to the mother being finally entirely isolated from the maternal grandmother and so the opportunity to seek support in desperation was taken away. In my judgment, it is more likely than not that the pattern of violence continued after that incident in 2021.
 106. The mother has provided medical notes in relation to her three children. The evidence in relation to B confirms that he was born prematurely at about 33 weeks' gestation. There is also a note from the hospital that confirms that she was seen in March 2021 around the time that she said she had a miscarriage. There are also references in the CRIS report reporting that she had told police that she had lost the baby. I accept the mother's account given to the police in the body-worn camera footage that all four of those pregnancies were affected by violence. I can see her angry when she told the police that the children were born prematurely due to the father's violence and her sarcastic explanation of "falling down the stairs" was, in my judgment, compelling. In my judgment, what she told the police then was true that the

father had been violent to her when she was pregnant which had affected all four pregnancies three of which were premature as a result and one resulted in a miscarriage.

107. I find that the father has been controlling and coercive towards the mother. She gave a coherent account of this to the police on the body-worn camera footage. I prefer that account that is given by the parents in those statements than their oral evidence. I have already commented on the mother's isolation from the grandmother since 2021. I prefer the mother's account to the police that the father had been controlling her money to the accounts later given in her statements and oral evidence. I find that he has been financially controlling towards the mother. I find that these repeated episodes of violence took place when the children were present in the home and the occasions when the children were in the immediate vicinity, for example, in 2017 when the father says A was in his arms when the mother threw Ribena over them.
108. I note that A has spoken of the violence she has witnessed. She stated that she is scared, that she even challenged the mother in contact on 30 August 2023 when the mother said, "Mummy and Daddy don't condone violence" and A said, "You used to". I find that A and B have suffered significant emotional harm as a result of the exposure to domestic violence and domestic abuse within the parents' relationship.
109. In relation to paragraph 18 which relates to aggressive behaviour disclosed by the children, I accept that in March 2022, A told the teacher that the mother wants her to watch horror films every day, stabbing and killing, and that she watched Chucky when she was three. There is evidence of A telling tall tales which professionals, including the school, have confirmed. At the time of that statement, A was in trouble for punching another child and saying, "I will cut myself". I am not satisfied in that context that the Local Authority has proven to the necessary standard that A had been shown the films as alleged.
110. I accept that B has hit, pushed and grabbed other children at school on multiple occasions. He has a diagnosis of autism. He is also a young boy. That sort of behaviour is not particularly unusual in young boys. It is difficult to determine all of the influences on his behaviour but, in my judgment, given the findings I have just made about domestic abuse, it is likely that has had an effect on his aggressive behaviour.
111. Both children are reported to have used the word "fuck" and sworn multiple times when speaking with police officers at the family home on 1 February 2023. The first foster carer recorded that they swore and shouted at one another and, on one occasion, B said to A, "Shut the fuck up, bitch". A told the family support worker on 21 February 2023 that their parents taught them to swear. A said the parents often swear at B saying, "Fuck off". They call her a "bitch" and stick their middle fingers up at them and the parents tell them to swear at strangers.
112. The second foster carer reported that the children continued to swear and use abusive language in the foster placements. The parents deny the children swear. The parents themselves do swear. The father accepts the children have been exposed to the parents swearing and the parents have used very strong language against one another some of which, in my judgment, the children are likely to have been exposed to. There were three separate occasions on the video footage where I have observed the mother swearing freely within earshot of the children.
113. When I consider all of the evidence together, I am satisfied to the necessary standard that the children were swearing as alleged. I am not ignorant to the realities of life in 21st-century London where swearing on the streets can be overheard, where it is on the television, and even can be overheard in the playground with surprisingly young children. However, in my judgment, the main influence on the children swearing is likely to have been their parents' swearing.

