

ENGLAND AND WALES / JUDGMENT

F v M [2025] EWFC 252 (B) (30 July 2025)

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IN THE FAMILY COURT AT CROYDON

Date: 30/07/2025

Before

:

District Judge Keating

- -----

Between :

F

Claimant

- and -

M

Defendant

- -----

Approved Judgment

District Judge Keating:

Introduction

This case concerns two boys, Amit (15) and Ajay (12)

The Applicant is their father, ("F"). He is represented by Mr Carroll, counsel.

The Respondent is their mother, ("M"). She is not represented by a lawyer. In June she asked the Court to appoint a QLR to assist her: that request was not, so far as I can see, referred to a Judge. I permitted her to be assisted by a paid McKenzie Friend, Ms B.

The parties were married to one another when the children were born but separated in 2014 and have been divorced for many years. In 2016 a final order was made in financial remedies between the parties and in 2023 I disposed of an enforcement application arising from the financial remedies. I see from an order made by DJ Baker in January 2025 that she consolidated F's application to vary spousal maintenance and M's application to enforce it and listed those applications separately for resolution. They are mentioned because it helps understand the breadth of the disputes between M & F.

I have been provided with 22 bundles for this hearing, though there are a lot of duplications: there is a core bundle of just over 1200 pages, a supplemental bundle of 350 pages and a third party disclosure bundle of just over 1000 pages.

There have been the following past proceedings concerning the children:

In 2015 F applied for an order that he spend time with the children. The final order notes that the children live with M and gives a detailed order for them to spend time with F, and allows the parties to take the children on holiday abroad (with some limits).

There were proceedings in 2016 in which a prohibited steps order was made that M would not allow the children unsupervised time with an uncle. It expired in March 2017.

In 2019 F applied to vary the child arrangements order, and for a prohibited steps and specific order seeking to prevent the children spending time with a maternal uncle. He intervened in the proceedings which considered whether allegations that he had sexually assaulted Amit could be substantiated. HHJ Atkins made a final order on 8.10.2020. HHJ Atkins found that the Court could not make findings that the uncle had sexually abused Amit and said that "

the Court will now proceed on the basis that the maternal uncle did not sexually abuse Amit

". HHJ Atkins discharged all previous child arrangements orders, recorded that the children were living with M and spending time with F and made a detailed order requiring M to make the children available to spend time with F, permitting overseas travel for holidays (with some modest constraints).

The current proceedings are

an application by F dated 14.6.21 for a further SIO and PSO about the conduct of a secondary school appeal for Amit; F's application didn't come to be heard until March 2022, by which point the subject matter of the application had ceased to be relevant. With hindsight, the application might simply have been dismissed at that point. By then, though, an issue had arisen as to which parent was to do the drop offs and whether the contact arrangements should be varied, so the Court gave directions.

an application by M dated 14.6.22 to change the children's surnames and to be able to take the children to India for holidays unrestricted. By order dated 29.6.22 DJ Baker consolidated the applications;

An application within the proceedings by M dated 14.10.22 for a s91(14) order to prevent further applications without leave.

It will be seen from the statement of issues at the first page of the bundles that most of the issues raised by the applications remain to be determined. As sometimes happens, the litigation has morphed into a different set of issues. Interim orders in these proceedings have varied the final order of HHJ Atkins until now.

In July 2023 DJ Bishop recorded in her order "

concern that the court proceedings have been largely ongoing for the last 8 years, and the conflict between the parties was likely to be harmful to the children

". The proceedings were then reserved to DJ Bishop. They weren't in fact then seen by her again and at an ineffective final hearing in February 2024 the children were joined as parties to these proceedings, proceedings were reserved to and case managed by DJ Baker. Since she took up a different judicial appointment the case is no longer reserved. A NYAS caseworker, Ms Owolawi was appointed. The children were represented by Ms Gihair. (She was not available for Judgment and Ms Jain attended then, with the Court's permission).

This is the 10

th

Court hearing in these proceedings, and these are 4

th

set of Children Act proceedings. There have also been divorce, financial remedy proceedings, enforcement and variation and a TOLATA claim involving the parties. They have now been litigating about the children for 10 years. In support of her application for a s91(14) order M set out a list of the proceedings between the parties at that time.

The children have been the subject of a report by Dr Berelowitz, Consultant Child and Adolescent Psychiatrist in July 2019 and, in these proceedings, a s7 report in 2022, a s37 report in 2024, 4 reports by Dr Willemsen, a clinical psychologist and two reports by Ms Owolawi.

The parties have not been able to resolve matters by mediation.

At the last hearing DJ Baker gave clear directions for the filing and serving of final evidence by the parents by 4pm 11.7.25. M sent a website link to the Court after 4pm on the working day before the final hearing. On 21.7.25 she sent that in PDF format: it is a further 139 page bundle. F sent his documents in the early hours of 21.7.25. It is a 344 page bundle, containing a 508 paragraph, 118 page witness statement. Each parent appears to have sacrificed a desire to make every minute possible point above a desire to enable the other, the witnesses, the lawyer or the judge then to have time to read and consider their thoughts.

At various points each parent has made allegations which, if true, would amount to domestic abuse, but the orders to date do not address PD12J or provide for special measures or the appointment of QLRs. F has alleged to Cafcass that he is the subject of coercive control by M. M alleges in her evidence and to the various assessing professionals that she is subjected to coercive control by F. I asked before the hearing began and was told that M sought the use of a screen. The parties entered and left the Courtroom separately and a screen was erected so they did not see each other. This was a neutral act which does not imply that the Court believes or does not believe a party. It is designed to help them both participate fully.

There are some special measures noted for F, as follows:

Opportunity for breaks every 30 minutes, if required;

Cross examination to be kept to a minimum and capped at 2 hours a day (excluding break times) and to carry on longer if the applicant father feels able to do so;

The applicant father may be seated during his evidence;

Questions for the applicant father shall be structured by reference to the list of topics at paragraph 3 (

which sets out the issues in the case

) and should be clearly signposted to the applicant father, taken one at a time and in a methodical order.

His barrister should be allowed to guide the applicant father to documents to support him with remembering relevant evidence or other information such as dates and timelines.

Questions should be kept short and not presented too quickly or in close succession. Closed, leading and repetitive questions should be avoided.

Where the applicant father has to read information, he should be allowed sufficient time to process and understand the information.

