

IN THE EAST LONDON FAMILY COURT

6th and 7th Floor
11 Westferry Circus
London

Before HER HONOUR JUDGE SUH

IN THE MATTER OF

LONDON BOROUGH OF REDBRIDGE (Applicant)

-v-

(1) Mother
(2) Father
(3) THE CHILD (by the Children's Guardian) (Respondents)

MISS N HALL appeared on behalf of the Applicant
MISS N BALLARD appeared on behalf of the First Respondent
MR D DIAMOND appeared on behalf of the Second Respondent
MISS K SANGHA appeared on behalf of the Third Respondent Child (by the Children's Guardian, Miss Bolton)

JUDGMENT
31 JULY 2024
(AS APPROVED)

WARNING: 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.

This Transcript is Crown Copyright. It may not be reproduced in whole or in part other than in accordance with relevant licence or with the express consent of the Authority. All rights are reserved.

JUDGE SUH:

1. Today I am concerned with case ZE23C50286 and with the welfare of VN, born on [redacted]. Her mother is in court, represented by Miss Ballard and her father, is represented by Mr Diamond. Miss Hall represents the Local Authority and Mr Sangha represented VN through her guardian, Miss Bolton, and I am very grateful to all of the representatives for their help over the past couple of days.

Background

2. By way of background, the Court received an application for an interim care order and a care order on 12 July 2023. The Local Authority's plan on issuing their application was to remove VN from her parents' care and place her in a therapeutic residential placement. With the working together plan agreed with the parents, an interim supervision order was made and she was to share her time between her parents, spending the majority of her time with her father at that stage.

3. An application was made for a recovery order on 22 November 2023 and, again, on 6 March 2024. Most recently, an application was made for a recovery order on 4 July 2024, and VN is currently in foster care under an interim care order which I made on 24 November 2023.

4. I heard this matter yesterday, 30 and, today, 31 July, 2024, and the position is now that the parties do not oppose me making a final care order for VN, with the plan for her being able to spend more time with her mother and, ultimately, it is hoped, transition back into her mother's care when some work has been done with the family.

5. I agree that that is the best way forward for VN at the moment, but I must, nonetheless, give my reasons for that, and I think it is very important, not least for VN, to hear about the course of these proceedings and the evidence that the Court has read.

Chronology

6. VN first came to the attention of Social Services in 2021. She was made the subject of a child in need plan under the category of neglect, and she remained subject to this plan until August 2022. In September 2022, she was made subject to a child protection plan due to an escalation of concerns for her, and the Local Authority say there was a gradual worsening of the parenting provided to VN by her mother, which meant that she was subject to the public law outline from 15 February 2023.

7. Recorder Grundy first heard this matter on 26 July 2023 when she adjourned and wanted to consider further an interim placement for VN. On 2 August 2023, I heard the matter for the first time and made an interim supervision order, with a support plan and a working together agreement for her to stay living between her parents. The matter came back to court on 24 August 2023, when there was a further working together agreement.

8. At each of these early hearings, there was a high level of tension and strenuous efforts made by the social work team to keep VN at home and to underpin that somewhat fragile agreement with support and a working together agreement. VN herself was very clear that she did not wish to go to a therapeutic placement or into foster care, and the guardian, listening to her voice, and taking those wishes and feelings seriously, worked with the parents and the Local Authority to try to keep her within her parents' care.

9. The matter came back to court on 24 November 2023, when the Local Authority made their application for a recovery order and asked the Court to make an interim care order. That was because VN had not returned to the care of her father for around a week. At the time of the application, VN was still not in the care of the mother or the father.

10. Following the hearing on 24 November 2023, when I made that interim care order, VN did return to the care of her father and she met me a few days later on 30 November with her guardian and their solicitor, Miss Sangha. She reiterated, she wanted to have a shared care arrangement and spend time, in particular, with her mother, for Christmas and including overnight stays. She wanted her curfew time to be looked at, particularly because she was offered a big part in the school play she had recently auditioned for.

11. At the hearing on 1 December 2023, it was confirmed that the mother's home, which was deemed structurally unsafe up until then was, indeed, safe for VN, but there were some remaining concerns around cleanliness, lack of furniture and temperature, together with the presence of, I think, two adult dogs and some puppies. The social worker attended the property on 29 November 2023 and took some photographs of the home.

12. An application was made for a recovery order on 6 March 2024, when VN was at her mother's and would not return to her father's. I gave VN an opportunity to return to her father's care, after which time the recovery order could be activated. VN returned to her father's care on 6 March, but then on 7 March 2024, when en route to school, she went to her mother's home and did not go to school. She returned to her father's on 7 March and, then, went to her mother's the following Friday.