114. Paragraph 18(d) sets out that the children were placed with their paternal cousin on 1 February 2023. The following day, B lashed out and was aggressive to her three-year-old son and smashed an iPad and knocked over a TV with a result the placement was terminated. I accept those facts but given the impact of the children's removal from the parents shortly before as well as a police raid, I consider that is likely to have had a significant influence on B's behaviour at that time.
115. I deal now with sexualised behaviour. The Local Authority alleges that the children have displayed sexualised and inappropriately-boundaried behaviour in their initial foster placement. A would often remove her pyjamas and get into B's bed. That happened about seven times when she had wet the bed. It happened a further 12 times when she had not wet the bed. On 6 February 2023, it is alleged that A was naked in bed with B and took his hand and put it on her vagina. When asked what she was doing, A said her parents said it is okay for them to do this. It happened again on 9 February 2023, when A put B's hand on her chest, nipples and vagina. When the foster carer said, "It is not appropriate", she said: "B likes it. Mummy and Daddy know. Mummy and Daddy do it to each other. Mummy and Daddy walk around naked and Daddy touches her".
116. On 24 February 2023, A was wearing very short shorts. She sat opposite the foster carer's husband with her legs open making gestures with her hands on her vagina with both hands in her shorts. She said "I'm staring like that; that's what Mummy and Daddy told me". Shortly after she moved to her second foster placement. That foster carer observed the children would kiss and cuddle more than is expected of siblings and kiss each other on the lips.
117. I have not heard from the initial foster carer. She was described as an "inexperienced foster carer". This was her first placement. When she struggled to cope, it was terminated early. The Guardian expressed his concern about a comment made by the foster carer describing A as "a pathological liar". This label has occurred during a period of significant disruption. Getting into B's bed naked is likely to have predominantly been the response to having a wet bed. Also, during that period, A had access to a mobile phone and was in contact with her parents using that phone. Both the initial and the current foster carer report A saying she had been told to act badly towards the foster carers, to not be nice and to do naughty things like swearing or throwing items.
118. The presentation of A and B in terms of these inappropriate interactions is concerning. Happily, in the second foster placement, it appears to have abated. I must be careful when assessing things that A has said that the parents say she is a liar although the father says he can tell when she is not lying because she will be consistent.
119. Paragraph 23 relates to B's sexualised behaviour at school. On 7 February 2023, another boy pulled B's trousers down and bit him on the bottom. Later that day B was seen trying to do the same thing back to that boy. This interaction which I am satisfied occurred appears to have been initiated by the other boy. The following day, B was under the table with another boy. The other boy was pulling his trousers up and B had his trousers and underpants down. Later that day, both those boys and another child were under the table again. B and another child had their trousers and pants down and were slapping each other's bottoms.
120. On 7 March 2023, B told a year six girl, "I'm going to punch your boobs" and on 9 March 2023, B was observed with his trousers and pants down wiggling his penis towards a girl. The Local Authority alleges this behaviour is caused by totally inappropriate sexual activity between the parents. B has his autism diagnosis. There was a lot going on in the children's lives around that time, with a recent removal from their parents. A lot of what the school described in relation to B's behaviour could simply be childhood experimentation. I am mindful of the recent experience of the children as well. The bedwetting is a clear factor.

It is understandable that a young child who has wet the bed might take off that clothing and get into a different bed.

