

January 2022
Level 3
THE PRACTICE OF CHILD CARE LAW
Subject Code L3-18

THE CHARTERED INSTITUTE OF LEGAL EXECUTIVES

UNIT 18 – THE PRACTICE OF CHILD CARE LAW

CASE STUDY MATERIALS

Information for Candidates on Using the Case Study Materials

- This document contains the case study materials for your examination.
- In the examination, you will be presented with a set of questions which will relate to these case study materials. You will be required to answer **all** the questions on the examination paper.
- You should familiarise yourself with these case study materials prior to the examination, taking time to consider the themes raised in the materials.
- You should take the opportunity to discuss these materials with your tutor/s either face-to-face or electronically.
- It is recommended that you consider the way in which your knowledge and understanding relate to these case study materials.

Instructions to Candidates Before the Examination

- A clean/unannotated copy of the case study materials is attached to this examination.
- You are permitted to take your own clean/unannotated copy of the case study materials into the examination. You are **NOT** permitted to take any other materials including notes or textbooks.
- In the examination, candidates must comply with the CILEX Examination Regulations – Online Examinations or with the CILEX Examination Regulations – Online Examinations with Remote Invigilation.

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CASE STUDY MATERIALS

ADVANCE INSTRUCTIONS TO CANDIDATES

You are a trainee lawyer working within Kempston County Council Legal Services Department. You have recently started working with the child protection lawyers in the department.

Your supervising solicitor has allocated some case files to you. She has instructed you to draft responses to the issues raised, ready for meetings with relevant personnel. The documents are as follows:

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| Document 1 | Note of telephone conversation re Isha Lalli |
| Document 2 | Email from Leroy McKay, Duty Social Worker, re Isha Lalli |
| Document 3 | Email from Natasha Deeley, Social Worker, re Baby A |
| Document 4 | Email from Natasha Deeley, Social Worker, re Tom Roberts |
| Document 5 | Email from Natasha Deeley, Social Worker, re Harriet Prince and Oscar Prince |

NOTE OF TELEPHONE CONVERSATION

Caller: PC Aneesha Singh, Kempston Police
Call handler: Leroy.mcKay@kempston.gov.uk
Date: 23 January 2022
Subject: Isha Lalli

Isha Lalli (DOB 7 July 2020)

PC Singh called to report that she and a colleague had responded to an emergency call from Laura Clarke. Laura was concerned about her neighbour, Baljeet Lalli, and Baljeet's young daughter, Isha.

Baljeet is a single parent. She became pregnant while at school and was disowned by her family. She was provided with accommodation and support by Kempston County Council and has been visited regularly. Concerns were raised about her parenting of Isha, and support measures have been put in place. However, these measures do not appear to be producing the outcomes required.

Laura Clarke reported that she last saw Baljeet on Friday night at 7pm. Baljeet told Laura that she was going to meet a few friends for a couple of hours to celebrate her 18th birthday. Baljeet said that a friend was going to look after Isha for her.

However, by Sunday evening Baljeet had still not returned, and Laura could hear a child crying in the flat. Laura Clarke phoned the police to report the situation and the police attended. They found Isha in her cot. She was surrounded by feeding bottles and the remnants of some biscuits. Her clothing and her bedding were all soiled.

PC Singh took Isha to Kempston University Hospital for a health check. Isha was dehydrated, and the hospital advised that she will need to stay for several days.

We will have to plan what action now needs to be taken.

Turn over

DOCUMENT 2

EMAIL

From: Leroy.mcKay@kempston.gov.uk
To: a.traineelawyer@kempston.gov.uk
Date: 25 January 2022
Subject: Isha Lalli

Isha Lalli (DOB 7 July 2020)

I am forwarding a Note of Telephone Conversation [**Document 1**] re Isha Lalli for your information.

I have just been informed by the police that Isha's mother, Baljeet Lalli, has been arrested in the Birmingham area. She has been accused of attacking a woman with a broken bottle and of causing serious facial injuries. Police are currently questioning her about this allegation.

When Baljeet was asked about Isha, she said: 'My friend let me down at the last minute. But after 18 months of looking after Isha on my own, I just had to get out and celebrate my birthday. I made sure she was OK. I left her with plenty of food and drink, and I left the TV on to keep her company.'

We have been supporting Baljeet since the birth of Isha. A child protection plan was put in place, but Baljeet has not been easy to work with. She insisted on keeping Isha and caring for her, and initially appeared to be coping well. But more recently, concerns about her level of parenting have been identified.

Baljeet is quite immature and is clearly missing enjoying life as her friends do. She has failed to grasp the importance of feeding Isha the right sort of food, and her standards of hygiene have fallen.

