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Case No: BM23C50174

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IN THE FAMILY COURT AT BIRMINGHAM

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Birmingham
B4 6DS

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Before:

DISTRICT JUDGE PARKER

Between:

BIRMINGHAM CHILDRENS TRUST

Applicant

- and -

(1) B

Respondents

(2) L

(3) THE CHILD (by their Children's Guardian)

Ms. R. CHAHAL appeared for the **Applicant**

MS. C. SUMNER appeared on behalf of the **First Respondent**

MR. E. PEARCE appeared on behalf of the **Second Respondent**

MR. A. CRUMPTON appeared on behalf of the **Third Respondent**

APPROVED JUDGMENT

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DISTRICT JUDGE PARKER:

INTRODUCTION

1. I am concerned with W, who is nearly two years of age. On 19th July of last year an interim care order was made on the basis of issues in relation to domestic abuse, breach of a safety plan, and unexplained injuries. There is an agreed threshold document dated 11th December 2023.
2. There is also before the court a placement application, and I have given directions with regard to that on 25th July 2024.
3. At the outset of the proceedings the parents sought for W to return to their respective care. They maintained they were no longer in a relationship and were in competition with one another. I note that father applied, pursuant to Part 25, for a psychological assessment and residential assessment. That initially was adjourned, but ultimately refused. By order of 4th September 2023, an application for an independent social work assessment was granted. A subsequent issues resolution hearing was not effective because the local authority failed at that time to file their final evidence.
4. The assessment of the mother was positive, and the local authority intended to complete a community-based PAMS assessment of her, and in the subsequent order of 28th February 2024 it is recorded that the assessment up to then was positive, and contact had been progressed to unsupervised in the community.
5. There are a number of additional pieces of evidence within the proceedings, more notably in relation to a series of reports from Lextox in relation to the father which confirms that he has desisted and abstained from alcohol. They are dated 31st August 2023, 4th September 2023, and 26th January 2024.

6. There is a report from the Community Mental Health Team for father, which states he has a mental and behavioural disorder due to alcohol dependency syndrome. He also has emotionally unstable personality disorder, depression, PTSD, and possible sociative disorder. However, at the time of that report there were no concerns.
7. There is a report from CDL in relation to the father, which records positive engagement, and various alcohol tests from January to April 2023 which were negative, and the case was closed.
8. There is a very favourable report from Hampton Property Management, which says the father has undertaken a remarkable transformation with regard to his mental health and alcohol intake. I note that there are some historic police disclosure of incidents from 2021 and 2022 in relation to alleged assaults.
9. In relation to the mother, at the outset she accepted that the child sustained a bruise in her care, where she says he hit his head on a wooden block, which she witnessed. She states that the relationship with the father was abusive, and the father had a drinking issue. I note that the mother's own GP report confirms that she has a diagnosis of anxiety, depression, PTSD which are due to adverse childhood experiences, which has included suicide attempts. She is also a victim of domestic abuse.
10. Mother's position for this hearing is that she accepts that the child would not be safe in her care, and therefore does not actively challenge the local authority's plans, and that is to her credit. If possible, she would like the child to remain in long-term foster care with his current carer, with whom W has remained throughout, but accepts that this may not be possible due his young age. She accepts that she has not been open and honest with regard to her relationship with the father, and that her mental health has fluctuated. She herself

acknowledges that W would be at risk in father's care, and she recognised that she needs to break the hold that she says father has on her.

11. I have read the parenting assessments in support of the mother. The initial report says there was some concerns as to the impact of domestic abuse upon her mental health and her parenting, and it recommended that she needs to undertake work in relation to her relationship choices, and access support with regard to her mental health. She has a limited support network and would need a robust support plan.
12. The addendum parenting report proposes a transition rehabilitation plan over six weeks, which would be community-based. Sadly, a further addendum report of 9th July 2024 is negative on the basis that it would appear that she was unable to prioritise W as she remained in a relationship with the father, which she concealed from the local authority. Therefore, concerns remain as to her ability to protect W from risky adults.
13. This issue with regard to the parents' relationship, and effectively the cessation of the transition plan, is reflected in the order of 11th April 2024, where mum was arrested for drink driving on 24th March 2024. Subsequently, no further action was taken with regard to that. The transition plan was halted, and contact reverted to being fully supervised.
14. It was on that occasion that the mother believed it was the father who had notified the police. The police disclosure refers to an anonymous referral where the referer gave the URN and mother's address. The local authority therefore sought analysis of the parents' phones, the issue being one of honesty around their relationship. By way of order of 17th May 2024 I made a mobile phone disclosure order, with negative inferences to be drawn if the father failed to co-operate. At that hearing I also dismissed the father's application for an independent social work assessment.