121. However, I am also satisfied, on the balance of probabilities that the parents were misusing the mobile phone that they have had access to and were encouraging the children to behave badly in the foster placement. On the balance of probabilities, A's behaviour towards the foster carer's husband on 24 February was likely to have been a response to encouragement to behave in a challenging way in the placement. In my judgment, the behaviour of A and B when considering both children's behaviour during this period was inappropriately-boundaried and sexualised. I am not satisfied to the necessary standard that the children were exposed to sexual activity between the parents. A said that that had happened but she did so at a point where she was being challenged about her own behaviour towards B. However, I am satisfied that the parents did fail to impose appropriate boundaries between the children and this is seen, for instance, in their extended kissing on the mouth.
122. I turn now to parental substance misuse. The father tested positive for a constituent of cannabis between November 2022 through to mid-April 2023. Those results are consistent with the use of cannabis during that period. He denies ever taking cannabis and asserts it was due to a passive exposure to the mother's cannabis use. His next test, March 2023 through to August was entirely clear. The third test from mid-August through to mid-December 2023 was positive for between August and October sections for delta-9 THC and the report concludes that is more likely than not due to the use of cannabis.
123. The mother accepts current and ongoing cannabis use. However, she denied that there had been recent usage prior to the children's removal save for one occasion in October 2022. The mother's results in hair strand testing are positive for a cannabis constituent between mid-October to mid-April 2022 through to 2023. Those are consistent with the likely use of cannabis. The mother has a long history of cannabis use. She has used since she was a teenage child. When the police raided the home on 1 February 2023, they removed eight balls of purple cannabis in a bag that the mother claims that she forgot that it was there. I do not believe that evidence.
124. The parents have very limited credibility. I prefer the hair strand test results to their claims and accounts. I find that the mother was regularly using cannabis during the period from mid-October 2022 through to mid-April 2023. Accordingly, that includes the period prior to the children's removal. In my judgment, the mother has, in her accounts to the Court, minimised the extent of her ongoing usage claiming it is occasional weekend usage whereas the hair strand test results indicate that when compared with Lextox's data derived from other tests, the levels in the mother's hair were in the medium range from the end of May to the end of July 2022. They dropped to below range from July through to August 2022 but rose to the high range for August through to October 2023 and dropped again to the medium range from October through to December 2023. In my judgment, the mother's account of her cannabis usage is not consistent with her hair strand test results and I find that she is minimising the extent of her usage.
125. The father denies using cannabis and claims passive exposure. However, Mother's evidence is they were not together when the mother smoked cannabis, that she would go away from the home and that she would do it when she was out with friends. The father's account does not adequately explain hair strand testing findings. I am satisfied that the father used cannabis for those periods when he tested positive. While on some level, both parents accepted that using drugs was bad, they did not appear to believe that applied to them or to their parenting of the children. Dr McEvedy's evidence was clear that cannabis can have a sedative effect, particularly in combination with the mother's painkilling medication. She is prescribed

Oromol and tramadol; two powerful opiate medications which she uses when she needs to due to ongoing back pain issues.

126. There are a range of reasons why drug use is not compatible with good parenting: the association with criminals and other safe individuals to obtain the drugs and the expense of the drugs being a drain on the family finances. However, in this case, there are some more acute issues. Both parents have, at times, struggled with their mental health, especially the mother. Substance misuse is a known risk factor in terms of having a negative impact on mental health. The intoxication may make parents less responsive or less notably available for their children. Cannabis use is known to have a demotivating effect on an individual. In this case, at times when the mother was using cannabis, the family were living in appalling conditions and the mother told the parenting assessor that she had given up trying.
127. The father, to his credit, stopped using cannabis during the proceedings. The mother has not been able to and she uses the existence of these proceedings as an explanation for her continued use. She asserts that she would stop if the children were returned to her care. However, this is a lengthy usage that has lasted throughout her adult life. Substance misuse was one of the factors that led to the eldest child being removed and eventually adopted. She accepted in her evidence that she uses cannabis to self-medicate for physical pain. In my judgment, it is likely that she also does so to self-medicate for emotional distress. She has taken no meaningful steps during these proceedings to engage with any drugs agency and, in my judgment, she lacks the insight and the motivation to cease to use cannabis. While I hope that the mother will be able, in time, to become free from drug addiction, there is no evidence that she will be able to do so within the children's timescales.
128. On the basis of the findings I have made, I am satisfied that the threshold criteria under section 31 is established and that the children, at the relevant date, were suffering and were likely to suffer significant harm arising from the care that they were receiving and were likely to receive from the parents not being what it would be reasonable to expect the parents to give to them.

Welfare

129. There are two options before the Court. There are no family options available besides the parents. The first option is to place the children together in long-term foster care. No long-term foster placement has yet been identified. The social worker retains the hope that after this case is concluded, hopefully, matters will settle down and it may be possible that the current foster carers will change their approach and indicate that they are willing to care for these children in the long term. There is no certainty that that will occur. At the moment, they have said no and, according to the Children's Guardian, they recently expressed strong reservations about the potential for disruption by the parents to such an extent that they were unable to rule out the possibility of non-molestation injunctions to protect themselves. The second option is to return the children to the parents' care. The parents will accept a supervision order in those circumstances.
130. As to the Welfare Checklist, A and B's welfare is my paramount consideration. As to their wishes and feelings, A has now, for a lengthy period of time, consistently indicated to professionals that she does not want to go home and that she does not want to have contact with her parents. However, the parents point out that she contradicts that when she sees them in contact. However, in my judgment, the fact that A has indicated that she does not wish to go home is powerful evidence, particularly given her age that in light of the findings I have made as to the harm that the children have suffered, it is, unfortunately, not surprising that A might reach that view. I do not accept that this was a narrative that has, in some way, been pressed upon her by the foster carer.