The parties seek the following:

F accepts that Amit will not move to live with him, whatever the Court might order. He seeks, without having applied for one, an order that Ajay lives with him following a structured and supported programme of increasing contact. He suggests that the parent to whose care the child is moving makes any necessary transport arrangements. He opposes change of name and s91 orders. He would like the family to engage in family therapy.

M largely agrees with the NYAS recommendations. She wishes to change the boys' names.

NYAS recommend that the children continue to live with M, that as no enforceable order could be made about contact between F and Amit no order be made, that there be a contact order for Ajay to spend alternate weekends with F, with transport shared equally. NYAS hope that the parents could agree a change of name (which they do not). It supports a s91(14) order. It sees no need for a PSO.

It is my view that:

Amit will be 16 soon and section 9(7) of the

Children Act 1989

means that any Court's orders under s8 will cease to have effect then, unless the Court is satisfied that the circumstances are exceptional;

All the parties, but especially the children, need an end to these proceedings. Any further adjournment would need exceptionally powerful justification;

M's request for a QLR should have been addressed at an earlier hearing. It is unclear to me why the point was not raised. When M did raise it in June, it should have been referred to a judge, but wasn't. I note that M says that she should have a QLR because F has been represented and she is a Litigant in person: that is to fundamentally misunderstand the role of a QLR, which is to ask questions on behalf of someone who is prohibited from doing so by reason of Part 4B of the Matrimonial and Family Proceedings Act 1984. F's application was made before the provisions about QLR came into force, so the Court could not make a QLR order in respect of that application anyway. M's applications were made after the QLR provisions came into force, so the Court has the statutory power to make a QLR order - as the proceedings are consolidated this would effectively mean the QLR could ask questions about everything. A QLR would only ask questions on M's behalf when F gave his evidence, not when Dr Willemsen or Ms Owolawi did so. M raised allegations of domestic abuse in the form of coercive control in her first witness statement. I am not aware that there have been any findings to date of domestic abuse by either party by any Court.

With the benefit of hindsight, this case might best have been referred to DJ Bishop and reserved to her when DJ Baker was no longer able to deal with the case, and consideration given to appointing a QLR for M. Given that it has not happened, it is now too late for the Court to appoint a QLR without causing an adjournment, which M does not want. In the event Ms Gihair asked the questions of F that M wished to ask and that I allowed. I am grateful to Ms Gihair for doing so.

At no stage has a Court considered that a separate fact finding hearing was necessary: it plainly wasn't, given the ongoing contact that there has been. That is not to say that issues of domestic abuse have no relevance, simply that they are not fundamental to the principle of whether one party should have a relationship with the children. Even now, the only reason it is said that Amit doesn't see F is because Amit chooses not to do so. I recognise that is very painful to F.

FPR 22.10 and DJ Baker's orders were clear. F is or has been a solicitor with a senior role at a major company. He can certainly deal with the detail of a matter. There is no good reason for the very late evidence and 344 page bundle. M is an intelligent and articulate woman. Being a litigant in person does not give anyone a free pass. Mr Carroll argues that the NYAS report was late, which is true, but it was only 1 hour 20 minutes late whereas the parents' evidence is over a week late. I refused to admit their late statements with assorted documents and instead directed each to prepare a 4 page summary statement by 9am on 22 July. Each focussed on the minutiae and there was, in consequence less focus on the factual events (eg the factual developments since the parents' last statements in 2022 and 2024, respectively). A transcript of Judgment of DJ Baker from February 2025 was also admitted.

There was, to my mind, a curious lack of focus in the final evidence of the parties and, to a lesser extent, the report of Ms Owolawi, of the following events this year:

March 2025 - Amit was slapping M in what she described as a 'playfight' in which Amit became too rough, and she ended up slapping him. He rang F and asked to come and stay, and then did so. After 4 days F returned him to the care of M. Amit left some clothing and toiletries at F's house but borrowed some towels to protect his games console and monitor in transit.

April 2025 - Amit assaulted M by pushing her, threatening to throw her 87 year old father downstairs, swore, threatened to empty M's bank account, barricaded a door and refused to let M out. The trigger to this seems to be that M took Amit's phone and had to give it back to end the incident. M had to call the Police.

May 2025 - Amit asked to go to F's house to watch a European football cup final. They follow the same team. F declined to agree that because Amit had a mock exam the following afternoon. I confess to being surprised that F declined that time with Amit, even if there was a mock exam.

I also note that it is common ground that:

Amit's behaviour towards each of his parents has been confrontational and aggressive. F describes some of the vile and abusive messages he has received from Amit. M described in her evidence that Amit had stolen from her, opened her mail, threatened to empty her bank account and that there was no place in the house she felt was secure from Amit at one point;

Amit has used cannabis and made unwise choices about knives. He has not been convicted of any offences but he has been considered to be at risk of exploitation and is currently engaging with YOT work to help reduce that risk.

Amit's behaviour has improved recently, in the view of M & Ms Owolawi. F notes that but says this is a pattern that happens as final court hearings approach.

21.

Section 8 of the

Children Act 1989

empowers me to make the orders the parties seek, and s91 permits me to make an order requiring anyone wanting to make a future application under the

Children Act

to obtain the permission of the Court first. When I decide whether I should exercise those powers and if so, how, I must have regard to section 1 of the

Children Act 1989

. It is each child's welfare that is my paramount consideration. I should only make an order if it is better for the child than not doing so. I must have regard to all of the circumstances of the case. I will return to the matters set out in section 1(3), below.

22.

Whenever the Court is asked to decide whether a disputed fact is true or not, there are some general principles that apply. First, it is for the person who asserts the fact to prove that it is true. Second, they must do so by showing that, on the evidence before the Court, it is more likely than not that the fact is true.

Evidence

I heard evidence from Dr Willemsen by video, M, F and Ms Owolawi. The Court had previously directed that the s7 reporter give evidence, but that was before the children were joined as parties and Ms Owolawi's report plainly supersedes the s7 report. The s7 and s37 reports were, therefore, unchallenged, though any expert opinion has to be read in the context of any subsequent expert opinion.

Dr Willemsen was a calm, considered professional witness. He has expertise in assessing cases where there is a high degree of conflict between parents, such as this family.

In his first report he says,

"

Unfortunately, there is a stalemate position for some time now, in which the parents continue to be very critical of the other. Neither of the parents appear able to give in to the other. There is limited to no ability to work together with the consequence that Amit now rejects his father. Ajay still wants to see his father but I am concerned that the dynamics between the parents may have considerable consequences for him.