13. Following the weekend, VN did not then return to her father's on 11 March as expected and missed some school. The father, at that stage, withdrew himself for caring for VN, in light of the recent concerns, and worried about allegations that could be made against him or his flatmates.

14. The guardian made an application restoring the matter to court on 20 March 2024, asking the Court to review the plan for VN. On 26 March 2024, I approved a plan of placing VN in foster care. On 28 March 2024, there was the timetabled IRH hearing, and I timetabled further to a final hearing.

15. On 12 June 2024, we had a pre-trial review and I gave the mother a window of opportunity to consider whether a final hearing was indeed necessary and hoped that she might reflect on VN's wishes and feelings, as expressed to the guardian.

16. At this final hearing, the mother has not filed a response to threshold or a final statement, but she, through Miss Ballard, said she did not disagree with the threshold statement in the bundle and she did not contest the care plan.

17. The reason I set out that chronology in such detail was because the final evidence was originally due in December 2023 and, then, March 2024, but clearly needed to be re-timetabled due to VN going missing and the social workers responding quickly to the changing situation on the ground. I think it is clear from that chronology that the professionals have done their very best to try to plan forward for VN, but have necessarily ended up being reactive to unpredictable situations and the reality for VN as it has developed on the ground.

Procedure

18. I look at procedural fairness and I am very mindful that, for both parents, it is very, very stressful coming to court and the mother's particular mental health history means that she may find this particularly difficult. So I hope that I have built in sufficient time at court for discussions outside and I did, as I have set out in the chronology, leave a pause for her in the timetable to reflect on her position prior to the final hearing.

19. Both parents have now made the very child-focused and courageous decision to put VN first, in supporting her staying where she is for the moment.

20. The chronology of this case shows the high number of hearings that the Court has had, and all of these have been structured around trying to keep VN safe in the care of her parents and working together with them to ensure that her needs are met, and to try and avoid VN going into residential care, which she and her parents both hoped to avoid.

21. In the future, again, the key to getting things right for VN will lie in her ability and that of her parents to work together with the social work team, who will have parental responsibility under a care order.

Threshold

22. The threshold in this case is clearly met and, in my view, has always been clearly met. This is not a case, as I have expressed before, where there is really any debate that the Court should have the powers to make a care order, given the facts set out in the threshold document. But I have to put VN's welfare first, and I should not make an order for her unless it is better than making no order at all.

Welfare

23. I have looked at her wishes and feelings and she very much wants to be with her mother. Earlier in these proceedings, she was open to a shared care arrangement with her father, but she has again and again gravitated back to her mother and consistently asked for more time with her mother wherever she has been living.

24. When she met me on 1 August 2023, she said that she wanted an arrangement where she could spend four nights with her mother and three with her father, and she thought it would allow her mother space to address her own difficulties, and, also, allow her father to keep working. At the meeting on 30 November 2023, when, again, I met VN, she expressed real frustration that not much progress had been made, because she wanted to return to her mother's care, but, at that time, she accepted she could not return to her mother's full time care as there were problems that needed to be sorted out, but she was very clear she wanted to spend Christmas with her mother.

25. At the meeting just before this final hearing, on 26 July 2024, she accepted that now was not the right time to return to her mother's care, but she would like to have a shared care arrangement, she told me, with her mother and the foster carer, and to be back in her mother's care by the time she is 17.

26. The guardian says that VN presents as outgoing, passionate and at times mature for her age, although she has made decisions that have not been in her best interest. She says that VN has difficulty navigating between doing what she believes is right and safe, and placing

herself at risk, and VN is also easily influenced, she says, by her peer group and I agree entirely with that analysis, which is backed up by the evidence.

27. When VN has met me, I have explained to her that she has been ever so mature and articulate, but the decisions that she has made on the ground day-to-day highlight her tendency to respond emotionally and in a reactive way and that inability, which many teenagers have, not to think through the logical consequences of her actions.

28. I look at her physical, emotional and educational needs and her school attendance when she lived with her mother was poor. In March 2023, it was around 8 per cent. By the time proceedings were issued, in July 2023, it was around 20 per cent. It increased when she was in her father's care and to around 96 per cent, and also during the first two months of foster care. Her attendance then began to drop and by July 2024, it was 78 per cent, due to lateness and absences. She said that she was often late due to full capacity buses that did not stop to let her on and, on 14 May 2024, there was a meeting with the school and the foster carer to try and support VN getting to school on time. The foster carer was advised to inform the school of VN's departure time and, then, they could monitor when she arrived. But, despite these measures, VN's punctuality and attendance issues persisted.

