

Case No: ZW20C00227

**IN THE FAMILY COURT AT WEST LONDON**

West London Family Court,  
Gloucester House, 4 Dukes Green Avenue  
Feltham, TW14 0LR

Date: 10/12/2020

**Before :**

**HIS HONOUR JUDGE WILLANS**

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**Between :**

**THE LONDON BOROUGH OF BRENT**

**Applicant**

**- and -**

**(1) The Mother**

**Respondents**

**(2) The Father**

**(3) K (by his Children's Guardian, Ms Laura  
Deane)**

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**Ms Laura Hibberd** (instructed by **Legal Department, Brent**) for the **Applicant**  
**Mr Russell Steadman** (instructed by **Alexander & Partners**) for the **First Respondent**  
**Ms Elizabeth Van de Weit** (Solicitor-Advocate of **Hameed & Co**) for the **Second Respondent**  
**Ms Beverley King** (Solicitor-Advocate of **Philcox Gray**) for the **Third Respondent**

Hearing dates: 8-10 December 2020

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**JUDGMENT**

## **His Honour Judge Willans:**

### **Introduction**

1. The Applicant local authority ask me to make a care and placement order in respect of this child, K. The plan is for him to be adopted into a new family and separated from his biological family. In this respect it is fully supported by the child's guardian. K's mother does not agree with this plan and seeks for K to be returned to her care. His father is in no position to offer care to K and supports the mother in her case.
2. I have heard evidence in this case over two days from the previous and current social workers, from the mother, and; from the child's guardian. I have considered the documents contained within the digital hearing bundle. I have also considered the opening notes and final submissions from each of the advocates for the respective parties'.
3. The names of the mother, father and child in this judgment have been anonymised, pursuant to the Practice Guidance of the President of the Family Division issued in December 2018 having regard to the implications for the child of placing personal details and information in the public domain. The anonymity of the child and members of his family must be strictly preserved. All persons must ensure that this condition is strictly complied with. Failure to do so will be a contempt of court. Within this judgment I refer to the parents by the titles mother and father and to the child by the initial K, no discourtesy is intended. I can see no reason to anonymise the identity of the professionals in the case although I will make use of labels as appropriate to simplify the judgment.
4. This final hearing proceeded on an entirely remote basis using a video platform. The father was able to attend for the first day of the hearing by way of a prison video-link. The prison was unable to produce the father on the second day of the hearing meaning he did not see the mother's examination of the guardian and the final submissions. I consider the hearing was held and heard fairly. I have produced this written judgment partly having regard to the fact the father cannot be produced for the third day of the hearing but also having regard to the significance of the decisions to be made.

### **Legal Principles**

5. I am required to treat K's welfare as my paramount consideration. I approach this welfare assessment with section 1(4) of the Adoption and Children Act 2002 in mind. Given the application includes a plan for placement (adoption) I have regard to the K's welfare throughout his life.

6. To the extent there are factual disputes to resolve then I must approach the proof of such matters having regard to the following principles. First, it will be for the party making the allegation (here the applicant) to prove the allegation. They will do so by establishing the allegation as more likely than not ('the ordinary civil standard'). It will not be for the party subject to the allegation (here the parents) to disprove the allegation. In assessing the truth or otherwise of a matter in dispute it will be important to bear in mind all the available evidence with particular focus on the evidence given by the parents. In considering the credibility of the witnesses I caution myself as to the relatively limited light that can be shed on the question by witness demeanour. I will also bear in mind that a witness who has been shown to be untruthful on one matter can be wholly truthful on other matters. I also bear in mind the discipline that should be applied as to establishing a causative linkage between matters alleged and significant harm (see below) as explained in the authority of *Re A*.
7. The applicant seeks a care order. It is a condition to the making of such an order that the legal threshold has been crossed. This is found at section 31(2) Children Act 1989 and amounts to a finding that K has suffered significant harm arising out of the care given to him not being that which the Court would expect a reasonable parent to give or that he is at risk of suffering significant harm as a result of the care likely to be given to him if an order is not made not being that which a Court would expect to be given.
8. The orders sought in this case amount to significant interventions in the family life of these parties. The parties are entitled to respect for their private family life (Article 8). Any intervention must be assessed and justified by reference to the tests of proportionality, necessity, reasonableness and lawfulness. It is a consequence of such principle that intervention should be set at the lowest level consistent with meeting K's welfare whilst respecting family life. Any greater intervention would be disproportionate.
9. I am duty bound to consider the realistic options placed before the Court. I must ensure I examine each of those options in a fair and balanced manner. The best way to achieve this duty is to carry out a holistic analysis in which I weigh the positives and negatives of each option prior to rejecting or preferring any particular option.
10. Whilst a care order amounts to a significant intervention in family life it is much less so than a placement order which opens the door to adoption and the permanent severance of legal relationships. Such order is recognised as being an extreme intervention, is draconian in character and requires particular justification. The Court has adopted the language of 'nothing else will do' to signify the level of justification required to make such an order. Were I to conclude this was the right answer for K then I would be required to dispense with the parents' consent to such an approach (section 52 Children and

