

X Metropolitan Borough Council v (1) SH (2) PH (3) AH (2005)

[2005] EWHC 1713 (Fam)

29/07/2005

Barristers

Henry Setright KC

Court

Family Division

Summary

A supervision order was made where the court, the local authority and the child's guardian agreed that it was in the child's best interests to remain in the care of both parents as there had been a sufficient improvement in the mother's parenting abilities.

Facts

The applicant local authority (X) brought care proceedings in regard to the third respondent two-year old girl (H) who was the daughter of the first (S) and second (P) respondents. P, a married father of four children, had come from Pakistan and formed a relationship with S, who was from a very deprived background and had a conviction for wilful neglect of one of her two older children, both of whom had been taken into care and freed for adoption. H was taken into care at two days old but her parents had supervised contact. H was eventually returned to S and P under a supervision order by consent of the local authority, the parents and H's guardian.

Held

HELD: The consent order was approved and the court gave reasons to assist ongoing immigration proceedings in respect of P. An independent social work assessment of P showed that he was committed to H, aware of her needs, involved S appropriately, had a good idea of child development, and, apart from any question of immigration, was a suitable long-term carer. P wanted H to live with her parents, with himself as her primary carer. A court had previously challenged his truthfulness on some issues, but overall had regarded his parenting capacity as good. Clinical psychologists' reports on S showed her as more confident, no longer depressed and with more insight into her problems, and concluded that P had enabled her to be a safer parent and to maintain her position in H's upbringing. The reports also showed the parents' relationship to be closer and that S had taken over more of H's care, although there would be concerns if S became the single carer. The local authority found updating assessments of S so positive that it decided a care order was not necessary. The guardian concurred in the supervision order. In the circumstances it was in H's best interests to remain in the jurisdiction and in the care of her parents.

Permission

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