29. I am grateful to the Local Authority, looking into whether they can get some form of transport, such as a taxi, so that VN does not get distracted en route to school and can get there on time, in her GCSE year, and get the full benefit of her learning. She is, the feedback from the school suggests, an able student, and it would be deeply disappointing if she did not fulfil her potential in her GCSEs.

30. I look at VN's emotional needs, and she has got a history of low moods, high anxiety and anger management issues. She was referred to CAHMS in February 2023, but they closed the case in February citing non-engagement. The full reasons for her referral, of course, are in the threshold document.

31. She has been re-referred to CAHMS and I understand that DBT has been offered to her, which could start in September 2024. I think it is absolutely vital that she goes to that DBT, because that will give her the tools to manage the emotions that seem to overwhelm her at times.

32. I look at VN's emotional needs in terms of her relationships and she was in a relationship with another vulnerable child, who was in care, at the start of these proceedings and Dr Buky-Webster, who worked with the family and did a report before proceedings were issued, stated that VN's relationship was concerning for a number of reasons. It was her view that VN was in a romantic relationship with a child who had his own significant difficulties, and she was worried that VN started to look after him and take on that responsibility. Her view is that VN is at significant risk from coercive and controlling romantic relationships, even at a young age. Furthermore, the mother stated that VN had shared with her that she liked to be controlled, as it meant her partners loved her.

33. In June 2024, she was drawn into another romantic type of relationship with a young person. Sadly, during the Summer, she reported a sexual assault. That assault seemed to have taken place in a home of another vulnerable person and it seems that VN is drawn to some peers who themselves are vulnerable and has been in some situations which have been really dangerous for her, as a result.

34. I think I recall yesterday that somebody said in submissions that VN had been spending time with her boyfriend over the weekend, but I do not know who exactly that is and whether they are a positive influence on her. I do think that the Local Authority should arrange some help for VN in understanding what a healthy relationship looks like and helping her to spot coercive controls or those kind of red flags that would signal to her that something is not quite right in a romantic relationship. I am glad to see that some of that work has been spelled out expressly in the care plan and the working table for VN's plan going forward.

35. I look at the likely effect on VN of any change of circumstance, and it seems to me that, sadly, throughout these proceedings, there has been a level of chaos in VN's life. She has been subject to an interim supervision order, great effort has been put in to supporting a shared care arrangement between her parents and considerable social work and court time was dedicated trying to hold this relationship together and build it on a firm foundation of co-working and support.

36. She has had frequent missing episodes, which seem to me, from the evidence, may be particularly linked to when her mother is emotionally distressed. VN has recently obtained a degree of stability with the foster carer, but for VN in the future, I think, any change of circumstance must be built on the firmest possible foundation. To return her to her mother's care whilst her mother's own mental health challenges, housing and financial instability are in such a state of flux, would be highly detrimental to VN.

37. The guardian has explained to VN the options of residential care and the deprivation of liberty orders which the Court has the power to make and I do think it is important, and I see this in the documents we have prepared for VN, that is spelled out that the Court does have the power to make more restrictive orders, and that is a potential change of circumstance for her in the future. That is not to threaten her, but to explain the whole picture to her, and to encourage her that she has a role to play in her own future. She does have choices that she can make and it is important that she understands that if the level of missing episodes and the risky situations she finds herself in do not decrease, then the Local Authority will have to look at other options to keep her safe, and she must be able to weigh that in the balance and look at the choices she makes, in the light of that.

38. She is the only child of her parents and is of [redacted] and [redacted] heritage, and she is very much loved by both her mother and her father. I look at the risk of harm that she has suffered or is at risk of suffering, and I have already referred to that threshold document that set out how things looked when we began these proceedings. But VN, in my view, still remains at harm from parental conflict, drug use, poor or absence of housing, poor mental health, and lack of emotional containment on the part of her parents.

39. And VN, I think, is a caring girl, who feels a great deal of responsibility for looking after her mother's health and taking on a caring role for her mother. I see that when she went to the Housing Office when her mother was evicted.

40. But there is a balance to be struck here. It is harmful for VN not to have her own adolescence, but one that is framed around responding to her mother's emotional needs and changes in her mother's circumstances and each crisis that crops up in her mother's life.

41. There is also a risk of harm to VN through the sharing of inaccurate information, and what VN has been told about what is happening in court and what the social workers are planning appears to have been inaccurate on a number of occasions. That is why it is so important that Miss Sangha must tell her the detail of this judgment, with Miss Bolton, and

the documents that we have prepared about what the care plan is and what support she will be offered are really vital, because those are an accurate reflection of what the Court was told, and approved, about planning for VN's future, and those are the most reliable sources of information about how I am leaving the matter at the end of the proceedings.

