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Director of Social Work

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Tayside Regional Council

SOCIAL WORK DEPARTMENT

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Social Worker Mr. E. Titterington/JW
preparing report



SOCIAL BACKGROUND REPORT
CHILDREN'S HEARING

The following child:—

Surname Jones

Date of Birth (1) 26 12 69 (2) 15 7 72

Christian Names
or Forenames (1) Andrew (2) Sarah Jane

Religion Protestant

School (1) Kirkton High (2) Rosebank Primary

Address 8 Balgowan Place,

Occupation School children

Dundee.

Currently in Ann Street Children's Home.

is to appear on 9 December 1983 at 2.15. Dundee Children's Hearing

in connection with Continuation from 18 November, 1983

The children's hearing was continued from 18 November to allow for further enquiries as to the suitability of Andrew and Sarah returning home, and in particular mother's state of mental health and ability to cope. Psychiatric reports were asked from Dr. Morton child psychiatry and also from a consultant at Liff Hospital. I have only recently heard that the consultant who will be preparing the medical report will be Dr. Fowlie (consultant psychiatrist). He unfortunately will not be seeing Miss Mill until Saturday 10 December. As a result his report will not be available for consideration at this children's hearing, which certainly has implications on what our recommendation will be to the hearing.

(1) Position at 18 November.

(a) Parental Rights.

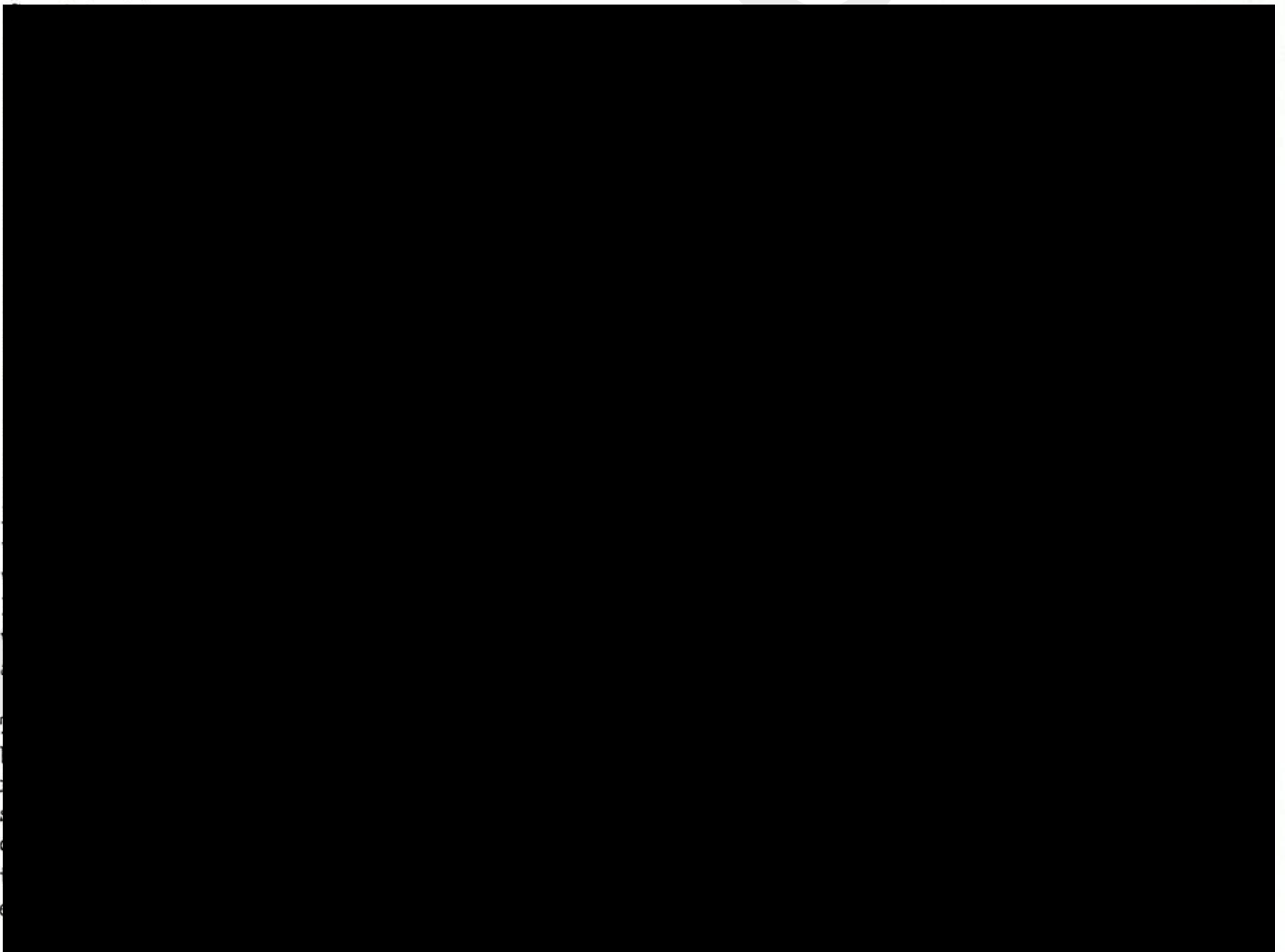
At the last children's hearing on 18 November we were at a position where Miss Mill had intimated that she was not going to fight Tayside Regional Council's decision to assume parental rights. Contrary to what was reported by her legal representative the implications had been fully explained to her not only by myself but also Mr. Ramsay officer in charge at Ann Street. However, Ann Mill could still not grasp what was being said and she chose not to accept our advice at that time, that she should seek legal help. We made it plain all along that although we had parental rights we would not deny her access to her children and she saw them regularly. Parental rights without the supervision requirement would in our opinion have satisfied the needs of this case. ^{as} If circumstances changed with Ann Mill, though we were not looking at this immediately as events have forced us, given favourable medical advice we could have returned the children home. If this could be done successfully we could then have rescinded parental rights.