At our last review at the beginning of the month, it was decided that unless the situation improved, further action would have to be taken. A letter before proceedings was sent to Baljeet, and I visited her to ensure that she understood the seriousness of the position. She promised that she would follow our advice, as she did not want to lose Isha.

EMAIL

From: natasha.deeley@kempston.gov.uk
To: a.traineelawyer@kempston.gov.uk
Date: 14 January 2022
Subject: Baby A

Baby A was found in Kempston Country Park on 13 September 2021 by a couple walking their dog. He was wrapped in a blanket and was inside a cardboard box.

He was taken to Kempston University Hospital for health checks and was then placed with a foster carer, while the police made enquiries to find his parents.

Despite an extensive campaign in the media and other enquiries, his parents have not been identified.

At a recent meeting to discuss Baby A, it was agreed that it would be in his best interests for a permanent solution to be put in place. In his case, given that he is very young, it was agreed that adoption is the most appropriate solution.

EMAIL

From: natasha.deeley@kempston.gov.uk
To: a.traineelawyer@kempston.gov.uk
Date: 25 January 2022
Subject: Tom Roberts

Tom Roberts (DOB 12 April 2016)

I have just received a telephone call from Kempston Parva Primary School, raising concerns about Tom Roberts. Tom recently transferred to the school from The Valley School, Bedford, when his family moved to Kempston Parva. Tom is the son of Donna and Craig Roberts. He has a younger brother, Sam, who is now just over 1 year old.

Donna suffers from mental health issues and was treated for serious postnatal depression after both births. As a result, she did not bond with either child. Her mother, Gloria, stepped in to help after Tom's birth, but was unable to help with Sam.

After Sam's birth, Craig gave up work to care for the family. Six months ago, Donna's condition deteriorated. She is currently undergoing treatment in a psychiatric hospital.

Craig found managing the boys was very time consuming, and so travelling to visit Donna was difficult to organise. He put in a request to the local authority for a home to be found for him closer to Donna and, last month, he and the boys moved to Kempston Parva. This also involved Tom moving to Kempston Parva Primary School.

Tom's behaviour is causing concern for his teachers, because he regularly has anger tantrums. The staff are concerned for his safety and that of other children around him.

The head teacher, Martin Smith, has had several meetings with Craig. Martin Smith has also consulted an educational psychologist and, as a result, has put in place a number of strategies, with the aim of managing Tom's behaviour.

Matters came to a head yesterday, when Tom had a very serious tantrum. Martin Smith contacted Craig and told him that he would have to collect Tom and that Tom would be excluded until the school had reviewed its position. Martin Smith has indicated that it is likely to take a period of time to resolve matters and to implement remedial measures.

I have also spoken to Craig, who is very upset. He is already having to manage caring for Sam, and also has to care for Tom and to home school him. Craig is committed to his children and wants the best for them, but is finding life as a single parent in a new location very difficult.

Craig feels that a key factor contributing to Tom's poor behaviour is the number of changes in his life that Tom has faced. Craig wants solutions, but says that he cannot deal with Tom on his own. He feels that the school has let Tom down and has not done enough to provide support. He is concerned that the exclusion will have a serious impact on Tom's educational development at a key time in his life.

EMAIL

From: natasha.deeley@kempston.gov.uk
To: a.traineelawyer@kempston.gov.uk
Date: 24 January 2022
Subject: Harriet Prince and Oscar Prince

Harriet Prince (DOB 24 May 2009) and Oscar Prince (DOB 29 October 2010)

Harriet and Oscar are the children of Kate Prince and Laurence Badger. Kate did not name Laurence as the children's father on their birth certificates.

Kate and Laurence split up six months ago. Initially, the breakdown of the relationship was acrimonious and Kate refused to let Laurence see the children. However, after a month she relented and let them visit Laurence for one day every fortnight. Kate insists that this is the best arrangement for the children. She will not agree to overnight stays or to longer visits during the holidays, as she feels that this will result in disruption to their routine and will be unsettling.

Laurence believes that Kate is being over-protective. He recognises that she is a very good mother and that the children love her. However, one of the key issues that led to the breakdown of their relationship was certain aspects of her approach to parenting. She insisted on having the last word on all decisions and Laurence felt that she was too protective and controlling at times when dealing with the children. As they grow older, Kate seems to be finding it difficult to step back and allow them to have more independence.

Laurence's approach to parenting is more relaxed. He wants them to grow up confident and independent, and is happy to sometimes allow them to take control of what they are doing. The children have both told him that they miss him a lot. Harriet and Oscar have said that they want to see him for longer periods and that they miss the holidays that they used to have together. The children also miss their regular trips with their dad to watch their football team, Kempston United, play.

End of Case Study Materials