

JUDGMENT

Representation of Her Majesty's Attorney General
concerning RB

A

BAILIFF: Cases of this nature are, of course, distressing to the parents who are doing their best for their children and we haven't the slightest doubt that your clients, Mr Yates, love their children and RB in particular and have done their best for him but, unfortunately, it does not stop there. We have to look at the evidence, as you

B

~~rightly say, and, although there have been some small~~

C

instances of a conflict of evidence, we are quite satisfied that, although there has been a marginal improvement since the matter first was due to come before this Court in March or April of this year, that improvement does not alter the fact that, for a long time, this child was in an unhappy condition; to some extent that has been improved by the fact that his association with B has ceased, we

D

hope, but even so, B is a menace as long as he is in the area and even your client said the injunctions have not worked and Doctor Fogarty was quite clear that there would be a risk of moral danger if B was around.

E

Furthermore, the time has come to make the order now because, even if we were minded to give your clients a further chance to see what they could do, time is not on their side and it is certainly not on RB's side; he will shortly, relatively shortly, be able to leave school and the extra work which will have to be done as a result of his failure to attend and his failure to work when he was there ... is

F

there ... clearly is going to tax the school and particularly Mrs D, who struck us as a very keen teacher who

G

wants to get on with her children and to overcome the disabilities from which they suffer; we have no doubt that the interests of the child require us ... and it is the interests of the child that we have to look at, not the interests of the parents ... the interests of the child require us to make the order, we are satisfied that he is not receiving the care he should, I repeat, although your clients were doing their best, and we are satisfied that we can make the

H

order under 1 and 2b of Article 27 and we accordingly make

A

the order and declare that the child needs care and protection and we make a Fit Persons Order in favour of the Education Committee and, for what it is worth, we have to declare his religion. What is his religion?

ADVOCATE YATES: Roman Catholic, Sir.

BAILIFF: He's Roman Catholic; we just have to make that statement; and no contribution.

B

C

D

E

F

G

H