42. The father is also concerned about a risk of harm to VN arising out of her friendship with her best friend and particularly if VN were to stay overnight there. He is concerned that there may be domestic abuse in that household and exposure to drug use in this friend's presence, and the mother, through Miss Ballard yesterday, told us that VN was sleeping in the stairwell of this friend's flat.

43. I do not know a great deal about [redacted], this friend, but she has been mentioned in the evidence throughout the bundle. As far back as the child protection conference in May 2022, VN said she does not have lots of friends, but stressed [redacted] was a very important one to her. Dr Buky-Webster says that VN described a close friendship with a girl called [redacted] who was always there for her and they became friends again last May and shared the same social worker at the time.

The father's parenting assessment from pre-proceedings records as follows, "I asked", says the assessor, "if VN had some more positive friends, and the father stated that [redacted]

has supported VN a lot, but does not go to school and threatens suicide."

I do not know how objective that is, but that is what was recorded at the time.

44. In the mother's position statement for one of the recovery orders, she wished to inform the Court that on the same day two social workers from Redbridge attended her home with the intention to move VN from the house, but VN was still at school. The mother was extremely unhappy and distressed and found it difficult to accept the actions by the Local Authority to remove her daughter. The social workers sat in the car outside when VN friend, [redacted], knocked on the mother's door and the mother has always been accused of hiding the truth about VN and asked the social worker by the name of Abdul to come in and listen to what [redacted] had to say. It appears that VN was walking home with [redacted], had seen the car outside and decided to run away. This caused the mother extreme concern and distress.

45. So, clearly, [redacted] is a long-standing and very close friend of VN's and they spend a lot of time together. The Local Authority will have parental responsibility for VN and need to help keep her safe. I do not know any more information about [redacted]'s situation or family than that which I have recorded in this judgment and I do not know if social workers are still involved with her, but I would ask that the Local Authority keep the support given to VN, around her friendships and who she spends time with, on constant review. It is their job to risk assess whether it is safe for a sleepover at [redacted]'s house.

46. And I did wonder that maybe if holiday activities could be offered to both VN and [redacted] to go together, that might encourage them not to go out and look for their own entertainment, and it might be that some keep safe work could be offered to them both. Certainly it is no bad thing for any 15 year old girl to be given the tools to keep herself safe and to make wise street-smart decisions, but I do not know whether the Local Authority have such powers in relation to VN's friend as they do in relation to VN herself, but I ask them to bear it in mind.

47. I look at how capable VN's parents are of meeting her needs, and certainly there has been a long history of concern about VN's home environment and the mother was sadly evicted on 3 June 2024 and is currently without stable accommodation. So she is not in a position to meet VN's need for a roof over her head, at the moment, and the father, too, has been looking for more suitable accommodation since the beginning of these proceedings.

48. I mentioned parental drug use and the most recent hair strand test for the mother shows a positive test for cannabis and cocaine, from the samples collected on 8 July, and the testers conclude it is more likely than not she consumed chronic excessive levels of alcohol between the end of December 2023 and June 2024. The mother declared using cannabis in June 2024 and the hair strand test is consistent with this. The last cocaine use was declared in December 2023, but the pattern of the test results is not consistent with this. I really want to commend the mother because her most recent hair strand test does represent a reduction in the use of substances. I give her full credit for this. But, in my view, she does need professional help to move further towards abstinence and she has yet to accept that professional degree of intervention, and that is what VN needs from her. I am so glad that she said, through Miss Ballard, that she has plans to go to an AA meeting very soon and that she will be offered through the social work team a referral to the R3 resource.

49. I look at the parents' parenting skills and the mother was unable to engage fully with the parenting assessment pre-proceedings, although the assessor did confirm that the mother would benefit from trauma therapy and lack some insight into the risks that she presented to VN. For example, allowing young people to congregate at the family home was a risk that was clearly identified.

50. In November 2023, the mother was offered an updating parenting assessment, but the mother declined the referral and suggested, instead, a parenting programme that would support VN. Sadly, she has not finished the intervention [redacted] and this work will need to start again, in earnest, I believe, in September. She was referred to some re-unification work to strengthen her relationship with VN, but I do not think this took place.