The parents each look at each other for the reasons of the current difficulties in their relationship without little to no understanding about their own behaviour

."

I agree.

He is concerned that Amit has chosen not to see his father because it is too confusing or painful for him to do so because of the parental conflict. He recognises that he has not actually met Amit, but he hypothesises that Amit has chosen not to see F as a way of avoiding the pain of managing his feelings about that contact. If that hypothesis is right, he anticipates that even though contact between Ajay and F is currently going well, in a year or 2 there is a real risk that Ajay, too, will refuse to see F. The fracturing of the relationship with F has been a significant loss for Amit and would be a significant loss for Ajay. Dr Willemsen considers that F would be able to promote and maintain the relationship between the boys and M, and that the benefits of maintaining the relationship with both parents meant that it was better for Ajay to move to live with F now.

He told me that Ajay was "

not a young child, he is 10 or 11

". Ajay is actually 12 and has just completed his first year of secondary school. I was concerned that Dr Willemsen got that wrong. Ajay will have formed peer and adult relationships at school, establishing himself in myriad pecking orders across all aspects of school life, which will provide a base for him as he enters adolescence. Moving to a new town and school will fracture those relationships. The impact of that is, in my view, likely to be far greater for a child of Ajay's age than for a child who had just completed Year 6, for whom a new school with mostly new peers tended to represent the immediate future anyway, which is what Dr Willemsen appeared to have weighed in the balance. I note that F says that some, likely key, friendships will remain, but most will be lost and, in truth, the onus of preserving friendships will fall on M, because she will need to devote a fair proportion of her time with Ajay to promoting them, which in turn reduces the time that she and Amit - while he still lives at home - will spend with Ajay. The age error suggested to me that Dr Willemsen had not weighed fully in the balance the impact of changing school that a change of residence would cause. Dr Willemsen's written and oral evidence to me was that "

not too much weight

" should be given to Ajay's wishes and feelings, because the long-standing conflict between his parents adversely affects his ability to express himself autonomously.

In response to questions on behalf of the children, he agreed that moving to F's care would cause a significant impact to Ajay in terms of the loss of his primary carer since birth, ceasing to live with Amit and his peers at school, which would leave Ajay confused. He said, though, that Ajay has a good relationship with his father, which would help, but that to help Ajay adjust he would need the move to be 'translated' for him and he would need therapeutic work. Dr Willemsen told me that "

to fully say that Ajay should or shouldn't go to F, I would need to see Amit

". That honest concession was, in my view, significant and goes directly to the weight that I can give to Dr Willemsen's expert opinion on the question of a move.

Dr Willemsen thought a s91.14 order was necessary "

to avoid future applications at any cost

".

F tended to answer at length, and quickly moved to tangents. He had a tendency to answer in great detail about an issue. It was plain that he has lived the conflict with M and he is deeply affected by it. He was afforded breaks as required and on one occasion because it seemed to me that he might need one.

He accepted that the sibling bond was important but not that it was, as M put it, 'sacred'. He pointed out that in his view Ajay was currently exposed to Amit's 'maladaptive behaviour', which was impacting on Ajay. F told me that if Ajay came to live with him, he and M would 'foster cooperation'. That, it seems to me, is highly unlikely to happen.

F thought that a further assessment by Dr Willemsen might help, to help manage Amit's volatile behaviour which might be adversely affected by the effective loss to him of Ajay for much of the time. I am very clear that this Court is very unlikely to sanction any further assessments on the evidence currently before the Court. It worried me that F was willing to suggest that as a way forwards.

F accepted that a s91.14 order would protect the children, and that they needed a break from the litigation which was harmful to them.

M wants to take the children to India in the October half term, which would be within the school holiday period for their current school. She offers for F to have the whole of the Christmas holiday period with Ajay in exchange. F opposes that, but only because he wants the Court to order that Ajay comes to live with him. If that happens, and if Ajay gets a place in F's preferred school, its school holidays are shorter and F will not agree to a term time holiday. It was reasonable for him to object on that basis, even though he accepted in evidence that his preferred school is currently full and he does not know whether a place will become free there, though he said that the school had suggested there was a reasonable chance of this and, if one did, F's home is very close to the school and he felt it likely that Ajay would have a high priority if a place was available. It follows, though, that if I conclude that Ajay will live with M during school term time there would be no reason not to allow the trip to India as she proposes.

M was much more focussed in her answers than F had been. The emotional strain of dealing with the conflict that there has been with F, and these proceedings have worn her down. M feels controlled by F and that dispute. As a way of managing that, she has taken to sending daily email updates to F, school, social worker and the NYAS reporter. If anyone, but especially F then uses the material she has sent, she feels criticised. In her view, F 'weaponises' such material. I strongly encourage her to stop sending the updates, whatever else happens. It is M's firm view that F told

Amit to say that he had been sexually assaulted by his maternal uncle. She points out that Amit has told 7 professionals, by her count, that he lied about this at F's request. M repeats her view that Amit has seen 79 different professionals during the course of the litigation. I have not counted, but it is on any view a very large number.

M accepts that she has struggled to put in place boundaries for Amit. She acknowledged that in 2018 an assessment had said that she tended to subcontract out to professionals the imposition of boundaries, and she accepted that might be right. She wanted the Court to order that F cannot obtain information about the children from their school, because she considers that he weaponises it. That ignored, for me, that the primary source of the information which F then pores over in details and uses is from herself.

When asked about further therapy for the boys she said that they were exhausted by it and needed a break from intervention. No one objected to her showing me some lovely photographs of the boys taken by her over the last year.

Whilst M accepted that she does not like F, and feels worn down by him, she did not intend to do anything that cause a rift between F and the children. That was good to hear, but it does not really address Dr Willemsen's concern that a rift between Ajay and F might be the outcome if Ajay remains living with her.

She accepted that the desire for the children to have double barrelled surnames came from her, not from the children.

She told me that the parties had already agreed the split of time for Ajay to spend with each of them for the school summer holiday 2025.

Ms Owolawi was a calm professional social work witness.

She was asked by M whether she agreed that she was the 7th

professional to whom Amit had said that he had been told by his father to say that he had been sexually assaulted by an uncle. In seeking clarification as to whether Amit had said that he was told by his father to repeat to others an allegation that he had told his father, or whether Amit had been told by his father to lie about a sexual assault, Ms Owolawi told me that Amit had told her that his father had told him to say "things" to professionals that had happened but were not true.