15. At the last hearing before myself the local authority sought to conclude matters on the basis of submissions, as did the mother and the children's guardian. Father's counsel submitted that he had been candid about his history, but has made progress and demonstrated significant change, namely, abstinence from alcohol and his mental health was stable. He wished to challenge the assessment of him, which is the reason why the application for an independent social assessment was dismissed, and wished to challenge the evidence of the social worker by way of cross-examination, a position that I acceded to given that the local authority's plan in this case is one of placement for adoption.
16. The father's contention is that he has maintained and evidenced change which has not been addressed by the social worker. Therefore, on 29th August 2024 I listed this matter for a final hearing today, with a witness template to ensure the matter was dealt with within three hours which, to their credit, everybody has abided by.
17. The father's position is that his dependence on alcohol has now ceased, his mental health has improved, he accepts he can get emotional, but he wishes to care for W. The basis of his Part 25 application was for an updated parenting assessment, and at that time he was a back-up to mum's rehabilitation plan by way of parallel planning. He says that the previous assessment of him dated 28th April 2023 was based on historic information going back a significant period of time, that he has made substantial changes to maintain sobriety, and is not confident that the local authority would address this in their final evidence.
18. Initially, that application on 15th December 2033 was not pursued because the local authority agreed to undertake an assessment of him, and therefore it was adjourned with permission to restore, and if not restored by 19th April 2024 would be dismissed.
19. That application was subsequently restored due to the rehabilitation plan for mum being in doubt, and therefore, as I have indicated, a potential plan of adoption.

20. The father wishes to contest that plan, which has now materialised, and seeks for W to be placed in his care. He accepts that he was not truthful with regard to the parents' relationship statement, and in his statement says he did not see why he should be dictated to by the local authority. He denies that he has been a perpetrator of domestic abuse. He says he attended courses, he is now sober, and he challenges the assessment of him. His mental health is stable. He accepts his accommodation is of multiple occupancy, but this is only temporary and should not be a threshold point if it can be rectified.
21. It is clear that W enjoys contact with his parents.
22. There is a parenting assessment of the father dated 28th April 2023. It is negative. It proposed supervised contact only, and participation in the Building Better Relationships programme, which I understand was subsequently undertaken.
23. The addendum parenting assessment of 7th March 2024 is also negative. It cites a number of reasons: the lack of family support, the lack of parenting experience, his experiences with his other children being poor, the rigidity in his thinking, (he only accepted unsupervised contact for example) limited capacity to change, his refusal to engage with the Richmond Fellowship, the history of an abusive relationship, his mental health problems (which is regarded as an ongoing issue for which the father needs to undertake work to address) the undertaking of parenting classes, and resolving the issues as to his accommodation. He also has difficulty in relation to working with professionals.
24. The local authority in their final evidence was to provide an updated analysis, with the independent social work assessment providing a baseline in relation to the recommendations which had been made.