51. The family support worker has tried to attend her home, to carry out welfare checks, but these have not been able to be consistently carried out. So, for example, there was an April 2024 visit, where VN texted to say mum would not be at home for this. There is also a concern about the lack of parental boundaries in her relationship with VN and VN talks about mum being more like her best friend or a sibling relationship, and the mother herself, when speaking to Dr Buky-Webster, says, "I am just not parenting her. I am acting like a child myself". Which, I think, was a moment of real insight.

52. And Dr Buky-Webster observed, there was a sense in which the mother felt hopeless and relinquished responsibility for situations she found herself in, and there is some consistency between that observation and what has happened in these proceedings.

53. The father, according to the pre-proceedings assessments, was in a better place to care for VN and provide those parenting skills, but he has a very different approach from the mother. Whereas the mother may not have very clear boundaries, he has very clear boundaries and ones which VN finds hard to work with.

54. In relation to the mother's mental health, she underwent a psychiatric assessment in July last year, in which Dr McEvedy diagnosed PTSD and mood disorders and likely depression and linked the same to her parenting. He said the assessment noted that it is likely that the mother and daughter, and their respective emotional difficulties, have a reciprocal

effect on each other. Dr Buky-Webster set out that the mother probably struggled to maintain her own emotions through her life and relied on VN a great deal, and she gave examples of VN being made aware of how she, the mother, was feeling and somewhat responsible for the mother's anxiety. She concludes:

“VN has probably not been provided with the ability to learn how to regulate her emotions in the context of an attached relationship and, furthermore, she has been placed in the impossible position of trying to look after and regulate her mother's emotional instability from a very early age.”

55. I have seen this dynamic throughout these proceedings and it is in the bundle written large in the evidence. VN adores her mother, but she also takes her emotional temperature from her mother, and when her mother is emotionally overwhelmed, VN is deeply destabilised by this. In many ways, VN has been trying to carry out a caring role for her mother, such as going to the Housing Office when her mother was looking for a property, and it is important that VN is insulated from some of those adult issues, like the state of her mother's property or the eviction.

56. And this seems to be a long-standing pattern of behavioural interaction between mum and VN. The mother tells Dr Buky-Webster that VN was worried about her and so did not go into school as a result. If VN said her mother was having a bad day or saw her crying, she wanted to stay at home with her. I am no psychologist, but it was striking to re-read Dr Buky-Webster's report, in which the mother tells her, before these proceedings, that she is scared about VN becoming more independent. “VN is my life. If she does not need me, what have I got?” And there is an extent to which the mother needs VN to need her, on the evidence before me.

57. The mother has, sadly, not received that treatment she needs for her own mental health and well-being. When she met Dr Buky-Webster pre-proceedings, she said she was on the waiting list for counselling, but that has not started or happened during over a year of court proceedings and there is a very clear recommendation from Dr Buky-Webster that the mother would benefit from EMDR and trauma therapy.

58. When the mother was made homeless in early June, the guardian met her on 7 June 2024, and she said she was going to go to King George psychiatric ward to seek help because she had run out of prescribed medication.

59. That is the background to where we are today, and I am so glad that the plan for VN and her mother means that the social work team are willing and able to make a referral to mental health services to enable the mother to get that much-needed support that she needs, in order to regulate her emotions and best support VN.

60. I look at the parents' ability to work with others, and I have already referred to the way in which the social work team and the parents tried to work together up until VN was removed into foster care.

61. I do think that I have to address the mother's criticisms in every position statement throughout these proceedings, of the social work team, because she has been highly critical about them, and frequently blames them for her difficulties.

62. I do have to set out, for the record, that she has been offered help by the social workers and the first statement in July 2023 sets out a number of different services that have been offered to her, from the removal of waste from her property, to benefit support, to education support and mental health support for VN. They are all clearly there, evidenced, at C25 and C26 of the bundle.

63. When these proceedings started, she was offered food vouchers and Tesco vouchers, on a weekly basis. They provided help to pay her utility bills, including gas, electricity and water, so she could meet VN's needs. A financial assessment was carried out right at the beginning of these proceedings, with a senior family support worker, to help manage the mother's finances, and she was offered a managed move to another accommodation, but this was declined because she could not take her dogs with her at the time.

64. Following on from this, the Local Authority paid for a one-off clean up in January 2024. In March 2024, they funded the delivery of furniture. They offered to help mother attend [redacted course] by sending a family support worker to go with her and put credit on her Oyster cards. They have offered throughout these proceedings to make referrals for substance misuse and mental health support. I do not think it is accurate to say that she has had no support at all from the social work team.

65. From the first statement of 4 July 2023, there is a theme of the mother being quite hard to get hold of, and that is significant, because, if VN were to go back to her mother's care, she needs to be able to answer her phone reliably and for the social workers to work with her.