Andrew and Sarah Jane Jones (cont'd).

(b) Andrew.

At November 18 we were reluctant to consider Andrew having over-nights home because of the presence of the lodgers in the house. They were taking up the bed space which he should have had. It had only been a month previously that Andrew had refused to visit on the Saturday because of one of the lodgers. We were not pleased about the presence of these lodgers and I had told Ann Mill this. Once they had moved out and there was no sign of them returning then we would have considered Andrew starting off with having over nights. There was no sign of Ann Mill at that time having got rid of the lodgers. Andrew we felt even then could cope with home and could probably survive. However, our two main fears were how much responsibility he would have to take in the house because of mother's inability to cope and whether his school work would suffer. Firstly because of mother's mental health and limited intelligence he could not get the guidance and also the standard and style of care that a fourteen year old should get. Certainly Andrew is very fond of his mother and took a very protective line towards her, but there was always the question of should we allow a fourteen year old boy to take responsibilities for which he should not have to, for several years to come. Secondly, at Ann Street, he was in a regular routine, being wakened in the morning, having everything ready for school, and returning at a regular time. Staff were always present to see that he was tidy, and not late. He was also encouraged to do his homework. If Andrew goes home he will not have this support & he will be required to get himself out in the morning. Prior to his re-admission into care in January 1982, while his attendance was perfect at school, when he was at Roineach Mhor, it soon deteriorated when he went home.

(c) Sarah.



Andrew and Sarah Jane Jones (cont'd).

(d) Ann Mill.

It would be fair to say that Ann Mill has been mentally as well as she has ever been, for quite a long period. She gets her injections regularly and these are helping to keep her stable. She has a lot of good points, especially in that she cares a great deal for her children and has visited them regularly without fail. Despite having had problems with Christina in the past she was willing to have her home and they now appear to get on relatively well. However, we had long term worries about Ann's ability to cope.

Firstly, although she is functioning at a good level mentally, we still had doubts as to her ability to take on the role of a mother. Ann was far from assertive over her older daughter, Christina who in fact is the dominant person between them. Andrew, although he is fond of her can get very embarrassed with her, especially over her choice of friends. This was one of the reasons why he refused to go home a month ago. He saw his role as protecting her, rather than a normal mother - son relationship. Sarah's relationship with her mother was more of a conspiratorial giggly schoolgirl type. They would laugh and joke away and Ann failed to notice when Sarah was over excited. It was left to the staff to deal with Sarah after mother had left. Ann's view of being a mother appeared to be similar to a mother hen she wanted to have her children about her but she did not know what to do with them if they were there. Ann Street have tried to encourage Ann Mill with helping Sarah at Ann Street; mother's attempts were not very good and she showed little interest.

