



June 2022

Level 3

SUBJECT: 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.

*Turn over*

## **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 files to you. She has instructed you to draft responses to the issues raised, ready for some meetings with the relevant personnel. The documents are as follows:

**Document 1**      Email from Leroy McKay, social worker, re the Sawyer family

**Document 2**      Email from Natasha Deeley, re Chama Bhatia

**Document 3**      Note of telephone call, re George and Henry Roper

**Document 4**      Note of telephone call, re Isabelle (Izzy) Nelson

**Document 5**      Email from Leroy McKay, social worker, re Ollie Jennings

DOCUMENT 1

EMAIL

**From:** [Leroy.mckay@kempston.gov.uk](mailto:Leroy.mckay@kempston.gov.uk)  
**To:** [a.traineelawyer@kempston.gov.uk](mailto:a.traineelawyer@kempston.gov.uk)  
**Date:** 20 June 2022  
**Subject:** Tom, Evie and Megan Sawyer

**Tom Sawyer DOB 25 May 2014**

**Evie and Megan Sawyer DOB 4 January 2022**

Tom, Evie and Megan are the children of Karen and Phil Sawyer. The Sawyers moved to Kempston in January when Phil got a job with a local haulage company.

Tom has a serious health issue that requires regular visits to Kempston University Hospital for treatment. He also has significant learning difficulties. His parents have made every effort to provide the support that he requires to lead as normal a life as possible, but this has proved challenging at times. Tom attends his local primary school where he is a popular pupil.

Evie and Megan were born this year and having twin babies to care for in addition to Tom created a significant extra challenge for Karen and Phil.

Karen and Phil have both suffered periods of mental illness previously and have felt under increasing pressure since the birth of the twins. Karen has the major responsibility of caring for the children, but there are no family or friends living nearby to help. Phil is working long hours driving lorries to support his family financially. However, when he returns home, he has to help with the twins at night in order to give Karen a bit of a rest.

Karen found that the children were occupying most of her time, so cleaning and tidying did not happen. The house was a chaotic mess. She did her best to feed Tom, but it was increasingly unhealthy meals such as sausage and chips or pizza, and sometimes just crisps and fizzy drinks. Most of the time Karen simply left Tom watching the television.

A number of concerns have been raised during the past week regarding the family.

Karen's health visitor has raised concerns that the twins are not feeding properly as they are no longer gaining weight as expected. She believes that stress is affecting Karen's ability to feed the twins but says that Karen is determined not to bottle feed.

The school has reported that Tom is causing concern. His attendance has fallen as some days Karen does not have the energy to take him to school. Tom appears very tired and is no longer showing the enthusiasm for learning that he had originally shown and is not achieving the expected milestones.

**Turn over**

## **CASE STUDY MATERIALS**

The hospital has reported that Tom has missed one of his regular appointments for the second time and that they need to see him as soon as possible.

I have arranged to meet with the parents to discuss the concerns that have been raised.

EMAIL

**From:** [Natasha.deeley@kempston.gov.uk](mailto:Natasha.deeley@kempston.gov.uk)  
**To:** [a.traineelawyer@kempston.gov.uk](mailto:a.traineelawyer@kempston.gov.uk)  
**Date:** 20 June 2022  
**Subject:** Chama Bhatia

**Chama Bhatia DOB 15 May 2022**

Chama is the daughter of Naima Bhatia. Naima is registered as Chama's mother on her birth certificate, although no father is named.

Chama was the result of a relationship Naima had with Sunil Malik, Naima's line manager. Sunil was 20 years older than Naima, and married with teenage children.

As soon as Naima told Sunil that she was pregnant, he ended the relationship. He told Naima that his wife must never know about their relationship or the pregnancy. He suggested that Naima have an abortion at a private clinic and he offered to pay for it. When Naima refused, he said that he would have nothing to do with the baby and would challenge any suggestion that it was his.

Naima's family also wanted nothing to do with Naima when she told them about the pregnancy. They said that she had brought shame on the family.

Naima was determined to go through with the pregnancy and made plans to be a single parent. However, she suffered serious complications during the latter stages of her pregnancy. Although Chama was born safely, Naima died shortly after giving birth.

We now need to make decisions regarding Chama's future as it appears from discussions that none of her blood relatives are currently interested in taking care of her.

**Turn over**

NOTE OF TELEPHONE CALL

**Caller:** Natasha Deeley, Duty Social Worker  
**Call handler:** Trainee Lawyer  
**Date:** 20 June 2022 9am  
**Subject:** George and Henry Roper

Natasha Deeley rang concerning an urgent report received from Kempston County Police regarding George and Henry Roper.

George Roper (8 years) and Henry Roper (11 years) are the sons of Daisy Roper. She lives in a flat on the Riverside Estate with her partner Frank Knoll, the boys' father. Frank is not named on the boys' birth certificates.

PC Jerry Kane and his colleague had been called to Riverside Estate last night following a report that two young boys were causing criminal damage to cars. They found George and Henry scratching the paintwork on parked cars. This is the second time this month that the police have been called out to deal with the boys.

PC Kane took George and Henry back to their flat. At the flat he found Daisy and Frank lying on their sofa sound asleep. The room was littered with empty beer bottles and the TV was on at full volume. PC Kane reports that the flat was filthy, and there appeared to be no food in the kitchen.

PC Kane and his colleague agreed that the boys could not be left safely at home. So they arranged for the boys to be placed in temporary accommodation. George and Henry were very cooperative when they were told what was going to happen. The boys told the police officers that it would be really good if they could actually have some proper food and get a good night's sleep. They said that they get neither at home as their mother is usually too drunk to remember to shop for food or to cook when she does buy any food. When Daisy and Frank are drunk they often have loud arguments. The boys said that they were frightened of their dad. According to Henry, Frank regularly punishes them either physically or by shutting them in a cupboard.