66. The first social worker statements records the mother telling Mr Cesar that the mother admitted to hiding from professionals when her stress levels were heightened, or if she did not want to hear the criticism in respect of her parenting, and a number of social workers have been involved with this family now, and there is a clear pattern of the mother being avoidant in her communication with them. I really hope that the new table of support that will be offered will be a fresh start and that the mother will take in good faith the offers of the social workers to help get her into a place where VN can spend more time with her.

67. I have seen that the social work notes, which are contemporaneous, often record that the social workers are trying to get hold of the mother, but she does not answer the phone and there is no voicemail facility. They have also tried email.

68. The mother's view in her final position statement is that the social work team have not been responsive to her, but the sheer weight of evidence suggests that she has not always picked up the phone to them. I do think, on the written agreement plan for VN, there needs to be a social work phone number that the mother knows she can call if there are any difficulties and the duty number, and also an expectation that the mother will answer her phone to the social work team and respond to texts or emails within, say, 24 hours.

69. The father is more able to work with others and has accepted support from the floating support worker who provided one-off sessions about how to parent VN. Indeed, the final social work evidence of January 2024 recommended VN should stay with her father, but sadly that relationship deteriorated as VN was increasingly drawn to spending time with her mother and going missing, and the pivotal incident from VN's perspective was when she was at McDonald's with her friends, and she perceived that the father did not encourage her to go home in a way that was supportive.

70. I note that Dr Buky-Webster observed that VN experiences her father as angry and threatening at times, particularly when he is trying to get her to change her behaviour, and it seems to me that that tension between them has, sadly, remained during these proceedings. The father, very realistically, does not put himself forward to care for VN at this time, but I do think there are a number of recommendations which, nonetheless, might help him improve their relationship.

71. VN does not currently wish to see him, but he can invest in their future relationship by doing the work that is offered to him. I am glad he has done some mentalisation therapy and I hope that he will do the final session so that he can understand what things might feel like to walk in VN's shoes.

72. I know that the father has historically declined any assistance with domestic abuse work, but I would ask him maybe to reflect on how professionals have found that he comes across at times. Dr Buky-Webster was of the opinion that he can probably be experienced by the mother as overbearing and controlling at times, particularly when she behaves in a child-like or helpless way. The social work final evidence describes him as being somewhat overbearing in meetings and VN, too, finds him quite authoritarian. He might reflect on how he comes across and use the mentalisation therapy to put himself in his daughter's shoes, and I would ask that he would be offered again some reflection on domestic abuse or other relationship dynamic work. It is up to him whether he accepts that, but I think it should be put on offer.

73. And, lastly, when I look at the ability of the parents to meet VN's needs, I look right back to what VN herself said when she met Dr Buky-Webster before these proceedings started. She was asked what she would want from the social work involvement and she said that her mother and father would stop arguing. That is the outcome she would like from social services. And I have already stressed a number of times in this judgment how, between July 2023 and March 2024, the Local Authority have sought to work with both parents and underpin a shared care type arrangement with working together agreements in support. And their relationship is complex and each of them has a very different perception of how they react to each other and the reasons for this, but what is abundantly clear is that they have some way to go in order to be able to work effectively and consistently for their daughter. They have very, very different parenting styles.

74. But the social work's view in the final evidence is that it is concerning that neither parent seems to understand the importance of speaking about each other and to each other in positive terms. Despite numerous discussions, both continue to demonstrate their inability to understand the impacts of their behaviours on the emotional and developmental welfare of VN, and it seems to me that she will need them both in her life as she grows up, and they are both so important to her, I would ask they would accept any help they are offered to try and reflect on how they might work better for VN.

75. I should also add for completeness that no other family members were positively assessed to care for VN, and those that were put forward by the mother did not wish to be so, and in many respects, both parents have some good friends, but they do not have a vast network of support around them.

Conclusion

76. Taking a step back, having reviewed the evidence, sadly it is quite striking how the patterns which were picked up right at the beginning of these proceedings by Dr Buky-

Webster and the social work assessors have remained a continuing theme during these proceedings until the end, and, sadly, the only realistic option for VN is remaining in foster care. It is both necessary and proportionate to make a care order for her, and these proceedings are concluding at a time when VN is very unsettled and her missing episodes have escalated, and the concern that she is not keeping herself safe in the community are rising, and I think it is really important that VN is aware of the support that she and her mother and father will be offered, so that she can see the path forward and the choices that need to be made, and she can see what needs to happen in order for her to spend more time with her mother.