25. In essence, their most recent statement addresses that, and in relation to the history of matters they indicate that the past, to a certain extent, informs the future. Ultimately, the local authority seeks care and placement orders. This has been ratified by the ADM and endorsed by the independent reviewing officer.
26. It is apparent that the father was the 999 caller when the mother was arrested. The Mother had denied that there had been any contact between them, and alleged the father was stalking her and tracking her on his phone. I have not seen the mobile phone disclosure *per se* however I am informed that the subsequent mobile disclosure is overwhelming with regard to the parents clearly being in a relationship, which they now accept. In fact, the mother accepts taking three pregnancy tests during that period, and, if positive, the father would have been the father of any child conceived.
27. The mother also contends that domestic abuse has continued.
28. Ultimately, the parenting assessment of her is, sadly, negative on the basis that the parents continued to remain in an abusive and toxic relationship, exacerbated by their mental health needs, which would place W at risk in their care.
29. The local authority contend that the father has been in a multitude of abusive relationships, which he refuses to accept, and the mother has conceded and prioritised her relationship with him. There are no alternative carers.
30. The guardian's final analysis reiterates the ongoing concerns with regard to the parents' relationship, which is longstanding, and the fact that we now have three negative assessments, two in relation to father and one in relation to mother. The guardian's position is that the child would be at risk in the parents' care due to the combination of their mental health problems, the domestic abuse within their relationship, father's misuse of alcohol, the historic

notes of an alcohol dependency diagnosis, and lack of honesty with regard to the parents' relationship status. The phone data is extensive, and the evidence of an ongoing relationship is overwhelming.

THE SOCIAL WORKERS EVIDENCE

Examination in Chief

31. She has read all the updating evidence, she has considered all options, has had continuity throughout the process, and she has considered whether there is anybody from the wider family to assist, safety planning, but has determined that there is no other viable option than placement for adoption.

Cross-examination by father's Counsel

32. She was asked questions about the number of historical difficulties in relation to father's parenting. The analysis of the history shows a number of concerns across multiple local authorities and previous children. The social worker was focused on the fact that she needed to concentrate on the future and the effect of any change. However, the social worker was also clear that she needed to include historical events, but this only formed a small part of her assessment process.
33. She was challenged that the main events go back a significant period. She was challenged on each of the concerns she mentioned in her evidence.
34. She was challenged that that fact that there was no family support was not a good reason for the father not to be a parent. The social worker's view was that her analysis was a holistic analysis, and this is just one particular matter out of 14 concerns. The father has no previous experience of parenting a child. She indicated that the father told her that he is close to his

family, yet she has received no engagement from them regarding a family group conference, and no disclosure in relation to making an approach to assist the father with regard to support. Therefore, she questions what the father now says in relation to his family.

35. She accepts that contact has been positive, there are no issues of safeguarding, albeit, of course, it is limited to two hours supervised contact, although she later contends that the contact itself has not been as positive as the father would set out.
36. She was challenged about her assessment that there is limited capacity for the father to change. As far as she was concerned, the issue in this case is his openness and honesty. It is the work of the professionals to ensure that all their concerns can be addressed safely. She accepts the father is alcohol free, (I note that there is no evidence that the father is likely to revert to his previous abuse and any suggestion otherwise would be speculative)
37. The social worker states that the issues have been longstanding and that they cannot ignore the history when effecting safety planning. She was challenged that the recent history shows that the father has dealt with these issues and therefore it is a positive change.
38. She was challenged about the father saying he would not engage with the Richmond Fellowship; he had already engaged with the Building Better Relationships Programme. However, the social worker's evidence is that father had to learn from what courses he attended, and despite that, there is evidence of continuing domestic abuse despite such attendance. The Richmond Fellowship work with males who accept that there has been domestic abuse. The father, regrettably, point blank refused to engage.
39. She was challenged on the basis that the local authority is bias in seeing the father as a perpetrator of domestic abuse. The social worker contends that despite what he said in the

threshold document, it appears it is only now that father is disputing domestic abuse and being a perpetrator, which contradicts that.

40. She was challenged in relation to the fact that the father sees it was a toxic relationship but that he himself was not the perpetrator. The social worker is of the view that the father does not fully accept the relationship was dysfunctional, but mum does, and that she on occasions retaliated with regard to domestic abuse. She indicated that she found mother's account more credible. She was challenged that it was not for the social worker to establish the truth of what each of them were saying concerning who was perpetrator and victim.
41. With regard to father's mental health, again it was put to her that the father has made significant progress in this area. She accepted the father is now engaging with mental health workers better than he has done in the past, but there are still issues, and she quoted the potential side effects to his medication. She, notwithstanding that, questions the father's honesty in relation to mental health workers because they too were blindsided in relation to the father's relationship status.
42. It was put to the social worker that the father is not a mirror image of what he was 10 years ago. However, the social worker is still concerned as to the father's refusal to discuss matters in an open manner.
43. She was challenged that the father's housing situation is not on its own a bar, but notwithstanding that, the social worker is of the view that it does form part of a wider picture.
44. It was put to her that the evidence is overly pessimistic with regard to the potential for the father to relapse with regard to his mental health and alcohol abstinence given the fact that he has made progress. However, the social worker indicated that there had been a history of relapse once proceedings had concluded, and professional involvement had ceased. It was