Daisy and Frank are well known to the police as having an alcohol problem. The police are regularly called to their flat or to pubs in Kempston when Daisy and Frank have had too much to drink and are creating problems for others.

In PC Kane's opinion, Daisy and Frank are currently incapable of managing their own lives, let alone the boys' lives. He does not believe that the boys should be returned home at this time. He is particularly concerned at what Henry has told him about Frank.

PC Kane has left a message at the flat informing Daisy and Frank of their boys' recent activities and that they are currently in safe accommodation. He is expecting Daisy and Frank to arrive at the police station in the near future demanding to know where George and Henry are living. PC Kane has spoken to George and Henry who are very happy in their accommodation and who would be happy to stay there.

**NOTE OF TELEPHONE CALL**

**Caller:** Natasha Deeley, Duty Social Worker  
**Call handler:** Trainee Lawyer  
**Date:** 16 June 2022 10am  
**Subject:** Isabelle (Izzy) Nelson

Natasha Deeley rang regarding a second incident reported by PC Kane of Kempston Police. This report concerned Isabelle (Izzy) Nelson.

Izzy (aged 13 years) is the daughter of Bianca Nelson, and the granddaughter of Wendy and Ron Nelson. Her father is unknown.

Bianca became pregnant with Izzy while she was still at school. Her parents supported her through the pregnancy and agreed to care for Izzy.

As soon as she was able to, Bianca left school and went travelling. She occasionally contacts her parents but always from a different country.

Although Wendy and Ron did not enter any formal agreement with Bianca, and so do not have parental responsibility for Izzy, everyone that they have come into contact with accepts them as Izzy's carers.

Izzy was doted on by her grandparents and enjoyed a very close relationship with them. However this all changed when Izzy went to secondary school where she got involved with the wrong crowd. The people she became friendly with frequently played truant. They would spend hours in the local shopping centre daring each other to go into a shop and shoplift, or to try picking someone's pocket.

The police have caught Izzy involved in stealing on several occasions, and each time she has been taken back home to her grandparents in a police car.

Wendy and Ron have tried a range of strategies to try to get Izzy to leave her new friends, but with no success. They are feeling worn out by the constant battles with Izzy. To add to their stress, they have both been diagnosed with serious health conditions in the past few months and are undergoing treatment.

Last night Izzy was out with her friends. The police stopped them and found Izzy in possession of a small quantity of an illegal drug. Izzy was taken home and the police informed her grandparents of her latest escapade

Wendy and Ron have now decided that enough is enough and that they must put themselves first for a change. They have told the police that they can no longer cope with Izzy. They believe that Izzy needs someone younger than them and with more stamina to look after her.

***Turn over***

## CASE STUDY MATERIALS

### EMAIL

**From:** [Leroy.mckay@kempston.gov.uk](mailto:Leroy.mckay@kempston.gov.uk)  
**To:** [a.traineelawyer@kempston.gov.uk](mailto:a.traineelawyer@kempston.gov.uk)  
**Date:** 17 June 2022  
**Subject:** Ollie Jennings

#### **Ollie Jennings DOB 12 June 2017**

Ollie is the son of Abbie Jennings and Jonny Taylor.

Abbie and Jonny have been in a relationship for six years although they have not married. When Ollie was born Abbie registered his birth naming herself as his mother, but not identifying his father.

Abbie has a history of drug abuse. Shortly before meeting Jonny she underwent a programme to help her overcome her reliance on drugs. Part of this programme involved breaking up with a long-term boyfriend, Vince, who was known to the police as a drug dealer and who supplied Abbie.

At the time of meeting Abbie, Jonny had no knowledge of her history of drug abuse. Abbie and Jonny's relationship developed. Jonny was delighted when Abbie told him that he was about to become a father and invited Abbie to move into his home.

Abbie was a good mother to Ollie and enjoyed looking after him during his early years. However, the situation changed last September when Ollie went to school. Abbie missed the activities that she had enjoyed with Ollie and found that she had time on her hands. She started catching up with her old friends, including Vince who encouraged her back into drugs.

Jonny was initially unaware of what was happening but over time he noticed changes occurring. Abbie was doing fewer jobs in the house, which was becoming less clean and less tidy. Increasingly, when Jonny arrived home, he found that Abbie hadn't cooked a meal and so he had to go and buy a takeaway. Ollie also seemed less happy.

Matters came to a head last week. Jonny was contacted by the school to say that Abbie hadn't turned up to collect Ollie. When Jonny went to collect his son, the Head Teacher told him that they had concerns about Ollie. They had noticed changes in his behaviour since early in the year. He was becoming withdrawn and less willing to participate in activities.

When Jonny and Ollie arrived home, they found Abbie asleep on the sofa with evidence of drugs on the nearby table. Jonny was horrified. Later in the evening when Abbie had woken up, she told Jonny about her problems. Jonny told her that she had to sort herself out, and that would involve her moving out of his house. Abbie begged Jonny to let her stay but he was adamant. Ollie's health and wellbeing were his primary concern. Until Abbie could convince him that she could be trusted to care for Ollie safely, Jonny was not going to leave Ollie with her.

**CASE STUDY MATERIALS**

Abbie left and moved in with Vince, but she missed Ollie and was increasingly angry with Jonny. She has texted Jonny to say that he has no rights in relation to Ollie. Ollie should be living with her and she is going to deny Jonny contact. Jonny is very concerned for Ollie.

**End of Case Study Materials**

©2022 The Chartered Institute of Legal Executives