She accepted that her final report did not fully address all of the recent developments or the more worrying aspects of some of Amit's behaviour. In fairness to her, though, the parents had not evidenced such matters in witness statements when she wrote her report. Nonetheless I would have expected more express recognition of the lived experience of the boys over recent months before she drew conclusions.

She noted that F had made a lot of complaints about M's parenting with limited practical support being provided by him.

She felt the impact on Ajay moving to live with F would be significant and explained to me the reasons why she felt that. She stressed that although Amit had hurt Ajay in overly vigorous playfighting, she did not consider that Ajay was scared of Amit. She had seen warm and positive interactions between them.

She thought that Amit would benefit from the work currently being done by the YOT team and that he would "grow out of" the unattractive behaviours he has sometimes engaged in.

She agreed that she was the 7

th

professional to whom Amit has alleged that his father had told him to make the allegation of sexual assault. She agreed that had caused Amit emotional harm. She felt F sometimes blew out of all context some incidents, given as an example a meme about a 'roadman' shared by one of the children, which had greatly concerned F far beyond what Ms Owolawi thought proportionate. She thought about 70% of the issues raised by F did not need to have been raised. She did not have a strong view about the proposed change of name but thought it would be fine for the boys to have double-barrelled surnames.

In response to questions from me, Ms Owolawi said that Amit told her that F had told him to "

go and tell things to professionals that had not happened

" and "

he made me lie

".

She acknowledged that at paragraph 3.10 of her report she had not addressed the last 2 reports of Dr Willemsen, but it is plain from paragraph 2 of her report that she had seen them.

50.

Section 1 of the Domestic Abuse Act 2021 defines domestic abuse in this way:

"

Behaviour of a person ("A") towards another person ("B") is "domestic abuse" if—

- (a) A and B are each aged 16 or over and are personally connected to each other, and
- (b) the behaviour is abusive.

... Behaviour is "abusive" if it consists of any of the following—

- (a) physical or sexual abuse;
- (b) violent or threatening behaviour;
- (c) controlling or coercive behaviour;

(d) economic abuse;

(e) psychological, emotional or other abuse;

and it does not matter whether the behaviour consists of a single incident or a course of conduct.

..."Economic abuse" means any behaviour that has a substantial adverse effect on B's ability to—

(a) acquire, use or maintain money or other property, or

(b) obtain goods or services."

It is common ground that M & F were over 16 and personally connected to each other at all material times.

Findings

I do not need to determine every factual issue in dispute. It would be a Herculean task given the number of disputes between these parties. I shall deal only with the factual issues I consider it necessary to determine to be able justly to deal with the issues before me. I have listed carefully to all of the evidence and read all of the witness statements in these proceedings.

It seems obvious to me that each parent considers themselves to have been coerced and controlled by the other parent. Subjectively, each considers that to have amounted to domestic abuse of them. For each, but very markedly for M, that has affected them. It is very much her perception that she has been the victim of domestic abuse by F that has had a lasting impact on her, and on both children. She says that the impact on Amit was much more severe and the impact on Ajay was much less, because Ajay was much younger than Amit when she "

escaped

" from the abusive home. In her final submissions M did not seek any findings of domestic abuse apart from coercion, control and financial abuse, though I think it reasonable to read her list of findings sought as including emotional abuse too, even if those words are not used.

F was also moved when recalling his perception of the relationship between the parents.

It is not the purpose of the Court to dissect ever element of the unhappiness between the parties as their marriage floundered and ultimately failed. There was obviously a great deal of that.

M argues that by failing to make the maintenance payments required by the final financial order after their divorce, F was economically abusive towards her within the meaning of the

Domestic Abuse Act 2021

. F counters that his illness had a significant impact on his ability to work and earn and he simply couldn't afford to pay as expected. Whilst F could and should have made his application to vary that order much earlier than he did, I am not persuaded that, viewed objectively, I can properly conclude that F's conduct towards M was financially abusive in this respect.

M described in her evidence that she felt browbeaten by and subservient to F, who shouted at her regularly during their marriage. She told me in her oral evidence of an occasion when soon after one of the children was born F asked her to clean out an outbuilding and she found herself on her hands and knees doing so, wondering to herself why she was so subservient. Again, soon after one of the children was born she said she had to build the cot for the child whilst F watched, and her mother asked why F wasn't doing the task. Each seemed to me to be an example of how M felt put upon and unsupported, rather than necessarily her being compelled to do something because her free will was deliberately curtailed.

M also argues that F uses the information that she provides to criticise her. Certainly that dynamic is evident, but it is M who is choosing to provide the information: she could simply decline. It is, in my view, more a function of the way that each party seeks to persuade the other that they are right on every point that has led them into persistent patterns of conflict rather than coercion.

M says that F has persistently and unnecessarily referred to the allegation made by Amit even after HHJ Atkins reached his conclusions about that. F has unquestionably done so in a way that I think positively unhelpful. But I do not consider F was motivated by a desire to control or coerce M. He felt that people should know of the allegation because he thought it would help them to understand Amit's needs. I consider that it was unwise and wrong of him to do so, but not coercive or controlling.

I do not feel able to conclude, on the evidence before me, that either party has been able to show that it is more likely than not that the other has behaved towards them in a way that, viewed objectively, can be described as abusive.

It follows that I have concluded that there are no issues of domestic abuse that are relevant to the determination of this case. I do not need further to address Practice Direction 12J in this judgment.

Did F coach Amit to make an allegation against an uncle? It is common ground that Amit made the allegation, retracted it, and has subsequently reported that F told him to make the allegation. HHJ Atkins concluded that the Court would proceed on the basis that there was no incident of sexual abuse. The s37 report author was not challenged in evidence, though F told me that he had complained about that report. Amit might have withdrawn his allegation because it was not true, even though he told his Dad that it happened. He might naturally have been encouraged by his father to tell others about his allegation if he initially told his father. As I understand it, F accepts that he encouraged Amit to tell people the allegation Amit had told him.

I thought Ms Owolawi's evidence was significant in this regard. Whilst she was clear that Amit had said that F had told him to lie about "things" that had happened to him, rather than specifically to lie about the alleged sexual abuse, I weigh that in the context of all of the evidence. The s37 report author says that Amit told her that F definitely told him to make the allegation about his uncle, but doesn't say whether Amit first told F about the uncle: the s37 report leaves open the possibility that Amit told F and F then encouraged Amit to tell school. M's evidence was

that shortly before Amit first made his allegation to the school F had returned Amit to her with a smirk and hinted that something was going to come out, but I bear in mind that M may have a powerful lens through which to view this whole issue.