put to the social worker that the situation is different, but she does not agree. She believes the father is still controlling the mother. She accepts, however, that the father appears more committed to his son as opposed to his commitment to his other children.

45. It was put to the social worker that the father is entitled to disagree with her opinion. The social worker responded that the father seems to want matters to revolve around him, and he can be temperamental if matters do not go his way. In her view, he exhibits a degree of control and rigidity in that respect. She was challenged that notwithstanding that, the father has made a number of other significant changes which have been ignored. The social worker did not agree with regard to that.
46. In relation to giving the father more time to demonstrate change, she said that the proceedings need to conclude. The child has been in foster care since January 2023, and we are now on week 62 of the timetable to the proceedings.

Cross examination by the Guardian

47. She accepts that the father has shown a number of positives, his mental health, detox from alcohol, which has been maintained, his clear affection towards his son, he is committed to contact, and he wishes to contest the local authority's plan. The welfare concerns, however, with regard to the balancing exercise focuses upon the prolonged dishonesty. The social worker previously had suspicions, but there was no evidence with regard to the parents' still being in a relationship, so the transition plan was continued with. The whole issue only came to the fore due to mum's arrest. The parents went to extensive lengths to deceive a number of professionals. The social worker openly admits she was rooting for the mother, and she was extremely disappointed.

48. She was asked what safeguarding could be put in place in light of this and she believes that there is nothing. The safety plan relies upon honesty and an open working relationship.
49. She was asked questions about the father's statement where he says that his relationship with his partner is nothing to do with the local authority. She responded that it is in so far as a child in his care is concerned. She believes no safeguarding could be implemented to mitigate this. She also commented that the father refused to hand over his phone for analysis of any conversations that might have taken place between him and the mother.
50. With regard to the father's support network, this was explored throughout the proceedings, but there was a distinct lack of sharing of information on repeated occasions.
51. With regard to the allegations of domestic abuse, she maintains that this was a toxic relationship that would put W at risk of emotional harm if he was placed back in that situation, in light, more particularly, of the good parenting experience he has currently experienced in foster care. She feels there is a real risk of reconciliation between the parents on the evidence before the court, and that knowledge of the past is important to frame the future assessment of risk, particularly father's previous difficulties in working with professionals. A plan of long-term foster care for this child would clearly be inappropriate due to his young age.

FATHER'S EVIDENCE

Examination in Chief

52. The father indicated that he can source alternative accommodation if the child were to be placed with him. He confirmed undertaking the Building Better Relationships Programme. He said long-term foster care would enable the local authority to fully explore his capacity to care for W, which he feels they have not done.

Cross-Examination by the Local Authority

53. He was challenged in relation to him asserting that there is a gap in the assessment due to the number of positive changes he has made. It was put to him that the social worker acknowledges such changes in her assessment. He does not agree. He believes that she relies too heavily on past events and should have given more weight to those changes.
54. He was asked about his alcohol use and his current support, and he said it is self-managed. With regard to hobbies, and his part time employment, he was asked how he envisaged continuing with those strategies if W were to be placed in his care. He said that he would adapt, it should not be bar when caring for the child. He has no set structures when he meets his CPN. It is on an 'as and when' basis. He said they have agreed that CBT is not needed. His sleep schedule is not the best, but his mood has improved.
55. He was asked why he had misled the professionals in relation to the relationship and effectively sabotaged the mother's rehabilitation plan. He said that they needed one another for mutual support. He openly accepts he does not trust professionals.
56. He was asked, therefore, how can the local authority support W being placed in his care? He said because he can care for the child and he should be given the chance to prove that, and the local authority have not done so, for example, they refused to increase his contact. He accepts, however, the relationship with the mother was toxic. He now says he is no longer in a relationship.

