

IN THE WEST LONDON FAMILY COURT

No. ZW20C90017

Gloucester House  
4 Dukes Green Avenue  
Feltham  
Middx. TW14 0LR

Thursday, 1 April 2021

Before:

HIS HONOUR JUDGE WILLANS

**(In Private)**

B E T W E E N :

LONDON BOROUGH OF HILLINGDON

Applicant

- and -

- (1) JM
- (2) MW
- (3) FC
- (4) EW

(through their Children's Guardian)

Respondents

-and-

TM

Intervenor

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**WELFARE JUDGMENT**

**(Via Microsoft Teams)**

**A P P E A R A N C E S**

MS N. ABBASI appeared on behalf of the Applicant Local Authority.

MR P. WAINWRIGHT appeared on behalf of the First Respondent.

MR N. ALLEYNE BROWN appeared on behalf of the Second Respondent.

MS J. DAY (Solicitor) appeared on behalf of the Children (by their Children's Guardian)

MS A. MAY appeared on behalf of the Intervenor.

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JUDGE WILLANS:

- 1 We now reach the end of proceedings involving FC and EW. I conducted a fact finding hearing last week. I handed down judgment just a few moments ago, although it was sent to the parties last weekend. In the course of the last four days there has been active discussion and dialogue as to the implications/the best way forward, in the light of that fact finding. The plan was to hear evidence from a number of witnesses, including family members, to determine what was best for FC and EW having regard to the welfare checklist, their welfare being paramount throughout and informed by the fact finding.
  
- 2 I have been asked earlier this week to give an indication and no more, and I gave indications on a range of issues. Issues have arisen in relation to what a package of support or plan around support might look like, and there has been active dialogue around that. I know that those taking the lead have been the advocates, though I understand behind the scenes of course their clients have been particularly interested in work that might be there to support, and the social worker has been undoubtedly doing her best to answer any questions with the guardian equally interested. So I recognise it is a team effort as such in trying to find solutions and the way forward.
  
- 3 The parties ultimately have reached a position where they accept the fact finding and the implications of the same. I have to say that in a loose sense because fact findings are always problematic and decisions of judges rarely make everyone happy, and that is always the case, but strikingly these parents, and this wider family, have reflected on the fact finding, have not reflected upon it with anger and frustration, but have reflected upon it with a child-focused attitude. They have, I think, also been pragmatic and realistic, and I particularly give credit to JM in that regard. I consider it would be, and it must have been, very hard for her to read the fact finding, in the context in which I have certainly

not made findings of any malice or infliction of harm on her children directly by her, and she has not impressed me as being someone who would want anything other than the best for her children. However, reading the judgment will have brought home to her my findings as to the impact on the children of that period of time in their lives, and that will have been, I know, difficult for her. It would have been difficult for all the family, but she has had to reconcile herself to something which I think the paternal family had reconciled themselves to sometime ago. She has had to do it in short order. The paternal family, were I to have explained why I did not make the findings, it may well have come as a relief to them rather than a burden. The mother, though, she has had to take on board matters which are hard. So I do give her real credit for that, and I give the whole family real credit for stepping back and looking to the future rather than the past in reaching these agreements.

4 I approve the child arrangements order/orders, which see a future in which both parents are involved in their children's lives. I approve the orders for the children to live with NR and MW whilst developing and re-establishing their relationship with their mother on a generous basis. I leave it to the parents and their wider support network and their family to make that happen. The court is always here to resolve things that parents cannot resolve, but these parents have shown in the past an ability to progress without needing a court, and I encourage them to attempt to return back to that situation.

5 So I am more than persuaded that the outcome is in the welfare interests of the children, importantly is safe for them, is consistent with their wishes and feelings, and meets their needs, and in doing so I think the parents have come upon an order which fits with the facts on the ground, the findings of the court, the evidence, and I credit them for doing so.

6 I am grateful to the advocates for the support they have given to their clients, and for everyone in helping this lengthy remote hearing successfully reach a conclusion. I have a road map document; I have an order; unless I hear to the contrary in the course of today those are the final orders in that regard. I think they are the final drafts and the final orders, and road map, and Ms Abbasi will now liaise with her colleagues about the public law orders which are not problematic. It is a matter for you as to when that gets to me; by Tuesday at the latest. Thank you very much everyone. I am grateful, and best wishes to the family members. I hope very much that FC and EW now have a settled and happy future childhood. Thank you very much.