131. B's wishes and feelings are different to A's. For a long time through most of the proceedings, he has been saying he does want to go home. He also has not expressed concerns or an unwillingness to go to the contact. However, recently, he changed his mind and expressed reluctance to go to contact or to go home. There was a recent incident that is set out in the Guardian's position statement where B rang 999 whilst at the foster carer's home. He then hung up without speaking. The operator called back suspecting it was a child's call and subsequently, B told the foster carer that he had been told by the parents to say that the foster carers had helped him and that they should go to jail. He expressed that that was not true and that they were kind as well. However, since that occasion, B has said that he does not want to go home or to contact.
132. As for physical, emotional and educational needs, these children need stability. They need a loving home free from conflict, domestic abuse, substance misuse and neglect. Educationally, they have both missed some education; in A's case, a large amount of education. They need to be consistently supported to engage with school to maximise their potential. The school reports detail improvements that the staff have observed in the children's presentation, attendance and behaviour since they were placed in foster care. Both children require glasses. The school, in their evidence, suggest that since the children are in foster care, they should look into the availability of glasses for the children.
133. B suffers from asthma. He also has a squint and has responded well to treatment for that wearing a patch for an hour a day and having new glasses. B also had to have two teeth removed and two teeth capped since he has been in care. Otherwise, A and B are physically healthy. A has an issue with bedwetting. She has been referred to a local enuresis clinic and is responding to medication. The carers report a correlation between A bedwetting and contact.
134. B has a diagnosis of mild autism and global developmental delay. The diagnosis letter noted that he does not fit the exact profile for an autism diagnosis and his behaviour could be environmental. He is not the subject of an education healthcare plan but because he has engaged in his education to expected levels, the foster carer and the Children's Guardian have all suggested that B's diagnosis should be reviewed.
135. If B and A remain in care, it is likely that they will need to change foster care placement. Given the disruption that they have suffered to date, that is likely to be a difficult experience for them. Any transition will need to be well-planned and supported. They may struggle to settle with new carers. The Guardian particularly raised concerns that the parents have a history of creating pressure on the foster carers by encouraging disruptive behaviour to the children or by making allegations about the carers to professionals. The Guardian is concerned that any new placement may be insufficiently robust to cope with these pressures and that it would be disastrous for the children if the placement broke down.
136. Foster placements can and do break down for a variety of other reasons as well. Given the background, if A and B do suffer a placement breakdown, there is a risk that that may be at the start of a journey of increasing instability which would reduce significantly the potential for A and B to have good outcomes growing up in care. B and A are both young and so any care order would be in place for a very substantial part of their childhoods. They would have to cope with social workers visiting regularly, with LAC reviews, with LAC medicals and more generally, they would be subject to corporate decision-making by the Local Authority which is clumsy when compared to typical parental decision-making. Their childhood would be unlike that of most children and as they get older, they may well feel embarrassed about being children in care.
137. Having indicated their wish to not return home, there is a risk that the children may feel guilt about their being placed away from their parents. They may feel responsible for the outcome

of the case. On the other hand, a foster care placement would be able to provide the children with a home that is free from neglect, domestic abuse and violence and substance misuse. It would provide the children with the continuing opportunity to recover from the difficult and harmful experiences that they received in their parents' care and in the early parts of their time in foster care.

