

Re R (Child of a Teenage Mother)

[2000] 2 FLR 660

25/05/2000

Court

Family Division

Summary

Very young mothers.

Facts

The mother became pregnant when she was 12 years old and gave birth when she was 13. After the birth, the mother and baby lived with a foster family where the foster-mother cared for the baby with the assistance of the mother, who had returned to full-time schooling. The local authority sought care orders in respect of the mother and the baby, with a care plan which involved the mother staying with the foster-parents and the baby being placed for adoption outside the birth family.

Held

Held - making the care orders and approving a care plan for the mother and child to be separated without delay - planning for the baby had been left too late, with the consequence that the local authority had had dramatically to change its care plan, with consequential distress and disruption. No attempt had been made to identify and approve a prospective adoptive family prior to the hearing, which meant that the baby would have to move twice, first to a bridging placement and, then, once a family had been identified and approved, to an adoptive family, causing disruption at a crucial stage of the baby's development. Cases involving very young teenage mothers were rare but very difficult, and research suggested that there was a wide variation of approach by different local authorities. The court provided general guidance to assist local authorities dealing with similar cases. There was no general principle that babies of young teenagers should be adopted; each case would turn on its own facts and would depend in particular on the quality of support available for mother and child. The local authority should begin planning as soon as it was informed about the pregnancy and, during planning, it was not appropriate to concentrate on the welfare of the mother to the exclusion of the needs of the unborn child. Social work and expert assessments should be completed well before the birth. If proceedings under the Children Act 1989, s 31 were necessary, they should be issued on the day of birth and, where the mother was very young, the case should be transferred without delay to the High Court and a separate guardian ad litem appointed for the mother and the child immediately. The baby's interim placement should be determined on evidence by the court at an early hearing as a matter of urgency. The case should be timetabled on the basis that an early final determination was vital, if necessary invoking the standby procedure for a judge of the Family Division to hear the case. The court re-emphasised the importance of twin-track planning in cases in which adoption was a possible outcome. In cases of very young children, the local authority should also consider whether or not the case was

suitable for concurrent planning.

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