

Neutral Citation Number: [2019] EWHC B61 (Fam)

Case No: SD17P50072

IN THE HIGH COURT OF JUSTICE – FAMILY DIVISION  
SITTING IN BRIGHTON

William Street  
Brighton  
BN2 0RF

30<sup>th</sup> January 2019

Before:  
HIS HONOUR JUDGE BEDFORD

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B E T W E E N:

MR MDR

and

MRS MDR

(suspended residence transfer-parental alienation)

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MS F WILEY QC appeared on behalf of the Applicant Father instructed by Helen Fitzsimons  
Family Law

RESPONDENT MOTHER appeared In Person

MS E LE COINTE appeared on behalf of the NYAS Guardian instructed by NYAS Legal

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Judgment

SUMMARY OF JUDGMENT AND SHORT  
NOTE OF THE LEGAL PRINCIPLES ARISING FROM SUSPENDED RESIDENCE ORDERS  
AND PARENTAL ALIENATION

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HHJ BEDFORD:

1. For the purposes of these proceedings, I am sitting as a Judge of the High Court Family Division here in Brighton. Insofar as I exercise my powers under the Children Act 1989, I sit as a Judge of the Family Court at High Court level.
2. This is a summary of my judgment and note of the legal principles for the making of a suspended transfer of residence order upon the Court making findings against the mother including findings of parental alienation.
3. The two children in this case have been the subject of litigation, on and off, for much of their lives, one child being aged 11 years and 5 months and the other children being 10 years and one month.
4. Fortunately for the children, contact took place on a regular basis following the conclusion of litigation in 2011 though I am satisfied that, behind the scenes, the mother continued to undermine the father's exercising of parental responsibility including doing so by having unilateral contact with the schools concerned and, indeed, arranging therapy, without consultation with the father.
5. As this matter comes before me the children have only had contact with their father since the

spring of 2017 and that was under the auspices of an order which I made in the autumn of last year.

6. I made that order for direct and substantial staying contact, on the basis of the advice of the most recent reporting child and adolescent psychiatrist, Dr B. His report was clear: that the boys should see the father and that there should not be any delay in that coming about. I made an order which provided for that contact and also provided for the case to be brought back to me immediately should that contact not take place. I am pleased to say that it has taken place.
7. Dr B, in his report had suggested that a change of residence could be avoided if substantial and immediate contact could be achieved.
8. In addition to the parties being at odds as to the arrangements going forward, their positions in respect of the past and the causes of the current difficulty were diametrically opposed. The father filed a schedule of findings sought against the mother which includes the following:
  - “(1) The mother has deliberately abrogated the father’s parental responsibility and/or made unilateral decisions regarding the children’s surname, health and education without consultation or consent of the father or Court order (and in the case of the children’s surname, in breach of Court order) and/or she has failed to provide the father’s details and/or ensure that the father is aware of or involved in any consultation with the medical/educational professionals as appropriate.
  - (2) The mother is an unreliable and/or false reporter and has recruited, manipulated, split and/or mislead professionals and has lied to the father and to multiple professionals and has presented the children to multiple professionals then paying lip service to advice and has not been able to follow the recommendations of professionals, over the years, as it relates to the boys’ need to have a relationship with their father, thereby causing the boys emotional harm.
  - (3) The mother has alienated the children from the father as a result of having either consciously, or subconsciously, encouraged and placed emotional pressure on the boys to present as not wishing to have contact with the father. Further, she has overtly encouraged them to assert and believe

that they do not have a good time with their father in order to further her cause to remove the father from their lives and she unilaterally suspended contact, between the children and their father, without applying to the Court to suspend or vary the order and has deliberately not supported, or promoted, the reintroduction of contact. This has caused the boys emotional harm.

(4) The mother does not accept the findings that the father has not sexually abused H. She continues to repeat allegations to professionals and deliberately fails to inform them of the Court Judgment with the intention and/or with the effect that professionals believe, or may believe, that the father is a perpetrator of abuse, including sexual abuse. As a result, the children also believe they have suffered abuse from the father.

(5) The mother has an entrenched and highly negative view of the father and the paternal grandfather and is intent on alienating the children from him. The mother has said to the grandparents that the boys do not wish to see them and refused to permit contact, which led to the grandparents issuing an application for contact. The mother has maintained to the Court that the boys do not wish to see their grandparents.