138. If they were to return to the parents, it would be also a change of circumstances. They have not lived with their parents for nearly a year and a half now. The parents have moved house to a property that is too small to house all of the family, that other accommodation would be needed. However, it would mean that the children would not be returning to a home in the same squalid conditions as their old house. A and B would benefit from growing up within their natural family with parents who love them, with their identity needs being met. They would have the benefit of contact with paternal family members such as the father's sister, T.
139. A, and B to some extent, have expressed a wish not to return to the parents' care. They may be fearful of what that might entail given the harm that they have previously experienced. On the basis of the findings that I have made, if B and A return to their parents, there is a significant risk that the issues that previously affected their lives would resume. The home conditions are plainly better now. However, the potential remains that similar conditions could arise again in the future, particularly if the parents did not maintain their motivation to keep the home conditions to a good enough standard.
140. Given my findings, there is a real risk that the children would be exposed to more domestic abuse and violence. Although the parents have completed the Freedom Programme, they display a very limited insight into the effect on B and A of their experiences and have primarily denied and minimised what those experiences were. In my judgment, there is a real risk of further exposure to domestic abuse. The mother continues to use cannabis. In my judgment, she is likely to continue to do so and the children will, therefore, be exposed to the negative impacts of that use.
141. I have already dealt with the threshold criteria and the harm that the children suffered. I note that subsequent to their removal, the children suffered a series of traumatic events being removed by the police at the end of a police raid and then two short-lived placements. Those have also been harmful to the children. They have an increased need for stability in the future.
142. The parents do have many positives. I have absolutely no doubt of their love for A and B. They have attended reliably for all contact sessions. They are well prepared. They arrange engaging activities like crafting. Contact is of a good quality. As a result, despite the children's expressed reticence, the parents have good knowledge of the children's care needs. The parents have also accessed parenting courses and show a willingness to engage with that work albeit I have concerns about the extent to which they have internalised the learning that they have taken away from those courses.
143. Unfortunately, however, the parents have denied or minimised to a significant degree the harm that the children suffered in their care. In the light of that denial and minimisation and the lack of insight that they have both displayed, I do not consider that the children would be safe with a return to the parents' care. There would be a risk of further domestic abuse and violence with controlling parental relationships and ongoing drug use and a risk of further deterioration of the state of the home living conditions.
144. If the children were placed in the parents' care, they would have ongoing social work support under a supervision order. There is potentially some family support available through the paternal family although the effectiveness of that is not clear as the father refused to consent to a family group conference and has also refused allowing the parenting assessor to speak to his adult children. The parenting assessor's feeling was that the parents were isolated in their

- care of the children previously and pointed out that A had to miss school because of B's medical appointments because the parents had no one else who could collect her from school.
145. When I consider the advantages and disadvantages of each option, I reach the conclusion that it is in A and B's best interests that I make a care order and I approve the plans for them to remain in foster care for the long term. I consider that this is the only order that is capable of making their needs and while I recognise the extent of the interference with their right to private and family life, I consider that this is both justified and proportionate. In my judgment, the benefits of growing up in the care of their parents and the disadvantages of growing up in foster care are heavily outweighed by the benefit of growing up in a home where the children are not exposed to domestic abuse, substance misuse, violence or neglect.
 146. I turn now to the issue of contact. There are three competing proposals. The mother said she would like to see the children every day but that being realistic she would like contact every month. The social worker's final evidence is contradictory. It states contact six times a year but also contact every six weeks which are not the same. In his oral evidence, the social worker suggested there should be contact six times a year but additional contacts at important anniversaries such as Christmas and the children's birthdays. I pointed out that B's birthday would likely fall onto the May half-term and the social worker initially seemed to be saying that there should be a separate contact for the birthday and for the six times a year because then there is a separate contact for Christmas. However, then he suggested that longer contacts could be arranged to account for the birthday and Christmas celebrations. In relation to A's birthday which is in mid-September, so it takes place just after she starts the new school year, the social worker was not concerned about the potential that an additional contact around that time might be difficult for her.
 147. The Guardian in his final analysis supported what he understood the plan to be of contact six times a year. In his oral evidence, he amended his view that having reflected on information about B's 999 call as well as the parents' evidence in the hearing, he recommended that contact should be at four times per year. In particular, he was concerned by the potential that the parents could disrupt the new foster placement which would be disastrous and he pointed out that the children were saying they do not want to go to contact.
 148. The contact notes are good. They demonstrate a loving relationship between the parents and the children and the children appear excited to see their parents even immediately after the periods when A has refused to attend.
 149. The welfare of the children is my paramount consideration. Contact is important. It has the benefit of maintaining the involvement and love and affection that exists between the parents and their children. It is important for them to understand their identities. The children have suffered a great deal of difficult experiences. If the gaps between contacts are too long, they may miss their parents. They may feel guilty about the absence of their parents and that may contribute towards difficult behaviours and create pressure in their placements.
 150. However, in this case, contact also carries certain difficulties and risks. A, and to some extent, B have expressed a reluctance to go. To their credit, when A has refused to go to contact, the parents handled the situation well and have not reacted badly or tried to create pressure but have shown understanding. There is a risk arising out of contact, however, that the parents may seek to be disruptive to the foster placement. The contacts have two supervisors present to manage that risk. There are no examples in the contact notes since that was in place of the parents having been observed to whisper to the children or having the opportunity to speak to the children unobserved.
 151. However, the children report that this has been happening. The Guardian says that in the contact he observed, the two supervisors remained seated throughout and the family moved around a large contact space. He considered it would be quite feasible for something to be