Adoption Act 2002) and would only do so if K's welfare required me to so dispense.

## **Background**

11. These are the second set of proceedings concerning K who is approaching 15 months of age.

### *The previous proceedings*

12. On 18 May 2020 HHJ Ferris placed K with his mother under a 12-month supervision order in favour of the local authority<sup>1</sup>. Those proceedings had commenced shortly after K's birth. The mother is a young and vulnerable woman who is a care leaver herself. The threshold relied upon her troubled childhood and lack of positive role modelling. Her own placement history had been beset by multiple placement breakdowns linked to aggressive and antisocial conduct. Cannabis use was a further concern as was the mother's emotional presentation and impulsivity. The concerns surrounding the father related to his own unsettled childhood and lack of stability and positive role models; his aggressive behaviour towards the mother; concerns as to drug usage and criminality.
13. The guardian within the first proceedings is the same guardian who appears before me. The Court was assisted by the reporting of Mr Alexander Marshall (Psychologist); a residential assessment (Jamma Umoga<sup>2</sup>) and the professional views of both a social work and guardian team. I have reflected on the range of documents found in section E of the bundle which relate to the earlier proceedings. I have borne in mind the pre-birth chronology found in that section<sup>3</sup>.
14. The issues for HHJ Ferris in particular concerned the relationship between the mother and father and the mother's emotional presentation and the need for emotional progress on her part to be more available for K and able to provide consistent, predictable and undistracted care for K. I am told by the professionals that the ultimate decision to support a supervision order was very finely balanced. I understand the only realistic options before the Court were either placement with mother or adoption. A range of family alternatives had been considered but had not stood up to scrutiny.
15. The supervision plan proceeded on the basis of a written agreement<sup>4</sup>. The report envisaged a high level of support; engagement in a range of programmes to develop the mother's understanding as to drugs, parenting, domestic violence

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<sup>1</sup> B2

<sup>2</sup> E246

<sup>3</sup> E11

<sup>4</sup> F5

and therapeutic work. It also highlighted the importance of the parents remaining separate. The document was signed on 19 May 2020.

16. Following the hearing the mother was to remain in a mother/baby foster placement whilst steps were taken to step her down into independent accommodation

*Events leading to these proceedings*

17. On 26 May 2020 (8 days after the making of the supervision order) an incident took place between the mother and father during which the mother was assaulted in the presence of K whilst travelling on a train. The parents should not have been in contact at this time.
18. When it became aware of the incident the applicant issued a new set of proceedings and sought separation of K from his mother under an interim care order. This plan was approved by Recorder Benjamin on 4 June 2020 and the matter was set down for a contested interim hearing before me. On 11 June 2020 I agreed with the mother that she could be reunited with K within the foster placement but only on a strict safeguarding basis/interim care order and only after she was shown to be clear of Covid-19. The timeline at that point envisaged her being reunited after about 14-days.
19. Such reunification did not take place. I was next informed the mother (and father) had been arrested for an alleged offence of GBH on the mother's previous boyfriend. Both had been remanded into custody. I approved a change in care planning with separation from mother. Since that date the mother has seen K at contact. Since that date the father has remained in custody. My understanding is the father has either entered or is due to enter a guilty plea to an offence under section 18 Offences Against the Person Act 1861. He expects a lengthy custodial sentence. The mother has or intends to enter a not guilty plea and her case has been listed for trial in December 2021.
20. Aside from the initial ICO hearing there has been judicial continuity before me. I have had the benefit of a psychiatric report from Dr Sumi Ratnam<sup>5</sup> alongside the helpful professional and lay evidence.

**My analysis of the evidence**

21. Understandably the focus of the evidence has been on the events following the making of the supervision order. I do though note and accept the evidence of the professionals as to the decision making being finely balanced at that time. I have no doubt this reflects in part the stark nature of the decision making which faced the Court with the realistic options being (as they are indeed today)

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<sup>5</sup> E300

between placement with the mother and a plan for adoption. I have heard and accept the evidence of the guardian that she would have preferred for the case to be further adjourned at that time to test the planning further.