Judicial questions of the father

57. I asked him when the relationship between him and the mother finished, he said a month ago. It was the mother who terminated it by not responding to his texts, not him himself.

58. With regard to not sharing support information of his support network with the local authority, he said this was out of privacy, and he did not want the involvement of the social worker in their family.

Guardian's cross-examination

59. He accepts he loves the mother, but he does not accept that he wants to be with her in a relationship. He was asked why he misled the court that they were in a relationship. He said he wanted to support the mother. He understood the guardian being suspicious of what he now says, and he regrets his dishonesty. He accepts that this has a direct impact on safeguarding. He was challenged then as to why he nevertheless did it. He accepts that he did not tell the local authority because he knew that the local authority would hold it against him. It was put to him how the local authority could possibly trust him going forward, bearing in mind he does not trust professionals. He indicated that they needed to build trust with him.
60. With regard to mother's contact, he sees there is no difficulty with regard to unsupervised contact. If the local authority said otherwise, he would disagree with them, and if needs be he would bring an application to the court.
61. With regard to the lack of disclosure to his mobile phone despite a court order, he indicated that this was a breach of his Article 8 rights. (I note there was no appeal to that order at the time, or since)

GUARDIAN'S EVIDENCE

Examination in Chief

62. She had seen the father's statement and now heard oral evidence. Her recommendations remain the same. The father, she says, needs to reflect on what he is saying. She is concerned about the father's views in relation to the relationship and its disclosure due to its toxic nature. She is concerned that the parents still rely upon each other for support.

Cross-examination by the Local Authority

63. She was asked questions about the father's lack of trust with professionals. She understands that, but he still has to work with them. Trust must come both ways, and there needs to be openness and transparency. The level of distrust exhibited by the father is itself a risk factor. She accepts the father has made positive changes, but the problem is implementation to achieve a safety plan.

Cross-examination by the Father

64. She pointed out that at the onset of the proceedings the father needed to address his mental health and substance misuse, which has been addressed over a sustained period. However, what he has not done is acknowledge the fact that he is a perpetrator of the domestic abuse.
65. The local authority's assessment is predicated on that footing, and there has been no finding. The issue with the guardian, however, was in relation to the openness and honesty of the father, as the relationship, notwithstanding who was at fault, was toxic. Responsibility may not have been established but the toxic nature of that relationship has.
66. She was challenged that the common theme from the local authority is the father being the perpetrator. The guardian responded that the evidence shows that there have been issues in all of his relationships.

67. She was challenged that the assessments were effectively biased against him. The guardian was of the view that both parents should bear responsibility for its toxicity. It appears to her the father does not do so.
68. The fundamental issue in this case is in relation to trust.
69. It was put to her that the father, however, is concerned that the local authority does not accept what he says in relation to him not being a perpetrator of domestic abuse. The guardian responded how the father himself has shown complete dishonesty.
70. She was challenged that there had been no evidence to show that the father does not have capacity to care. The guardian is of the view that that would not remove the risk from the evidence that the court has available.
71. In essence, father sabotaged mother's rehabilitation plan. She accepts that W, if possible, should be brought up by a family member with support. But she does not feel that W should have to wait until father effects the necessary changes. Father's lack of openness with professionals for her is a massive issue.

SUBMISSIONS

FATHER'S COUNSEL

72. There are a number of positives, and a number of areas which have been addressed, namely, alcohol abuse and mental health, and that should itself impact on the future trajectory of these proceedings, but, sadly, downplayed by the local authority. There is no evidence of future relapse. (I fully accept that) The main issue is one of dishonesty, but that is against a backdrop of saying father is a perpetrator, however, he accepts an abusive and toxic relationship with the mother.

73. Father feels he cannot be honest with the local authority because they have not allowed him to have his own point of view. It is contended that there is a real possibility that W could live with the father. The local authority's case is driven by their mistrust, not on his ability to parent W to a good enough standard.