F relies on

Re W (A Child)

[2016] EWCA Civ 1140

, suggesting that paragraphs 91, 93 and 94 mean that a Court in Mr Carroll's words,

"

cannot make findings in circumstances where no fact finding has ever been undertaken in respect of these matters; there has been no schedule of allegations raised for F to respond to; the evidence M relies upon was not set out and put to F for his evidence to be given on it; M has not particularised her allegations, nor put them to F during the course of his evidence; and given the ambit of this hearing detailed cross examination of the mother on these issues was not possible nor proportionate

."

However, that is not what

Re W

determines, in my view. In that case, a judge made findings about the actions of a social worker and police officer in a case where it was alleged that a child had been sexually abused by family members. The basis for allowing an appeal against those findings was, at paragraph 91,

"

the ground for the criticisms that the judge came to make was simply not covered at all during the hearing

"

and at paragraph 93

"

It can properly be said that by keeping these matters to himself during the four week hearing, and failing to arrange for the witnesses to have any opportunity to know of the critical points and to offer any answer to them, the judge was conducting a process that was intrinsically unfair.

"

In contrast, in this case it was clearly M's evidence that F had coached or told Amit to make the allegation. F knew full well that was what she was saying to the Court. He had ample opportunity to challenge the assertion. I am clear that I am entitled to weigh the evidence on this point and reach a conclusion. I would go further: this case features a number of running sores between the parents, and this is one of the most painful of those sores. Dr Willemsen told me he was concerned that the allegation doesn't seem to stop over the years. In my view, the Court positively should grapple with it and reach a conclusion.

On balance of all of the evidence, I am satisfied that it is more likely than not that Amit was referring to the allegation of sexual assault by his uncle when he told Ms Owolawi that his father had told him to lie about "things" that had happened to him. I therefore conclude, on the balance of probabilities, that F coached Amit to make a false allegation that he had been sexually assaulted by his maternal uncle.

M draws to my attention the transcript of the Judgment of DJ Baker but that was, as Mr Carroll says, based on submissions only without hearing evidence and at an interim hearing.

Discussion

Both parents seek to micromanage. Had I allowed them to do so, they would have submitted a combined 500 pages of evidence on the morning of trial bring the total paper before the Court to about 3000 pages. Each experiences the desire of the other to micromanage shared aspects of their lives - for example, their children - as an attempt to control or coerce them. Each focusses on their rights as a parent - for example, their right to attend a meeting at a child's school which only one parent attended might provoke an anxious and critical exchange of communication. I simply do not understand why the school place appeal in April 2021 justified the application that started these proceedings.

I have the benefit of expert opinion evidence from Dr Willemsen, Ms Owolawi and the written s7 and s37 reports. As they do not agree as to the outcome for Ajay in particular, I must weigh those competing opinions and explain which I find more persuasive and why. The s37 report was, in my view, overly influenced by accepting M's view that she had been the victim of domestic abuse, which reduces the weight I feel able to place on the opinion evidence in it. That does not accept the weight I give to the factual account.

Dr Willemsen is a well-regarded and experienced expert psychologist. He acknowledges that he has not interviewed Amit and therefore some of his hypothesising about Amit needs to bear that in mind. I agree. That has been compounded in this case by the odd way that the factual evidence has developed. Dr Willemsen had no witness statement from M since 2022 and nothing from F since February 2024. There was little parental evidence about the time the children have been spending with F and the reasons for it during the course of this year. Dr Willemsen didn't get to see what turned out to be the parents final 4 page summaries, though he had seen much of the material I refused to admit. I was worried that he had thought that Ajay was younger than he was and therefore underplayed the likely impact of a change of school and peer group on him. It is

harder for a new Year 8 entrant to establish their position into established pecking orders than it would be to maintain themselves within the positions they had established in Year 7, and harder than it would be to establish their place in the pecking order at the start of Year 7 when there are relatively few familiar peers for students in most Years 7 than in other Year groups. Dr Willemsen talked a great deal about the impact of domestic violence, rather than domestic abuse - though once in his oral evidence he did speak of domestic abuse. The allegations in this case are of coercion and control, and it may just be that there is a slightly dated use of language when referring to domestic violence, but Dr Willemsen is precise in his use of language otherwise, and I felt therefore that Dr Willemsen's assessment risked appearing overly focused on the existence of physical violence, which is not alleged in this case. Dr Willemsen did not know that I was going to conclude as I have about F telling Amit to lie about the sexual abuse allegation: that might very well have affected his analysis, and that therefore reduces the weight I feel able to put on it. It not only might affect his hypothesis about Amit, who has had to deal with facing his mother and maternal family having made allegations that F put him up to, which might reasonably be expected to cause Amit real confusion and resentment towards his father, but it also a factor that is not repeated for Ajay, and it therefore also reduces the weight I feel able to place on Dr Willemsen's fear that Ajay might in the future also reject his father.

I worry that Dr Willemsen may not have had full details of the time that Amit spent with F this year or the time that he asked to spend with F in May to watch a football match, but which F declined. It seems to me that Dr Willemsen might have wanted to more fully weigh those details in his analysis and I do not know how, if at all, that might have affected his analysis and recommendations.

It was not until his second addendum report that Dr Willemsen expressed the view that Ajay should move to live with F. It is relatively unusual for an expert to introduce such a fundamental change to their recommendations for the lives of each of the members of a family, and I would have expected a fulsome explanation of the justification for the change of stance and analysis of the impacts of it. In his first report Dr Willemsen said

"

It is not helpful to make a further recommendation; it is for the parents to begin to see that each have a narrative that serves their position, not the children's

".

In his second, in response to a question about the measures that could be taken to safeguard Ajay, he says.

"One measure is to place Ajay with his father; the other is an assessment of risk of harm and possible implementation of child protection procedures."

Which simply raises possible alternatives.

Having noted that

"

There is limited evidence, thus far, that the parents will adequately work with professionals, together, as a parenting couple

."

He then advises,

"

There two realistic scenarios. In the first scenario, Ajay stays with his mother and in the second he lives with his father

.

Ajay has a strong attachment to his mother and would suffer the loss of this relationship should he be placed with his father; he would also suffer the loss of the relationship with his brother.