22. I have been taken to the balancing exercise undertaken professionally at that time and note the points made on behalf of the mother as to the negatives of adoption having increased rather than decreased since that assessment. In simple terms that is correct to the extent the mother and K have developed their relationship. By necessity this development means the bond between child and mother has likely grown and the risks on separation are greater. This highlights the increasing difficulty that flows from placement plans for an older child. However, this is only one aspect of the assessment and later within this judgment I will conduct the holistic analysis required of me.
23. It is a matter of record that the mother has not meaningfully progressed any of the proposed aspects of work found within the written agreement. In part I suspect this reflects the breakdown in placement and the focus on proceedings. But it is in my assessment important to note that we are now the best part of 7 months further on in time and yet work (counselling/therapy/DV work) is still to commence. Significantly, the unchallenged expert evidence is that important parts of this work are likely to require 12 months engagement and the prospects of success are far from clear. The failure to commence this work therefore has the dual implication of not only delaying the likely end date for such work but preventing the Court from having any meaningful interim evidence of engagement on the part of the mother and what that engagement might or might not suggest as to prospects of ultimate successful progress. I note the evidence of the mother as to having attended initial assessment sessions but this is only limited information on which I can rely.
24. Sadly what is far more important and disappointing are the events that have arisen since the making of the supervision order. Inevitably these require detailed consideration.
25. It is clear the event on the train on 26 May 2020 simply should not have happened. As with all the events summarised within this section I am largely dependent on the accounts given by the parents although I also have related police records. It is far from clear as to how it came to pass that the parents met and were on the train together. The father has suggested he was with the mother at her own mother's home. The mother speaks of a coincidental meeting. In the light of the subsequent events I am sceptical as to the suggestion that this was a coincidental meeting. It is quite clear to me that the parents over that period were in regular contact in one form or another. I note concerns from the mother's own social worker as to the parents meeting far more regularly. I note the foster carers account of the mother being out of the property on most days of the week. However, the exact detail is not with hindsight so relevant. The

simple fact is that within 8 days of the final order and having signed an agreement not to come into contact with the father, this was exactly what was happening.

26. The reasons for wanting the parents to keep separate related to the risks of domestic disturbance between them. The concerns were as to what this might do to K emotionally or physically were he caught up in an emotional event. This is exactly what was feared and exactly what transpired. It seems the father became upset on seeing messaging on the mother's phone. He is reported to have slapped the mother across her face and taken her phone smashing it to the ground. K was present throughout the incident. I note the father has, when speaking to his personal advisor<sup>6</sup> accepted the key elements of the event.
27. At the ICO hearing I reflected on the potential role of the mother as victim in this incident. In this regard she deserves sympathy. However, I cannot overlook she allowed herself to be placed into this situation when she should have known this was the wrong thing to do. My understanding of the mother's evidence is that she assessed the father on the day as being calm and had a degree of sympathy for the fact he had not seen K for some time. But this was not a meeting to be viewed in isolation. The mother was aware of the concerns and in signing the written agreement had indicated her understanding of the same.
28. Matters for the mother did not end there. On about 5-6 June 2020 she came into contact with her ex-boyfriend (D). My understanding is the messaging which upset the father on the last occasion may have come from this individual. It seems he is a source of emotions between the parents. The headline of the meeting between mother and D on this occasion is of her being kidnapped and placed into the boot of a car before being taken by D and two men to a hotel where she was pressurised for sex before fleeing. Again this account taken at face value deserves sympathy with the mother again as victim. However, this is but the tip of this iceberg and a fuller understanding is presented by the mother in her statement evidence. It should be noted the relationship between the mother and D was surrounded by domestic violence and appears a largely, if not entirely, negative relationship.
29. In her statement evidence<sup>7</sup> the mother speaks of seeking to retaliate against the father by meeting up with D and a woman she understood the father to then be seeing. It was after this that she alleges being kidnapped by D. Even during this process it seems D and the father were engaged in messaging surrounding the mother.
30. Having fled this incident on 14 June 2020 the mother and father were in company together at the mothers property. The mother called D and encouraged

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<sup>6</sup> C46

<sup>7</sup> C88

him to come to her property. She says she was forced to do so by the father. On his arrival D was chased by the father and had a fluid thrown in his face. I understand the initial concern was as to whether this was acid but it is said to have been hot water. In any event the police report is of D suffering life changing injuries. The mother and father stand charged in respect of this event.