77. I have read the care plan and the really helpful table that is written out for VN. I agree with the guardian's amendments, but I would just suggest a few of my own. I have tracked changes on the document so the advocates listening do not need to make a verbatim note of what I say, but for the parents' benefits, I think the following would be really helpful.

78. In relation to the table that has been provided for VN and her mother, I think at the top it needs to be spelled out that this is what we need you to achieve so you can increase time with your mother. We need the contact details of the social worker there, for VN and her mother to have, including IROs, telephone numbers or contact details, and out-of-hours, should they ever need it.

79. I think, when I look at the drug and alcohol support to be offered to the mother, it is really important that if R3 offer testing, that she shares those test results with the social workers, and if they do not I would hope that the social workers would offer her a way of evidencing her abstinence. So, for example, that they would fund a hair strand test, so she can demonstrate how well she is doing.

80. When the social services say "we would like your mum to be free from drugs and alcohol for at least three months", I think that begs the question, three months before what? I do not know whether they mean before overnight contact unsupervised, or before VN could go home? That needs to be clarified.

81. Similarly, with the mental health work that will be offered to the mother, I do think it needs to be clear what needs to happen before overnight stays or before VN could go home permanently. So, for example, if the expectation is that the mother would take any medication prescribed, regularly, and go to any therapy recommended, until that course of therapy is finished, then I think that needs to be spelled out. I will give permission for Dr Buky-Webster's report to be disclosed to any treating clinician, either for the parents or for VN.

82. I think it is important to spell out the expectation that the mother should answer the phone to the social workers and respond to messages within 24 hours, and tell them of any new phone number, and, of course, that responsibility cuts both ways and it might be helpful to set out the time frame within which social workers will get back to her if she gets in touch with them.

83. I think it would be really helpful to spell out that the mother would be offered a domestic abuse awareness programme, but also the timing of this. If there is a start date, please can that go in the table.

84. For VN, I think we need to expressly mention her mentor at school. If that person has a name it would be great to put that in and if the offer of the [redacted] Academy is still open, I think that should be added to the table.

85. I think it is important to spell out, when the social work team talk about the work that her dad is doing, that we spell out expressly that he is finishing that work with Dr Buky-Webster to try and understand how things look to VN and when we say that we would like you to inform or update your social worker of your location, I think we should also spell out that this means, having your phone charged, keeping your phone on, answering calls and messages and making it clear to VN that she needs to be available in that way.

86. In relation to the care plan, I think at the bottom of page 7, the social worker set out that there cannot be overnight stays with VN's friend at the foster carer's home, but they then say as follows:

“This contact arrangement is to give more focussed and boundaried contact and if VN can evidence she can work with the proposal, then it can be reviewed in six weeks.”

I did not know what that meant. Does it mean that if VN works well with the foster carers and her friends visit, it might be possible to review and have a sleepover or is something else intended? I think that needs to be clarified.

87. When the social work care plan at paragraph 2.3, and again I have tracked changes to make a point here, says that, “we will review the rehabilitation plan back to the mother's care.” I think it would be really helpful for VN to spell out when. What is the first date when this will be reviewed? Is that October 2024 at the LAC review or some other date, and then for her diary, as it were, put in, “and this will happen every three, four months”, whatever it is. It is important that VN knows that there is an opportunity to see how her mum is doing and review whether she can go back there.

88. This is a tiny point, but I think it is an important one, the [redacted] Academy, VN, at the moment, says she does not want to go, fair enough, but I do hope that she might be offered that or some other extra-curricular activities, maybe [redacted] lessons. It also says in the care plan that VN wants to remain at [redacted]. I think [redacted], and I have looked on the website, provides weekend courses. It is not a full-time educational provision. So I think the point I want to make it, she should be offered, VN, extra-curricular activities that support her interests and her talents, and if it is not [redacted], then please can we look at some other [redacted] lessons in school, that enables her to work on the things that she is good at and build that secure sense of her skills and give some identities.

89. So, subject to any further submissions, I make a care order. I want the agreed threshold document to be annexed into the order on the same page, so that it is never lost and it is clear the basis on which the order was made. I would ask the Local Authority to consider the suggestions I make to the care plans and give them seven days to re-submit it, and I do acknowledge that I am probably pushing my luck and really interfering in a level of detail, but I am going to push my luck even then and see if they will consider some of those amendments.

90. I am really grateful for this excellent table of help that VN and her mum will be offered and, again, I would be really grateful if my minor amendments to that could be considered (pushing my luck even further). And I am very grateful to the Local Authority approving a

transcript of this judgment at their expense and I order accordingly. I give leave to disclose Dr Buky-Webster's report to any treating clinician or any treating clinician for both VN and her family members.