(6) The mother, as a result of her behaviour, has encouraged, or permitted to develop, an enmeshed relationship between the children and herself which has caused, and is continuing to cause, the children significant or other emotional harm”.

9. In turn, the mother alleges that the father has continued to show animosity towards her, has continued to decline to discuss the issues, mediate with her and reach a mutually acceptable outcome with her in the interests of the children, has continued to seek to get his own way, and has continued to threaten her and continued to mispresent facts. Further, that the father is more regimented, conservative and restrictive than she.
10. In the light of the schedule, and the outcomes sought by each of the parties, I heard the oral evidence.
11. Prior to the parties giving evidence, the mother disclosed a transcript of a recording of a

meeting between the children and the Guardian. The mother accepted that this recording had taken place covertly, without the consent of the Guardian. I asked her whether there were any other recordings and she disclosed further covert recordings. These recordings were of a handover of contact. I was able to listen to that recording. The recording of the conversation with the Guardian did not need to be listened to as we had the transcript and the Guardian confirmed that the transcript was broadly accurate.

12. The first live witness to give evidence was Dr B. His opinion as to the past remained unaltered from his previous report and indeed had been somewhat galvanised by intervening events, including the covert recording. His view was that the children should transfer residence to the father immediately. He also embraced the father's suggestion that there should be a pause in contact between the boys and the mother for 90 days so as to enable them to settle into their new home. Although his ultimate aim was for a shared care regime, he did not feel able to recommend it, at this point in time. He felt that the number of changeovers advocated by the Guardian in her week on, week off, shared care regime, meant that the quality time which the children would experience in the middle of time with their father, would be minimised. His opinion remained, despite questions from the mother.
13. The father gave evidence. His case had been set out comprehensively in the schedule of findings sought. That schedule takes me to many references, within the documentation, which support the father's overall contention that the mother has sought to minimise his role in the life of the boys. Because there is so much documentary evidence to support his contention, the evidence which he gave did not need to be lengthy. He had already filed detailed witness statements which support his basic contention and, also, his request that the children should live with him in the future. His evidence-in-chief was clear and measured. He set out the reasons why he, ultimately, made an application to enforce the previous order and, also, why he then applied for a transfer of residence.
14. He explains his rationale behind his contention that the children should be with him, without seeing their mother, for a period of 60 to 90 days and he accepted that 60 days would suffice. He told me of the practical arrangements that he had in mind including changes in schools. He told me of the support which he will receive from his parents and, also, that his wife was ready to welcome the children into the family home, on a permanent basis. He described the

working pattern of himself, and also of his wife, and the extent to which they might be supported by others. He confirmed that he does wish the children to have a relationship with their mother but that it is his clear view that if the children are to remain with their mother, then this will mean that his relationship with them will constantly be thwarted.

15. In my judgement, the applicant was straightforward in his evidence and genuine in his wish to care for his children, in circumstances where his attempts to have a relationship with them, through something short of full residence, had been thwarted by the mother in various ways. He expressed his frustration with the way in which he has been excluded from the educational arrangements for each of his children and the way in which his character has been maligned to professionals by their mother in her selective and unfair use of false information against him. He told me that, whilst he accepts he has received emails from the mother, the attachments which the mother now purports to have accompanied certain emails, did not do so. In addition, he subsequently referred to how the attachments themselves show different dates of creation, and modification, which are not consistent with the mother's stance.
16. There is a vast amount of information from him about the past and about his current position. There is a vast amount of information in support of the findings which he seeks against the mother. I have considered each of those pieces of evidence carefully and do not need to recount them within this Judgment.
17. Having heard the father, I heard the mother's evidence and that the mother now accepts that she was wrong to carry out the covert recordings. She gave an explanation as to why she carried out the covert recording of the contact visit. She said that the father always had someone with him at handovers and she felt she needed to record the handover so that she could respond to any account which he might give of it. She went on to say that having started a recording of that contact handover, she went into her home and left the device outside to continue to run. If she did that, then clearly, she was doing so in circumstances which were not justified by her needing a recording of the handover. The handover was, to all intents and purposes, finished. I am very suspicious as to how, and why, the mother carried out the covert recording.
18. Her rationale is further undermined by her decision to covertly record the meeting between