31. Surrounding all of this are allegations made by the mother (now retracted) of the father messaging her and posting naked pictures of her on line. Separately there is good evidence, which the mother accepts, of her contacting the father.
32. I have struggled to understand the mother's decision making during this period. From my perspective the mother before me on 11 June 2020 had achieved her goal of a plan to be rehabilitated to care for K. Yet perhaps the train of events had already been set in motion by what took place on 6 June 2020 (events I was unaware of when agreeing rehabilitation). But why did the mother allow the events of 14 June 2020 to develop?
33. I judge the answer is found in the expert evidence which paints a picture of an emotionally immature and impulsive young woman. Her relationship with the father is enmeshed but her more general relationships are unhealthy. I find it difficult to de-link the mother's allegations against D from the subsequent events of 14 June 2020. There is a very troubling picture of D being lured to the property by the mother only then to be seriously assaulted. I respect the fact that these matters remain to be determined before the criminal court and are not subject to effective fact finding before me but one cannot ignore the timeline presented to me.
34. Self-evidently the mother who was acting in the manner, could not at the same time have been a mother capable of providing safe and reliable care to K. The issue for me is to assess whether there is within the evidence a basis on which I can establish greater confidence for the future.
35. In considering the evidence I very much have regard to the positive contact reports between the mother and K. I accept the submissions made on the mother's behalf that these are entirely positive reports which paint a loving and strong bond between the mother and K. This makes this case the more sad. This is a mother who can meet the basic needs of the child and plainly holds him dear to her heart. She engages positively when with him and is well attuned to his needs. All other things equal she has the capacity to provide him with good care. The issue in this case is not around her love and care for her son.
36. I also bear in mind her more recent engagement with services and attendance at initial assessment appointments. However, I must bear in mind that these processes have not yet commenced and that the challenges of the programmes lay entirely in the future.



37. An important submission is made as to the custodial status of the father. A simple but important point is made that he is forcibly now out of the way and this allows the mother a breathing space in which to make her own important progress free from his shadow. I accept this point but it goes only so far. The father's incarceration removes him physically from the mother's day to day life but their emotional connection has not been severed through the process so far and there is a worrying return to him whether to seek support or to hurt him.
38. But matters do not end there. Within the analysis above one has the concerning role of D and his re-emergence in the mother's life. He certainly has not disappeared from the streets.
39. There is also a suggestion of the mother being on the cusp of other relationships. The mother denies this and I am urged to conclude there is no evidence to support such a suggestion. I tend to disagree as both Dr Ratnam and the guardian in conversation formed the view the mother was referring to being in contact with someone with a view to a relationship. The report of Dr Ratman is clear this arose when discussing relationship history and I struggle to understand the basis on which Dr Ratman might have confused the mother talking about simple social discourse with friends when compared with the manner in which she described it in her report

*[The Mother] is currently not in a relationship, but is talking to someone.<sup>8</sup>*

This seems to me a clear reference to being on the boundaries of considering a relationship. It may be this went nowhere but it reinforces the point that this mother is young and impulsive. On my understanding of the evidence she has been consistently in problematic relationships since around the age of 16. There is at this time little evidence to demonstrate a committed period outside of destabilising relationships. The last 6 months or so are not a positive indicator in this regard.

40. To the mother's credit she appears to acknowledge the mistakes she has made. In significant terms she accepts the events of May/June 2020 but argues she is now receiving medication for depression and wants a further chance to engage with the relevant programmes and to show she can commit successfully to a written agreement. She prays in aid the initial steps taken towards programme engagement.