JUDGEMENT

74. It is trite law that the best person to bring up a child is the natural parent. It matters not whether the parent is wise, foolish, rich or poor, educated or illiterate, provided the child's moral and physical health are not in danger. This is the longstanding position since the case of *Re KD* [1988] AC 806.

“.....society must be willing to tolerate very diverse standards of parenting, including the eccentric, the barely adequate and the inconsistent.”

Re L [2007] 1 FLR 2050.

“Family ties may only be severed in very exceptional circumstances, and everything must be done to preserve personal relations and where appropriate to rebuild the family. It is not enough to show that a child could be placed in a more beneficial environment for his upbringing.”

YV v United Kingdom [2012] 55 EHRR 33.

75. I remind myself that the courts are not in the business of providing children with perfect homes, and many children unhappily have parents who are far from being good role models, but being an inadequate or even bad role model is not a ground for making care orders, let alone adoption orders. One must guard against the risk of social engineering.

76. I do not need to address the basis for making a care order in this case *per se* because both parties agree that the threshold is crossed. Of course, what is not agreed is in relation to the welfare disposal in relation to placement orders.
77. Case law sets out the importance of children being brought up by their birth family wherever possible, and the local authority has a duty to promote the upbringing of children by their family and bears a statutory burden before sanctioning removal, as set out in the provisions in s.31(2) of the Children Act.
78. However where the threshold is crossed, as is accepted here, the court must then go on to apply the Welfare Checklist under s.1 of the Children Act to determine what, if any, order is necessary to safeguard the welfare of the child, having regard to the child and parents' Article 8 rights.
79. I am also satisfied that where the criteria is satisfied, the question that must then be posed is whether the removal of a child from their parents in such circumstances is proportionate to the risk of harm to which they would be exposed if they were allowed to return to their parents' care, and I should only permanently separate a child from their parents if satisfied that it is necessary to do so and nothing else will do.
80. To that end I am required to undertake a global holistic evaluation of the options available for the child's future upbringing. Here it is, effectively, return to father's care (by way of a staged progression of otherwise) remaining in long-term foster care whilst the father can show change, or placement for adoption.
81. Clearly, placement of adoption is a very extreme thing, and last resort, and should only be made where nothing else will do. In considering that, I have to apply s.1 of the Adoption and Children Act 2002. There is a route map the court has to apply:

- i) What is the type of harm that might arise?
 - ii) What is the likelihood of it arising?
 - iii) The consequences: What will be the likely severity of harm if it did come to pass, and the consequences for the child if it arose?
 - iv) Risk, reduction, mitigation. What steps could ostensibly be taken to reduce the likelihood of harm arising, or to mitigate the effects on the child if it did, and would the chances of harm happening be reduced or mitigated by the support services available?
 - v) A comparative valuation. In other words, how does the overall welfare advantages and disadvantages of the realistic options compare with one another?
 - vi) Ultimately, is adoption necessary and proportionate in this case?
82. I remind myself, of the case of *Re D* [2022] EWCA 896, and the summary provided by *Re C* [2020] EWCA 1598:

“The paramount consideration for a court when considering the outcome for a child is the child’s welfare. It is a principle of the law that the welfare of the child is best met by maintaining the connection with the birth parents to as full extent as possible, and that principle is underpinned by the application of the least interventionist principle enshrined in s.1(6) of the Children Act. Adhering to those principles reflects the importance of the right to family life set out in Article 8 of the European Convention of Human Rights, and the limited scope of interference with that right as set out in Article 8(2). Inteference in the right of family life, which is the right both of the parents

and the child, is parametered with necessity, proportionality and legality. As a consequence, the permanent severing of ties between a child and their parents is an outcome only to be ordered in exceptional circumstances and where motivated by overriding requirements pertaining to the child's welfare. To arrive at that conclusion, the possibility of parental care with alternative care by members of the wider birth family must be shown to be the options which are not realistic, either by reason of unavailability, they do not exist, or because such that they cannot meet the welfare needs of the child. The option of parental or family care should not be rejected if identified deficits could be remedied through appropriate and proportionate support provided by the local authority, even if such support will be necessary for an extended period of time. In order to arrive at a valid conclusion of the child's welfare, because the child's welfare requires their permanent removal from family care, it is necessary to consider all of the competing options of care to assess their respective strengths or weaknesses, and to look at those options against each other to ensure that every option is fully considered against every other option. Having done so and identified the outcome most able to meet the welfare needs of the child, it is necessary to consider whether the outcome is itself a proportionate interference with the rights of the child.