the children and the Guardian, which was a gross invasion of the privacy of the children and the professionalism of the Guardian. I considered the mother's evidence very carefully and I listened to her very carefully. I am afraid, for her, that she came across as a completely unconvincing witness. I am satisfied that she has deliberately misled the educational professionals involved in the boys' lives. I am satisfied that she has deliberately painted a negative picture of the father to those professionals, with the aim of excluding him from the lives of their children. I listened carefully to the various justifications, which the mother gave, for perpetuating the allegations, which she has made against the father, but none of those are in any way reasonable. The allegations which she makes have been tried in the past and dismissed by the judiciary. The mother has failed, in any meaningful way, to accept the findings and decisions of the Courts and has continued to perpetuate her attempts to minimise the relationship between the children and their father.

19. The mother has very recently complied with my order for contact. She says that she did so, not because she was forced to do so, but because it was the professional opinion of Dr B. Again, in my judgement, the mother deludes herself. Dr B's opinion was available many weeks before my decision to order contact. It was open to her to follow his recommendation long before she came before the Court.
20. I have considered her explanation as to her email contact with the father. I have seen examples of attachments being attributed to particular emails which I am not satisfied were so attached. I have seen evidence of attachments being created and modified on dates other than the dates which the mother ascribes to them.
21. I am satisfied that the mother can meet the children's needs on a daily basis, in terms of their physical needs, but such has been her interference with the relationship which they should have had with their father, that she has caused them emotional harm and continues to do so, so long as she parents them solely.
22. I have heard the mother's objections to a transfer of residence and I fully accept that the children will be very upset, and traumatised, by a full transfer of residence. However, the mother has failed to persuade me that she can be relied upon to change her ways and parent the children in a way that enables them to have a full relationship with their father and so it

is, that if they were to remain in the care of the mother, I am satisfied that their relationship will be further undermined and that, in fact, their relationship with their father would be severely restricted for the remaining period of their respective minorities.

23. Whilst the mother came across as a courteous person, I am afraid that I did not find her in any way convincing and when I listened to her response to the allegations, which are made against her, and when I read her explanation, I am wholly unsatisfied that she is telling me the truth.
24. Following the conclusion of the mother's evidence, I asked counsel for the Guardian whether the Guardian intended to give evidence as to any factual matters or whether her view was limited to outcome. It was confirmed that the Guardian would be giving evidence as to outcome and that she did not enter into the fray, in relation to the allegations and counter-allegations. I did not have any difficulty with that, given the clear view which, by that stage, I had formed in respect of each of the parents in the light of the written evidence, oral evidence, previous Judgments and history of the litigation. I then enquired of counsel for the Guardian as to what her position was; given that in her report she advocated shared care on an alternate week basis and given that Dr B was clear that there should be an immediate transfer of residence - that was his view despite the mother having, on the face of it, complied with his recommendation, in the interim, for additional significant and meaningful contact, pending the final hearing. I remind myself, of course, that I have already found that the mother provided that additional contact, not in the context of Dr B's recommendation but, in the context of my order.
25. The Guardian confirmed, through counsel, that her position remained that there should be a shared care regime but that her position had become more nuanced and that she would be willing to discuss that with father, his counsel and the mother, over the luncheon adjournment. I decided, very unusually, that it would be helpful to indicate to the parties that, subject to submissions, my view was that the evidence was clear and that the allegations made by the father were, in large, made out and those by the mother were not made out. I gave this indication as I wished the father to have the opportunity to negotiate over the lunchtime period in the context that the Court intended to make the findings which he had sought. Clearly, the purpose of the hearing, from his perspective, was twofold. First, and foremost, to secure the residence, or more time, with his children and secondly, to ensure that a further line was



drawn in the sand as to the factual allegations and the factual matrix in this case. I wished he and his counsel to have the opportunity to negotiate the future of the children in the context of knowing that the findings, which he sought, were going to be made.