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<sup>8</sup> E305

## Welfare analysis

### *Welfare Checklist*

41. K is a child of under 18 months and is unable to express any wishes or feelings as to his future. The Court might infer a wish to be brought up by his biological family but equally one might infer a wish to have a settled and stable upbringing in a safe home. Ultimately this is all speculation and is of limited benefit. Ultimately the points above are addressed elsewhere within the welfare analysis.
42. K is a child without any identified special needs of his own. His needs are those shared with all children and particularly those of his age. He is entirely dependent on his care givers and is acutely vulnerable if his needs are not met. He demands stability and consistent predictable care in a loving environment in which his needs are held to be central by his care givers. He has a need for his home to be safe and free from violence and disruption. Sadly the impact of poor role modelling and an unsettled upbringing can be found close to home in the impact of the same on both of his parents. It is all too easy to predict the future trajectory for K if his home life is surrounded by instability and emotional turbulence. Sadly this future has every prospect of including the forensic history experienced by both his parents. If he experiences relationships as being dysfunctional, aggressive and subject to controlling behaviour patterns then he will likely model the same and act the same out within his own relationships. This is not a future that the Court would want for K.
43. K is a young child with a rich cultural heritage. An understanding of his identity and those aspects that make up his cultural heritage is of great value to K. Plainly his parents and family are best placed to inform him in this regard. It will not be easy to replicate this exactly in an alternative placement although aspects of his heritage may be capable of being preserved. I have commented on his age above and the relevance of this to his needs. But at this age it is also important to have regard to the fact that K is setting down his attachment links and these are likely being hardwired within his makeup. This is a crucial time for him to receive the settled care I comment upon above so that he can form positive attachment connections and a positive attachment style. Too often the Court is confronted by the life long consequences that flow from a failure to internalise a positive working attachment style. The consequences can be life limiting for the relevant individual. K is at the point of developing these life long characteristics.
44. This is a case in which the risk of harm is found in an agreed threshold to which I return below. But sadly the evidence of risk has continued into the proceedings through the circumstances detailed above. Of course K was not present at each of the incidents but I have no real basis for believing that the presence of K in the mother's life would have prevented the same from occurring. Indeed K was present physically on 26 May 2020 and it seems he was a source of emotion at

the time of the kidnap – with messaging said to have passed between D and the father in his regard. I cannot conclude that the presence of K in the mother's day to day life would of itself have lessened or removed the risks in his regard.

45. Counsel for the mother properly took the professionals to the previous evidence (pre-May) as to the negatives of adoption and suggested these remain relevant. I accept this argument and they remain important and should not be overlooked. Although he is still very young and might readily form a new family life without particular difficulty it is nonetheless the case that a future time will come when he will understand that he has been severed from his biological family. This is bound to bring with it emotional upset and the potential for challenging behaviour. K would likely experience a range of emotions and how he would manage these is difficult to predict. He might have a sense of abandonment and issues with his own self-worth. He might experience anxiety and worry for his birth family. He may question whether he is to blame or responsible for the fact he could not be cared for by his parents or may question whether he was wanted. I take the view it is impossible to accurately predict how this will play out but I am bound to have regard to the real potential for such challenges and the negative implications for K. I have regard to his tender age and this is a likely limiting factor in that K will likely form a firm bond with new carers and these bonds are likely to be strong when the time comes to meet the future challenges. This would, I hope, at least provide K with a strong support structure to confront the challenges.
46. The position taken by the parents is very important. They do not want K to be placed for adoption and they agree the mother should care for K. They are entitled to point to the evidence of the mother's relationship with K through the contact notes and elsewhere in the evidence. The question is as to whether the mother is in a position to provide a secure environment in which K can develop. If this is not the case at this immediate point, can she achieve the same within K's timescales? Can she provide the good enough care required to successfully meet the question before the Court.

#### *Holistic Analysis*

47. The realistic options in this case are either return to his mother or adoption. There are no family members available who can provide a secure environment for K and his father accepts his current position rules him out. I do not consider long term foster care is a realistic option for this sub-2 year old child, no-one suggests this is a sensible solution.
48. I accept the submission of the mother as to the continuing relevance of the holistic assessment undertaken in May 2020. I have considered and bear in mind

the guardian's analysis at that point in time<sup>9</sup>. I also have regard to the more recent assessments provided by the social worker<sup>10</sup> and guardian within these proceedings<sup>11</sup>. There is much in those balancing assessments with which I agree.

49. The heart of the balance is in my assessment as follows:

- i) Adoption has the potential to provide K with stable and secure care protected from the turbulent events summarised within this judgment. I am entitled to assume K would be loved and viewed as a valuable member of the family and would have all the benefits that flow from a sense of permanence within that family unit. The key point is the protection this would give to K and the opportunity for him to grow and develop free from concerns.
- ii) However, the undeniable reality is that this comes with a very heavy price of family severance and a likely substantial/entire removal of the mother and father from K's daily life. This is a profound step to take and comes with all of the potential downsides readily identified by the professionals. To an extent with the passage of time these risks have increased rather than reduced, although I do not think the change is fundamentally material to my decision given there have been a range of other changes over that period. The most material concern is the removal from K of his mother given the level of love and bond identified on the papers. It would be a matter of the upmost regret to have to sanction such a step in circumstances where the mother/child relationship is as described.
- iii) That is why it is so easy to identify the positives of family placement. It does not necessitate severance and preserves the family life enshrined in article 8. It also preserves the environment that fits with K's heritage and cultural identity. This might be readily imagined to be the situation best placed to meet K's needs as he grows over time. Placement with mother brings with it access to wider family and removes the concerns (expressed above) as to delayed emotional harm.
- iv) It is against this that the challenges of the case balance. This case is all about risk to K (emotional and physical) deriving from the inability of his parents to prioritise his needs and to act responsibly and maturely with him and his needs in focus. Concerningly, when misconduct arises it has arisen at a seriously worrying level as seen in the events of June. It is difficult to conceive as to how K's needs could be consistently met