83. As I have indicated, in a placement application I have to consider more particularly the Adoption and Children Act with regard to that, s.1(2), 1(4) and 1(6), and the overall necessity and proportionality of the various serious orders that I am asked to make.
84. As I indicated, I have read the extensive papers in this matter and heard the evidence. My overriding conclusion is as follows.

85. Whilst the father does not accept that he is a perpetrator of domestic abuse, it is clear that the relationship between the mother and the father is toxic, it is dysfunctional, and placing a child in that arena would be emotionally harmful to them. That is clear from the concessions in the threshold document.
86. I am disheartened to hear that the father says that his relationship status is nothing to do with the local authority. I am very sad to say that that is a misapprehension, particularly with regard to the fact that where a child is concerned, the nature of a relationship and its affect on a child is highly relevant. Of course, if the father is not intending to look after a child it is, of course, nothing to do with the local authority, but that is not the case here. Sadly, father's position in this matter shows a startling lack of insight.
87. This is a case where there has been a stark lack of honesty in relation to a working relationship with the local authority. Father indicates that he is no longer in a relationship with the mother, it ended, he says, a month ago. I note that he says the mother terminated the relationship, not him. Father's opening evidence was that he did not tell the local authority or indeed anybody about it because he knew it would be held against them. But I am afraid that is not an excuse. How can the local authority, indeed anybody, work with anyone, if effectively that degree of deception has taken place. Safety planning requires the parents to buy into it, and a working and open relationship to ensure the safety of the child.
88. It appears to me that the father indicates that the reason why he maintained a relationship with the mother was due to mutual support. Well, mutual support can be affected through a number of ways, not just through a relationship status.
89. I am concerned that it appears in this case that the parties are, in essence, effectively dependent on one another emotionally, and I cannot be satisfied that that dependency has

ended. Such being the case, it is my view that that puts the child at significant risk as to harm.

90. The father's role in relation to the deception, I believe, he underplays. He, in essence, sabotaged the mother's rehabilitation plan, and this is in the backdrop of him accepting that this was an abusive and toxic relationship where he says he was the victim. Yet he maintained that relationship knowing that it would be seen as a negative.
91. Father's working with professionals, I am afraid, is not what it should be. His failure to supply information as to his support network on repeated occasions is regrettable. He says it is out of privacy, he did not want Social Services getting involved in his potential support network. I find his response with regard to that somewhat evasive. It appears that if the child was rehabilitated to his care then he would provide information. That lends credence to the fact that it appears that information had been provided on the father's terms only.
92. It appears clearly that the father does not trust professionals. He says this does not stop him working with professionals, but, sadly, the trajectory in these proceedings indicates it does. The father indicates, when asked about how trust can move forward going forward, that the local authority would have to build trust with him. Again, it seems to be wholly from the father's perspective, not the other way round, as to how he can generate trust with the local authority. In other words, there is no compromise, particularly so in the event that the local authority was to disagree with his views in relation to unsupervised contact with the mother. He has a right to challenge the local authority for sure, but he indicated that he would immediately bring the matter back to court if their proposals could not be justified.
93. It appears to me that his level of distrust, as the guardian says, is in itself a risk factor, and I am of the view that the father has issues with authority, which gives grave concerns as to a working arrangement in which W can be safely placed in his care.

94. Despite a court order, the father did not provide information as to his mobile phone. The reason, it subsequently transpired was patently obvious.
95. Sadly, I am drawn to the conclusion that by mother's own admission she is not able to provide care for W, there are no other family members who can offer care for W, and that placement of W with his father, I am afraid, is not a safe option either.
96. Therefore, I am sad to say, I will make final care orders today. I will make a placement order for W as well, and for the parents' consent to be dispensed with.
97. That is my judgment, and the reasons for it.

(Judgment ends)