26. The parties had further discussions over lunch and I then took the evidence of the Guardian who explained to me, not only her revised position, but also the position taken by the parents. She told me that the parties had agreed a settlement and that the basis of it was a shared care arrangement, with the children spending alternate fortnights with each parent. The change of arrangement would be marked by an immediate move of the boys to the father, with very limited indirect contact to the mother, in the first instance. Crucially, she said that this should take place under the auspices of a suspended transfer of residence as had now been proposed by the father, over the adjourned period. She was clear that if there were to be any default by the mother, then transfer of residence should take place immediately.
27. Following this evidence, the position, on behalf of the father, was confirmed by his counsel and I took particular care to discuss with the mother the agreement in principle. I am very clear that she expressed her agreement to the way forward and that she was fully aware of the consequences of non-compliance with the shared care arrangement, namely an immediate transfer of residence. Her position was one of consent to, and endorsement of, the plan going forward. The case was then stood down for counsel for the father to draft an order in consultation with counsel for the children, and, of course, the mother. A comprehensive order was drawn up and I was then given the opportunity of considering that order and of making further comment.
28. First of all, I clarify that I am satisfied on the totality of the evidence, which I have read, that the findings, sought by the father, are made out. I do not need to go into any further detail, given the comprehensive nature of the schedule filed in these proceedings. I am satisfied that the references to the evidence, made in that schedule in support of the father's contentions, are sound and that the evidence does support the contentions, as he has said. I have considered the mother's response and I in no way accept that those responses, either written in the schedule, written in her statement or given orally in the hearing, go any way to undermining the very strong evidence in favour of the father's contentions. I therefore make those findings.

29. I specifically state that where the mother claims that contact went very well from 2011 to 2017, she fails to recognise the very significant attempts made by her to undermine the parental responsibility of the father and to expose the children to her continued negative view of the father and, by implication, the value of a relationship between each of them and him.
30. Turning to the mother's allegations. They are relatively trivial and go to the personality of the father as opposed to issues which seriously impact on the welfare of the children or the relationship between either of the parents and each of the children. I have considered the allegations. I have considered the father's responses and I am not satisfied that any of those allegations is made out to the relevant standard.
31. Having dealt with the factual matrix, I now need to consider the order which has been put before me by all parties, in agreement. Of course, the consensus does not negate my responsibility to consider it carefully in the context of the welfare of each of these children, which, of course, is my paramount consideration.
32. If I turn to the welfare checklist, in section 1(3) of the Children Act 1989, I am reminded to consider the ascertainable wishes and feelings of the child concerned, considering the light of his age and understanding. Both of the boys have expressed great reluctance to see their father. H seems to be more willing to see his father, at the moment, than O. I heard the upsetting recording of the latest contact handover. Despite that, I have been able to come to a positive conclusion that both of these children wish to see their father, in that the evidence in the father's latest statement is of the children enjoying themselves and that appears to be largely uncontroversial. The children do wish to remain living with their mother and that is absolutely clear.
33. As to the physical, emotional and educational needs of each of these children, their physical needs have been met by the care which they have received by their mother and they will be met, whether they live with their mother, their father or a combination of them both. Their emotional needs have not been met by the arrangements thus far. The mother is responsible for that being the case. Changes need to be made to ensure that their emotional needs are met. A change of residence, either to a shared care basis or absolutely to the father, will cause each of the children emotional upset in the short-term and, possibly, medium-term. However,

I am satisfied that the emotional harm which each of them has already suffered, as a result of the conduct of the mother as per my findings, is very significant indeed and must not be allowed to continue. The only way of mitigating this, given the mother's year in, year out, inability, or reluctance, to change her view and her inability to prevent her own views impacting upon the relationship, between the father and the children, is for there to be a change in arrangements. I am satisfied that a change in residence absolutely, at this stage, would cause more emotional harm than the proposal put forward by the Children's Guardian, although I accept her analysis that this is the least bad option.

34. As for the educational needs of each of their children, they need to go to school, as they are doing. If they live with their father, he can just about manage the transport to their existing schools. I have in mind that the mother, when she has sole care of the children, interferes with the meeting of the children's educational needs, by involving teachers to an extent which is not necessary in the welfare of the children. She does this by exaggerating the negativity of the relationship, between each of the children and their father, and this must not continue. Insofar as each of the children will be affected by a change in circumstances, I am absolutely clear and accept that they will be very upset to have their current arrangements changed. I also have in mind that as soon as the children are with their father, they seem to enjoy themselves and be happy. I have decided that the likely effect of the change in circumstances, ultimately, will be to give the children the opportunity to redevelop their relationship with their father and to stop it being further eroded by the unacceptable conduct of their mother.
35. I do not consider that there is anything particular in relation to each of the children, as to their age, sex, background or any other characteristics which the Court should consider to be relevant.
36. As for the harm which each child has suffered, or is at risk of suffering, I hope that my Judgment thus far sets out my acceptance that they have suffered emotional harm as a result, primarily, of the behaviour of the mother, that they will suffer further harm during any transition period and that any outcome for these children, sadly, in the short-term to medium-term is impossible to achieve without harm.
37. As regards the capability of each of the parents, of meeting the needs of each of these children,

the mother, as I have said, has proved herself incapable of meeting the emotional needs of these children in a rounded and full way and in a way which enables their father to play a full part in their lives and for them to have the happiness of playing such a part in his life.