Ajay would develop the attachment with his father and would not be exposed to Amit's behaviour, should Ajay be placed with his father. His emotional development will be less at risk. The conflict between the parents may reduce once Ajay is placed with the father."

In his third addendum report Dr Willemsen is asked "

Given the child and family assessment concluding there was no role for the local authority, do you consider the only way in practical terms that Ajay can be protected would be a move into his father's care?

"

To which he responds

"

This is a serious option for the court to consider.

"

And in response to a question asking, by reference to the 2 placement options for Ajay that Dr Willemsen had identified, which "

you consider is more likely to meet Ajay's psychological including emotional, educational and social needs in the short, medium and long term

"

Dr Willemsen replies

"

In my opinion, the conflict between the father and the mother will, likely, not end, and there is a considerable concern related to Ajay's exposure to Amit's behaviour and to Amit's and the mother's relationship. Apart from the risk related to a future breakdown of contact with his father, there is a need to protect Ajay from his brother

".

It was not until I heard his oral evidence that it became fully clear to me that Dr Willemsen was positively recommending that Ajay live primarily with F. That is because I cannot see the sort of detailed explanation for the shift in recommendation that I might have expected given the significance of it.

Moreover, in his first report, Dr Willemsen said,

"

The court proceedings have taken place over many years. There is clear evidence they cannot work together, talk to each other, or in any way consider the needs of their children together. It is very difficult in such circumstances to make any recommendation. The initiative will need to come from the parents. They will need to decide to work together.

This may seem like a difficult answer in light of the consequences for the children, which may mean Amit will not see his father, and Ajay too, in time, may lose contact, but such is the starkness of the current situation.

It is not helpful to make a further recommendation; it is for the parents to begin to see that each have a narrative that serves their position, not the children's. The evidence, as Dr Berelowitz already pointed out, points to considerable consequences for the children, should the parents not find a way of working together.

"

I simply do not see adequate analysis to explain why he has changed his mind from that position, nor as to the impact of his final recommendation on each of Ajay and Amit. That absence of analysis reduces the confidence that I had in Dr Willemsen's analysis.

Mr Carroll argues that Ms Owolawi's analysis should attract reduced weight because it " is prefaced on an acceptance of the mother's narrative

". I do not agree. In my view, she noted M's narrative but also fully considered and weighed F's narrative, too. In contrast to Dr Willemsen, she has been receiving the daily emails from M, attended the Team Around the child meetings, spoken to the school, social workers and has the police information. Her perspective is significantly more rounded than the narrower one afforded to Dr Willemsen. He cannot be criticised for that, but nor should that be ignored.

As Ms Gihair says, Ms Owolawi has met Amit on several occasions, whereas Dr Willemsen has not. That is a factor which inevitably tends to give more weight to her recommendations when compared to Dr Willemsen. I further agree that without having seen the boys together that reduces the weight I feel able to give to Dr Willemsen's analysis of the impact on each of them of a change of residence for Ajay.

Dr Willemsen's recommendation is predicated on a hypothesis about the reasons for Amit's current estrangement from F. I am not confident that Dr Willemsen fully appreciated that, for example, Amit recently asked to visit his father to watch a cup final with him, which F declined. That may mean that Dr Willemsen has a more rigid impression of the estrangement than is perhaps the case. It is also predicated on a hypothesis that Ajay will, if living with M, follow a similar trajectory leading to the loss of his relationship with F. Ajay did not live through the conflict between the parents as their marriage failed for anything like the time that Amit did. Ajay has not made the allegation of sexual assault that Amit did, or had to experience the consequences of having made the allegation. Ajay has had a more stable upbringing. He has seen a lot of professionals, but fewer than Amit.

Whilst I have made a specific finding that F told Amit to lie about a sexual abuse allegation, and that has weighed in the balance, I have also considered this question: would I have reached the same conclusion if I had not made that finding? I would, though of course the balance when I weighed the factors would have been finer. But, for the avoidance of doubt, I would still have reached the same conclusions. I felt it was important, nonetheless, to make the finding because the dispute on that point has been a running sore in the way that the parents interact for many years.

For those reasons I prefer, where there is a conflict, the expert opinion of Ms Owolawi to that of Dr Willemsen. However, I wish Dr Willemsen to know that I appreciate that had he heard the evidence that I had the benefit of hearing, I think it entirely possible that he would have formed a different recommendation.

Turning to section 1(3)

Children Act 1989

:

The ascertainable wishes and feelings of the child concerned

I have read carefully the 2 reports of Ms Owolawi where she recounts the children's wishes and feelings. Amit told Ms Owolawi that his "

parents are at war with each other. They are equally as bad as each other

". I can fully understand why he feels like that. I can also understand why he finds that so difficult to deal with. I note that Amit has happy memories of the family before his parents separated.

Dr Willemsen advises that "

Ajay's wishes were considered in light of a long-standing conflict between his parents which adversely affects his ability to express himself. The question, however, is whether, when there is so much conflict, the children's views are autonomous. Unfortunately, I am concerned that not too much weight can be given

".

In August 2024 Ajay messaged Ms Owolawi to say that he thought his surname should be changed to M's surname. That is not what M seeks, nor what Ms Owolawi recommends. Ms Owolawi considers that the way in which Ajay approached her was "

odd

" and "

clearly showed that Ajay has aligned with his mother's view about why his surname should be changed

". I do not fully understand that view, because the name Ajay suggested was different to the one that M proposes.

I have not seen Amit's independent wishes about changing his name. In the absence of clear evidence that he wishes to do so, I fear that it might adversely impact him and his relationship with each of his parents, but especially M, if I were to order a change to his name which he did not support.

Amit does not want to be compelled to have a relationship with F. He has said he will see F when he wishes to do so.

Ajay wants to have meaningful time with both of his parents. He has not expressed a desire to live primarily with F.

Given Amit's age, his parents accept that the Court will give significant weight to his wishes. They are not determinative, but they are of magnetic importance.

Ms Owolawi suggests that Ajay is "Gillick competent", which is a subtler concept than I can do justice to. Given that he has said he wants his name changed to M's surname, I cannot conclude that he wishes to have a double barrelled name.

I do understand the minor inconvenience of being asked at border control but I do not consider that significant.

Given Ajay's age and understanding, and Dr Willemsen's advice his wishes and feelings are important, but not determinative.

The child's physical, emotional and educational needs

The children need an end to the proceedings. They need an end to assessments and interventions.

Both of the children have been emotionally harmed by the conflict between their parents.