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<sup>9</sup> E206 §34 on

<sup>10</sup> C76

<sup>11</sup> E330 §40 on

whilst behaviour of this sort was being played out in his surrounding environment. The concern is of very real and serious implications for K.

## **Conclusions**

50. I am in no doubt and agree that the legal threshold has been crossed. I approve the agreed threshold document provided by the parties. I am legally entitled to make any of the orders sought within this case.
51. I cannot exaggerate the level of concerns that arise out of the June events. These are not only serious in nature but have wide ranging potential consequences. The father is now facing many years in prison and the mother must be mindful that she runs a similar risk. As I have summarised above there is a not very complicated route map between the events of 6 and 14 June 2020 and I can readily see how a suggested plan to lure D may be advanced before the Court. In any event the consequences arise even if the mother successfully defends herself as she will remain in the community as is D and it is far from clear to me as to whether she is currently effectively safeguarded from reprisals. In this regard safeguarding is made more difficult as the mother is not open to engagement with the police or the services such as victim support which might offer the same. When her own social worker sought to liaise with the police as to his concerns the mother entirely denied she had been kidnapped.
52. I struggle to find a firm foundation for concluding with confidence that anything has materially changed since June 2020. True the mother has taken initial steps towards engaging but sadly we are 7 months on and a lengthy process has not yet started. I am mindful of the evidence from the experts which do not give significant grounds for optimism around the likely prospects of full engagement and successful change. I am mindful that the events of the middle of this year confirm rather than challenge the conclusions reached by the experts. The very clear picture is of a vulnerable mother who acts impulsively even when this is contrary to her interests. It seems she allows herself to become lost in the moment and is unable to reflect as to the consequences of her decision making. This is a state of affairs wholly contrary to K's needs.
53. I accept there are strong and meaningful arguments in the balance to be set against the placement plan. I accept to an extent these counterarguments have increased rather than lessened since May 2020. However this loses sight of the fact that the rest of the balancing exercise has by no means remained static. Viewed from this point the concerns surrounding placement with the mother has materially increased. The evidence is of a failure to keep to an important written agreement and a lack of transparency with the professionals. The picture is not of an isolated event outside of the mother's control. Rather at the very time when the mother knew she was in the spotlight and that K's future was being assessed she choose, or was unable not to act, in the manner found within

this judgment. These decisions cannot but inform the Court in its assessment of what the future likely holds.

54. I have very sadly reached the conclusion that the only option for K is for there to be a care and placement order. In my assessment nothing short of this will meet his welfare needs throughout his life. The outcome of placement with mother is sadly requiring of optimism outside of that justified on the evidence. K cannot afford a period of uncertain testing as to the mother's commitment and ability to change. The mother had this opportunity during the last proceedings and at the end of the last proceedings. Her response to that opportunity is found in the evidence before me.
55. This being the case I consider K's welfare requires me to dispense with the parents consent.
56. I consider this outcome to be a very sad and disappointing outcome for K and for his mother. However, in my assessment it is a proportionate interference in K's life and is both reasonable and necessary. I simply cannot envisage an alternative outcome which will meet K's needs.
57. As to contact I approve the contact plan suggested by the guardian and adopted by the applicant. There is a need to step contact down appropriately to a level which is both manageable pre-placement and which can be ended when the time is appropriate without undue impact on K. In my assessment the plan towards monthly contact meets this need.
58. In the case of the father a combination of factors (risk associated with prison/covid 19 and period since he last saw K) mean that I agree with the professionals as to appropriate way forward being for videos to be provided both to the father and from the father for K's life story. I consider a limited reintroduction only to then terminate contact is likely to be more damaging than helpful.
59. I can only hope the mother will follow through with her engagement with therapy and counselling. She is a young woman and will likely have children in the future. She, and they, deserve the opportunity for her to be in a better place when that time comes.

His Honour Judge Willans