91. In a moment, I will conclude this judgment by reading my letter to VN, but before doing so, I want to thank the social work team. I think the table I have been provided with, which I have just been really picky, is actually an excellent piece of work, provided under considerable time pressure. It sets out really well the plan that has been well thought-through about what can be offered to VN, what can be offered to her mother, and I am very clear that the original social worker, I think Sal, and this social worker, Alice, have worked really hard to try and keep VN in the care of her family and have only come to court and said, Judge, we need a care order, when all other realistic options have been thoroughly researched.

92. In my view, the social workers throughout this case have been thoughtful and conscientious and hard working, and often tried to influence things like housing, which are beyond their own powers and gift for the good of VN and to support her remaining with her family. They are a conscientious and hardworking team and I really must pay credit to them at the end of these proceedings.

93. And I am grateful to all the representatives, particularly the consistency of representation that the parents have had, and I want to thank, in particular, on VN's behalf, the guardian and Miss Sangha for building a relationship with her, and always being really clear with me about what VN wants, but also what is best for her if those two things are not exactly the same. She, VN, has had two really thoughtful and diligent and caring professionals on her side throughout these proceedings. They have always been very clear about wanting to hear what she wanted to say. They have always put her first. I am thinking of that time when they restored the matter to court when they were worried about the care plan and they have always been determined to ensure that the outcomes of these proceedings was entirely VN-focussed.

94. And, with that in mind, I read into the court record my letter for VN.



HM Courts & Tribunals Service

31 August 2024

Dear VN,

I promised I would write to you and explain what happened at court.

I know that both of your parents love you so very much in their different ways, and they are very different personalities. I am so glad that they have both put you first in saying that you can stay where you are with [redacted] for the moment. No one had to go in the witness box

and give evidence. Everyone agreed this was best. I agree that what is best for you at the moment is being with [redacted].

We have written down what needs to happen for you to hopefully spend more time with your Mum and to live with her when she has her new accommodation. Your father, mother and the Guardian agreed this plan. There is also a list of the help that you and your parents will be offered so you can take steps towards the future you want.

There is a Care Order which means that Alice has responsibility for making decisions for you and putting your welfare first. I have asked her to look at whether you can have sleepovers at [redacted's] house and at your time with [redacted]. Her job is to make sure that you are safe and to help you make wise choices, which is why she has to check out who you spend time with.

Your Mum agreed that Alice would arrange for her to have help with her mental health and drugs and alcohol and managing her money. She agreed to do a course about how to be the best parent she can be. I really hope that she will accept all the help that she can so that she can be in the best place she can be for you. I know you are so proud of her for the changes she has made, but she still has work to do in order to cope with all of life's stresses in a healthy way.

I know you don't want to see your Dad at the moment. You only ever get one Dad in life, and so I hope you can rebuild your relationship with him when this has finished. He does want the best for you and is so proud of you. He has agreed to do some more work to try to understand how things look to you and how he can be the best Dad he can be to you.

I know you are such a wonderful, intelligent and thoughtful young person with so much potential. Things have been very difficult for you, I know. I have asked the social workers to make sure you get the help from CAHMS, a [redacted] (if you want it), a mentor at school and other things that might help you get to a better place with your mental health like FUSION. I would also want you to have advice on safe and healthy relationships. I have asked the social workers to help get you to school in your GCSE year because you have the potential to do so well in that.

I would also want you to be able to make wise and safe decisions for yourself and to be able to figure out which people really have your best interests at heart and who is safe to hang around when you are out and about. I hope that you will accept some help with this because things have been so chaotic for you. Alice needs you to work with her so that you can have sleepovers with friends. She needs you to keep your side of the bargain so you are safe when you are given freedom to do something. No one wants to have to restrict your freedom and put you in residential care and I know that you don't want this either. But you do have choices to make, which only you can do, that will shape your future. I hope that the support you are given will empower you to make positive and healthy choices which put your own well being first.

You have a very bright future, VN, but you also have choices that only you can make from here. I sincerely hope that the help you will get will empower you to become more of the thoughtful, insightful and articulate young person that I have seen when I have met you and the best version of yourself that you can be.

I wish you all the very best in the future.

With all best wishes

Judge Suh

I have signed it and dated it. Please can that be given via the guardian, if I can hand it to [the clerk] in hard copy and I will email it out to the advocates so they have it for their records, but I would ask that nobody gives that to VN until Miss Bolton has delivered it personally.

This transcript has been approved by the Judge