Amit needs to complete the work that the YOT team are doing with him, and if they recommend further work, which may also enhance meeting his emotional needs, he should be encouraged to do so.

Amit has been emotionally harmed by being coached by his father to lie about being sexually assaulted.

Amit needs to re-engage with education. Minimising his exposure to the conflict between the parents is likely to enhance that.

Both boys have the usual physical and educational needs of boys of their ages.

The likely effect on the child if circumstances changed as a result of the court's decision.

For the reasons set out above, I think Amit would be confused and upset were I to order a change of his name.

If I ordered a double barrelled name for Ajay, that would not be what he wants. I cannot tell whether it would be closer to what he wants than his current name, though I recognise that it may be.

I think it would be harmful to both boys if I caused one to have a different surname than the other - no one suggests this.

Changing Ajay's residence would cause a real impact: he would lose his primary carer since birth and his brother who, despite some tensions, he has a warm and positive relationship with. He would be forced to change school, losing his peer relationships. Some could no doubt be retained by M during the time Ajay spent with her, but not, in reality, many or perhaps for very long. The impact of not changing his primary residence would be the risk, identified by Dr Willemsen, that he might in the future suffer the loss of his relationship with F. Of course, the absence of the conflict of litigation, the cessation of constant assessment and interventions and, if he feels able to do so, a focus by F on having fun with Ajay rather than on the battle with M, would all help to reduce that risk.

The child's age, sex, backgrounds and any other characteristics which will be relevant to the court's decision

The boys are British with Gujarati heritage and come from a family of Hindu faith.

Any harm the child has suffered or maybe at risk of suffering

It is plain, and accepted by the parents, that the boys have experienced emotional harm as a result of the extended conflict between their parents.

Amit has suffered emotional harm from being encouraged by F to make a false allegation of sexual assault, which meant him being interviewed by Police and social workers, being asked to recount his story many times, limiting the time he was able to spend with his maternal family for an extended period, and having to cope with all the adults in his family knowing about the allegation and the fact that he had made it.

The capability of the child's parents (or any other person the courts find relevant) at meeting the child's needs

F has a medical condition for which some adjustments are needed. It is a lifelong condition but does not prevent him from meeting the needs of the children.

Each of the parents has demonstrated that they can meet the physical needs of the children whilst the child concerned is in their care.

The issue in this case is the ability of the parents to meet the emotional needs of the children. Dr Willemssen worries that the conflict between the parents means that Ajay will in a year or 2 lose his relationship with F. He believes that if Ajay were to live with F, a relationship with both parents could be preserved, and in his view the benefit of that outweighs the harm that a change of residence would cause to Ajay.

The range of powers available to the Court

Finality in Court orders is a strongly desirable aspect of Court proceedings. In this case, the parties had the benefit of a final decision which dealt with allegations of sexual assault that Amit had made, by an experienced Circuit Judge, in 2020.

I could make s8 orders, no orders, and/or a s91.14 order.

Both parents wished to appeal, for the same secondary school place for Amit. It is frankly astonishing that, faced with a common aim, they could not co-operate. This is just one example of the extent to which the parents seek to micromanage aspects of parenting. It seems to me that they each lose sight of the impact of their disputes on the children and fail to reduce the impact of what they are trying to achieve, and this is just one example of this dynamic, which has persisted for many years. I have no hope that it will change.

The parties continue to seek to use mediation to resolve their disagreements, except that they cannot agree how that will work or who will pay for it. I see precious little evidence that it has worked in the past and I worry that this is simply part of the dynamic of the way the parents interact with each other. It is sometimes better to agree to disagree rather than to spend a great deal of time and emotional energy pursuing an agreement that might never be attained. I see no need for me to make any order about that.

The parties do not agree whether family therapy would be beneficial and, if so, who would provide it or who would pay for it. I worry that the children, who are already extraordinarily fed up with being made to see professionals, will find the process unwelcome. If it helps the parents at all, I note that Dr Willemsen offered to help identify a therapist if they cannot agree and I should have thought asking him to make a recommendation was a sensible course, but only once all involved had agreed to participate and the parents knew who was going to pay for it.

It may be that either or both of the parents chooses to have therapy for their own benefit.

For the avoidance of doubt, either of the parents may disclose this note of judgment and my order today to any therapist providing therapy to either of the children or for themselves, if the content of this note would be relevant to the therapy being provided. I do not believe that an order is required because Family Procedure Rule 12.73, 12.75 and Practice Direction 12G already allow for this.

I do not think it appropriate for me to dictate how the parents should communicate with each other. I note that they have an app, which each is willing to use. Each can ask schools or medical providers to update them as needed (subject to any instructions the children might give, if the provider assesses them as Gillick competent). I suggest they might both benefit from (a) communicating about the children via the app only, save in the gravest of emergencies, whilst noting that the other ongoing court proceedings might need a different form of communication (b) only sharing updates if they think it necessary (c) not demanding information from each other (d) recognising that replies are not obligatory (e) recognising that sometimes people may agree to disagree. I trust the parties to continue to communicate with each other in courteous terms.

Decision & Order

I ask Mr Carroll to draft the order from today, in consultation with M & Ms Jain (or Ms Gihair if available), annexing this note of Judgment to it.

As the school appeal has long since concluded, F's application about that is dismissed.

There could and should be no order about where Amit lives. It would be pointless and just cause distress either to him or vicariously to him. I note that Amit may decide to take up the opportunity of spending time with his father when it suits Amit. Given that he did in March 2025 and asked to do so in May 2025, I hope that this more natural approach helps Amit to be able to take up some opportunities to do so before too long.

One of M's themes was that the sibling bond was sacred. She is, frankly, outraged that F should consider the possibility of the boys not living together. I disagree with her. A sibling bond is always important. On the facts of this case I am clear that it is, for each of the children, very significant. But that is not the determining factor. Firstly, even if the boys primarily live in separate places, no one is suggesting that they will not have the opportunity to see each other frequently and regularly, and to have extended periods of time together. No one is suggesting a

termination of the bond. Secondly, M is well aware that F acknowledges that given Amit's wishes and feelings and age, he cannot realistically pursue an order that Amit come to live with him, even though he would like that outcome. It therefore suits M to argue that the preservation of the sibling bond in its current form becomes a determining factor. Thirdly, Amit may well fairly soon move out from his parents' home, whether because he goes on to academic study, moves in with a partner or whatever: there is no reason for me to suppose that the boys will continue to live together for the remainder of Ajay's childhood, whatever I determine. In my view, that bond is simply a factor to weigh, as I have done when considering the impact on the children of the various outcomes.