38. I finally turn to the range of powers available to the Court, under this Act, in the proceedings in question. I have considered whether I should make no order. If I make an order, I must make the least interventionist order which is consistent with the welfare of the child.
39. If I make no order, I am relying upon cooperation from the mother. I do not consider that such cooperation can be relied upon and therefore no order is not appropriate. If I make a child arrangements order, only, which provides for shared care, I am again concerned that the mother will seek to interfere with the operation of that order and that she will do so unilaterally, and unfairly, and in a way in which is contrary to the welfare of the children.
40. I have considered the father's position and the Guardian's now recommendation regarding making an order which provides for a change in residence but that the same is suspended, pending the arrangements being adopted and proving successful and the mother satisfying the conditions of the same.
41. I am satisfied that at this stage, in these lengthy proceedings, and at this stage in the lives of each of these children, such a serious and, some would say, draconian order is absolutely necessary. It was only when I made a very specific order, during the autumn of last year, that the mother has appeared to cooperate with contact. However, alongside that, she has behaved in a way which she herself has accepted was "stupid", in that she has covertly recorded the handover and I am far from convinced that she did not behave, during that handover, in such a way as to provide material for the recording which she was covertly taking.
42. It may also be important to note that the father applied at points for his costs, including at the point when contact was finally restarted. At this stage the mother had the benefit of legal representation.
43. I am therefore satisfied that there should be an attempt at shared care prior to the transfer of residence being implemented but that the shared order must now be underpinned by a suspended transfer of residence order to allow for it to have the best chance of success.

Miss Wiley QC on behalf of the father has drawn my attention to *M(children)* [2012] EWHC and *Re A (Suspended Residence Order)* [2009] EWHC 1576 (Fam) both decisions of the High Court. She further draws my attention to *Re T (Contact: Alienation: Permission to Appeal)* [2002] EWCA Civ 1736; [2003] 1 FLR 531, *B (Change of Residence; Parental Alienation)* [2017] EWFC B24, *D (A Child; Parental Alienation)* [2018] EWFC B64 and *Re H (Parental Alienation) PA* [2019] EWHC 2723 (Fam) are all further examples of the type of damage occasioned to children in cases with these hallmarks and how robust judicial intervention has been required in cases of this nature

44. I note there is very limited case law and guidance in relation to this type of suspended order. However, I do consider that the mother in the present case should now be provided with a further opportunity to demonstrate she can put the children at the forefront of her thinking before I take the step of transferring them completely to the care of their father.
45. This precise approach was undertaken in *Re M (Contact)* [2012] EWHC 1948 (Fam) [2013] 1 FLR 1403 where Jackson J made an order for two 10-day periods of staying contact and a detailed plan of further arrangements for the children but ordered a transfer of residence should that contact fail to take place or the plan fail. He also identified the need for a clear factual basis on which to proceed:
- “ [55] *At the outset, however, a central factual question must be resolved. Why do two children, who enjoyed seeing their father as recently as April 2011 and at New Year 2012, appear now to be so violently resistant to doing so again?* He found that the mother ‘*Does not in truth want the children to have a good relationship with their family in Blackpool*’ [57] and went on to set out in bullet point format why he reached that conclusion, including a finding that ‘*Nothing that the father himself has done explains the children’s stance*’ and added that ‘*(the mother’s) statements that she supports contact are unconvincing... I have no doubt that if the children thought their mother were serious about them going to contact, they would obey her*’

Those findings made by Jackson J address the fundamentals of what is now being regularly termed parental alienation by the courts in 2019. Namely an unjustified rejection of parent by

children, enmeshment of the children's views with the resident parent and a finding that the resident parent holds responsibility for the situation. This is a strikingly similar predicament faced by the children in the present proceedings.