said without being noticed even with two supervisors present. The Guardian also makes the point that there is a real risk that the parents will react badly to the outcome of the final hearing and could become quite disruptive towards the carers as a result.

152. When I balance these competing factors, I have reached the conclusion that contact should take place seven times per year. That is in each of the half-terms, in the Christmas and Easter holidays and twice in the long summer holiday. That is a framework which should be easily understandable for the children. B's birthday can be celebrated within the May half-term. There is no need for two separate contacts during the Christmas holidays. There is a risk that that could be too intense for the children given they have quite mixed feelings about contact. It would be far better that proper arrangements are put in place so that Christmas and birthdays can be celebrated at the contact session.
153. The reason why I say contact should be twice in the summer holidays, once towards the beginning of the holidays and once towards the end is so that there is a contact close enough to A's birthday, that they can have an early birthday celebration and she can be given her presents. However, I take the view that it would be better for A that that should take place in the vacation period rather than at the start of the new school year. It also opens up better possibilities in terms of when the contact takes place and how long it could be compared to when she is tired from school.
154. There have been disagreements about how the contact should be stepped down, and the parents' contact has already been reduced to weekly. In the course of this hearing, since the parents were at court, it has, in fact, taken place fortnightly. The social worker's plan is for contact to continue fortnightly for a month and then every six weeks. The Guardian's plan is to have what was described as "a cliff-edge" reduction so that he initially said contact should stop immediately. This drastic proposal was based on his concerns about the parents' reaction to the judgment and whether they would seek to be disruptive and he wanted there to be a risk assessment. He appears to have had second thoughts about that when it was pointed out to him that A's birthday is due to take place soon.
155. The parents I understand have had contact yesterday. In my judgment, the next contact should be in two weeks' time so that should be Thursday, 26 September. That should, I hope, give the parents some time to come to terms with my decision which I know will be difficult for them. I would expect that there is a meeting between the parents and the Local Authority in advance of that contact so that there is an opportunity to make sure that contact goes well with the children. The second contact should be three weeks later on 17 October and the one after that should be four weeks later so that will be 14 November. The Christmas holidays start five weeks after that.
156. I am not going to say when the Christmas holiday contact should start but if the holiday pattern implements the Christmas holidays at that point, then I take the view that this stepping-down arrangement should hopefully cushion the reduction for the children of seeing their parents which I know will be difficult for them to adapt to. I do want to stress how much I hope that the parents are able to prove the Guardian wrong about what happens next. I know that the parents love these children greatly. I know that my decision will have been extremely difficult and painful for them. However, I hope notwithstanding that, that they will be able to prioritise B and A and their need to carry on having good, enjoyable, loving contact with their parents.
157. I also sincerely hope that the parents do not do anything that may be disruptive or undermining of the foster placement because the likely outcome of that happening is two things. One is the parents may end up without the contact that I am suggesting but also, more importantly, for the children, the impact could be really severe because if placements start breaking down, it becomes a domino effect. The last thing I want for these children is for them to go from broken placement to broken placement because that ends up being a very damaging cycle

which would really be problematic in terms of their needs going forward. Accordingly, I do make that request to the mother. The mother has come back in. I am glad she is here. The father is not here at the moment.

158. Lastly, I want to express my thanks to the advocates for the excellent help I have received in the course of this case. I am most grateful for the care and attention they have been given to the case. I am grateful to the professionals for their help. I do want to also express my thanks to the parents who have, I know, found the hearing, at times, difficult, especially my judgment but have maintained respectfulness and their dignity throughout and so I am very grateful for that.

159. That is my judgment.

End of Judgment.

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Acolad UK Ltd hereby certify that the above is an accurate and complete record of the
proceedings or part thereof.

This transcript has been approved by the judge.