There should no order defining arrangements for Amit to spend time with F, but in my view M should be ordered to allow, encourage and facilitate the relationship between Amit and F in such ways as Amit may want. That order will last until Amit is 16.

I have almost no confidence that M & F will be able to agree a narrative for boys explaining what the Court has decided and why. I ask that when she does her farewell work with them, Ms Owolawi explains the process and then shares with each parent the narrative she has given with the boys. I strongly encourage the parents not to try to vary her narrative.

There shall be an order that Ajay lives with each of his parents. There are not, in my view, exceptional circumstances which justify the making of an order beyond Ajay's 16

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birthday. Framing an order as a joint lives with order prevents the need for contact enforcement applications and gives Ajay the clear message that each of his parents will continue to care for him. I hope that it helps mitigate the risk identified by Dr Willemsen that at some point in the future Ajay will become estranged from F.

All previous s8 orders are discharged.

The real issue in this case, in my view, is how the time that Ajay lives with each parent shall be divided. There is a subsidiary issue about who conducts handovers. The parents agree these should be shared equally. They cannot even agree the pattern of this.

For all the reasons I have given above, and having preferred the expert advice of Ms Owolawi on this point I consider that Ajay should spend school term times primarily with M. School holidays will be equally split. For 2025, the summer dates shall remain as already agreed. For October 2025, Ajay shall live with M and for the Christmas holiday Ajay shall live with F. For 2026 onwards, holidays shall be shared equally between the parties, on such dates as they may agree. If they cannot agree, then in an even numbered year the first half of each holiday shall be spent with M and the second half with F, and the opposite shall apply in an odd numbered year.

During term times, Ajay will also live with F on the first full weekend of each half term and thereafter every alternate weekend, from close of school Friday until 8pm Sunday. Handover will be at public transport locations near the parents' respective homes, as appropriate. F shall

arrange transport on the first weekend of each school year, and the parties shall then take responsibility for transport each alternate weekend that Ajay lives with F through the school year. School holiday handovers shall be the responsibility of the person receiving Ajay. The parties may agree alternative arrangements from time to time.

The making of a lives with order in favour of both parents also engages section 13 of the

Children Act 1989

, which permits therefore each of them to take Ajay on holiday for up to 1 month without needing the consent of the other parent. I do not need to make any further order about that, or to replicate HHJ Atkins' order. I did not hear any objection from F to the proposed trip to India in October 2025 so long as it does not happen in term time, so that does not need an order so far as Amit is concerned.

As I understand it, M and the children dislike being stopped at airports because the children have a different surname from M. This is an extremely common phenomenon, especially as separated and blended families become ever more frequent. The parents were married to each other when the children were named and the children have had their current names throughout their lives. Ms Owolawi's final report is silent as to the wishes and feelings of the children which, given their ages, would weigh heavily in the balance. Her first report is silent as to Amit's wishes and feeling but says that Ajay would like a different name to that proposed by M and recommended by Ms Owolawi. In her final submissions M made clear that she seeks only to change the children's name for birth certificate and passports, and not to change the name by which they are known. The impact on them, and especially Amit, of learning that their names are to change is barely evidenced at all. In my view the impact would be significant and the justification for that change is simply not evidenced. I note, too that this could have been addressed in each of the earlier proceedings and no one has suggested why it wasn't. The impact on the children might have been much reduced if it had been: this could and should have been tackled in the first set of proceedings if it was to be raised. I agree, therefore, with F, that I should not make an order authorising the change of the name of either child.

I agree with NYAS that no Prohibited steps order is needed. I think it unnecessary. M can simply control the information she chooses to give to F, who can obtain information from school and clinicians as he sees fit.

A copy of my order annexing this note shall be sent by NYAS to Dr Willemsen and to the local authority, so that they know the outcome and reasons for it. That shall not be sent to the local authority until the time for any appeal to be made has expired.

There shall be a s91.14 order lasting for 3 years, applicable to each parent. F's evidence was that the children were harmed by the litigation and needed a break from it. That seems to me to be a concession as to the benefits of an order being made. Whilst each of M & NYAS invite me to make an order for longer, I consider that there would be no point making one to last beyond Ajay's 16

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birthday in any event. The making of an order should be proportionate to the issue at hand, and I consider that 3 years strikes a fair and adequate balance between the need to protect the children from further litigation and the rights of parents to be able to make applications to the Court about their children. For Amit the s91.14 order will need to end when he reaches 18. 3 years is a relatively long order, but the history of this litigation justifies that duration, in my judgment. Of note, the s91.14 order stops applications under the

Children Act 1989

being made without the Court's permission, but an application could be made, if needed, pursuant to section 34 of the

Family Law Act 1986

, for an order for recovery of Ajay, if one parent were to retain him beyond the duration of the 'lives with' order.

Transparency

There is a powerful public interest in the public being able to see how justice is administered. Partly that is helped by the publication of the Judgments of Judges. But in cases which concern children, publication can expose them to intense and unwanted pressure, which can be very harmful indeed. Judgments in cases such as these are therefore normally anonymised so that the children cannot be identified. Necessarily that generally means ensuring that their parents cannot be identified, either. The names of lawyers, the NYAS reporter and the expert witnesses are normally published. None of them is criticised in this judgment. I will therefore also circulate an anonymised version of this note, which I propose in due course to publish as a Judgment on the National Archive. I ask all parties to read the anonymised version to ensure that the identities of the parties and children would not be revealed to anyone reading the anonymised judgment. I will need to change the names of the boys and propose to use 'Amit' and 'Ajay' for them, so that people reading the judgment can still make sense of it. They are not the real names of the children.

Costs

M seeks costs from F. To the extent that she seeks arrears of maintenance, that will be resolved in other proceedings between the parties. DJ Bishop had directed her to prepare a schedule of the costs she seeks, but what she has done is included a short section in her final statement setting out the sums she seeks. In circumstances where an expert witness has in essence supported F's position at trial, I do not consider that it was unreasonable for him to take that position. I decline to award costs generally. M also seeks reimbursement of the £230 she contributed to the intervention work, largely funded by F, by an organisation called C. They decided fairly quickly that theirs was not the right service for this family. I do not consider that M can show that F has

behaved unreasonably in this regard.

I therefore make no order for costs save that the publicly funded costs of the children should be the subject of detailed assessment.

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