Dealing with the children's wishes and feelings in In **Re M (Contact)** [2012] EWHC 1948 (Fam) [2013] 1 FLR 1403, Jackson J said at [61]

*Here it is important to distinguish between real wishes and feelings on one hand, and statements that the children make, and think they mean, on the other. Having considered the matter carefully, I am convinced that these children love their father and want to be able to see him, but that they are being prevented from showing those feelings or acting on them.*

There was no direction for a s37 report in advance of this order for a transfer of residence being made or any advance notice to the local authority where the father was living. The order of the court directed that if the children move to live with their father, the children's guardian should inform the local Cafcass team and the social services department of Blackpool City Council so that consideration could then be given to how support for the father and children could be accessed.

46. In **Re A (Suspended Residence Order)** [2009] EWHC 1576 (Fam) [2010] 1 FLR 1679

the Court made a residence order to the grandparents, but suspended enforcement provided that the mother made the children available for defined contact. The transfer, whilst considered likely to be painful for the children '*would not be as harmful to them as their being continually and unrelentingly exposed to the mother's false beliefs, combined with her unremitting hostility to the paternal family, undiluted with contact to that family*'

Coleridge J proceeded to make clear findings that the mother was '*directly and indirectly demonising the father and the rest of the father's wider family*' and that the children were suffering significant harm as a result.

I am further fortified in taking this approach by the decision of the President of the Family Division in the recent case of **Re L (A Child)** [2019] EWHC 867 (Fam) brought to my attention by Miss Wiley QC which related to a full transfer of residence as opposed to a "suspended" one. At paragraph 59 of his judgment, he said as follows:

"Having considered the authorities to which I have referred, and others, there is, in my view, a danger in placing too much emphasis on the phrase "last resort" used by Thorpe LJ and Coleridge J in *Re: A*. It is well established that the court cannot put a gloss on to the paramountcy principle in CA 1989, s 1. I do not read the judgments in *Re: A* as purporting to do that. The test is, and must always be, based on a comprehensive analysis of the child's welfare and a determination of where the welfare balance points in terms of outcome. It is important to note that the welfare provisions in CA 1989, s 1 are precisely the same provisions as those applying in public law children cases where a local authority may seek the court's authorisation to remove a child from parental care either to place them with another relative or in alternative care arrangements. Where, in private law proceedings, the choice, as here, is between care by one parent and care by another parent against whom there are no significant findings, one might anticipate that the threshold triggering a change of residence would, if anything, be lower than that justifying the permanent removal of a child from a family into foster care. Use of phrases such as "last resort" or "draconian" cannot and should not indicate a different or enhanced welfare test. What is required is for the judge to consider all the circumstances in the case that are relevant to the issue of welfare, consider those elements in the s 1(3) welfare check list which apply on the facts of the case and then, taking all those matters into account, determine which of the various options best meets the child's welfare needs."

47. These subject children deserve to have some peace during the remainder of their respective childhoods. They have a father and step-mother and half-sibling with whom they can live peacefully and who will promote their contact with their mother. That might have to be the ultimate outcome in this case. However, I hope that the mother will take this final opportunity to embrace the prospect of sharing parental responsibility for her children, sharing decisions about their upbringing and sharing their time in a way for which they will ultimately thank her, rather than being highly questioning of her. I therefore make the order suggested by the children's father and endorsed by the Children's Guardian. Between the final hearing and the culmination of the handing down of this Judgment I have received the draft order which has been agreed. I have approved it, save for the insertion of one word which seems to have been missed out by way of typographical error, and I have made that order. In addition to the terms of that order, I order that a transcript of this Judgment be obtained at the expense of

HMCTS on an expedited basis.

48. This Judgment was handed down on 30 January 2019.

Postscript

49. I have delayed the publication of this judgment pending a final hearing which took place on 27 September 2019. The children have, since 30 January 2019 enjoyed equal time with their Father, and their Mother, as per my order. I am satisfied the suspended residence order which I made has enabled the children to rebuild their relationships with their Father and paternal families and has provided the encouragement for the Mother to work with my Order. My final Order endorsed the continuation of the children spending their time equally in the care of their Mother and their Father and I have extended the suspended residence order for a further 6 months to prioritise the welfare of these two children and maximise their opportunities of growing up with a healthy relationship with both parents.

HHJ BEDFORD sitting as a Judge of the High Court