Secondly Ann Mill is very weak-willed and is open to manipulation. Christina her daughter was adept at this and often in the past Ann Mill would give her money which she could ill-afford. Andrew and Sarah are also responsible for a bit of this as well since they expect their mother to give them some ^{money} or sweets when she visits. I have often said to Ann that it is more important that she visits than bringing something as well for the children. Ann, however, persists, because she does not want to disappoint ^{was} Andrew and Sarah. Manipulation was also carried out by her lodgers, one of them, [REDACTED] Ann picked up at the Wishart

Andrew and Sarah Jane Jones (cont'd).

/Wishart Centre. Although he did contribute to the household he did very little work there, ate her food and used her heating and it is probable he took more out of the arrangement than he was prepared to put in. [REDACTED] was a lady who was border-line mentally handicapped. She used to stir up situations by making malicious phone calls and making false accusations with people. We suspected she stole money and it was not the first time she had left Ann short of money. Another lodger who lived with her previously, had even offered to pay Ann's rent. He took the rent money from her and forged the entry, making no payment. The matter did not come to light until the Housing Department informed Ann that she had rent arrears of nearly £100. Our department helped her out by negotiating an arrangement with the Housing Department.

Thirdly we had doubts of Ann coping financially, she has always been short of money living on a very limited income. Given the way she has been manipulated there are times when she is short of money. Our department have had to help out at times and D.H.S.S. will no longer guarantee any advance payments because of the numerous times she is short of money. Ann Street children's home have even had to help with bus money so that she will come and visit her children.

.) Position since 18 November.

(a) Andrew.

One of the problems of the last hearing has been to raise expectations that Andrew could be going home immediately. He certainly has been looking forward to this but he has been made aware that if he does go home he will lose his £2.75 per week pocket money and his own financial position will change dramatically. Andrew may well be able to live with this fact but for a boy of his age there will be a certain amount of adjustment. In fairness to Andrew he does not squander his pocket money and tries to save a lot of it. However, he would not have any money to save. Andrew still continues to do well at Ann Street and at school. Everyone is pleased with his progress.

(b) Sarah.

(c) Ann Mill.

It would appear that Ann Mill has got rid of her lodgers. This happened on 21 November and it would appear she was persuaded to do this by her daughter Christina and also her solicitor. In the process of getting rid of her lodgers she left herself with no money. To make matters worse her cooker packed in. D.H.S.S. refused to help. Although our department had no statutory requirement to help, since there were no dependents living at home, we gave Ann the temporary loan of a cooker until hers was repaired and also a food line to purchase groceries. Ann St. also/

Andrew and Sarah Jane Jones (cont'd).

/also helped by sending up some food and also by giving Ann bus money to visit Sarah. I had to give Ann advice as to meeting her commitments to her rent and also altering her housing benefits. She also phoned me up to say that a lodger had returned. Our advice was very strong in that she should get him to leave. This in fact happened. Ann has also been to see Dr. Morton and she is due to be seen by Dr. Fowlie on Saturday 10 December. There are signs that Ann is able to stand up for herself but as has been shown she is still vulnerable and requires a lot of support to cope properly.

(d) Review meeting held on 5 December.

On 5 December we held our 6 monthly review of Andrew and Sarah. The review had been postponed from a previous date to allow Dr. Morton and Miss Sherrard (child psychiatry) to be present. The review dealt mainly with the future plans for Andrew and Sarah in the light of the children's hearing of 18 November. Dr. Morton reported on his interviews with Ann Mill and Sarah. He felt that Ann Mill was as well as she would ever be and that she could cope with having Andrew and Sarah. However, he felt that the way this would be carried out would be by the children's hearing discharging the supervision orders and given the fact we had parental rights this would protect the children's interests if they went home. If mother could not cope then we could take the children into care again. In his view a home trial could be set up virtually at once and the children returned home as soon as possible. With Andrew few problems could be envisaged but with Sarah it was felt essential even though she went home that she continue with Rosebank School, the brownies, and also with Ann Street. He admitted there would be a risk involved with this plan if Ann Mill could not cope, in our opinion, then we could simply remove the children and place them into care. Dr. Morton was also opposed to a contract being formed where Ann knew what she could and could not do. His argument was that the strain of adhering to this contract could affect her health. Ann Mill was also present at part of the review but due to constraints on Dr. Morton's time he was not present at this stage. Ann indicated that she would be prepared to try a home trial but she also would be happy with the children getting over-nights and weekends to start off with. She herself revealed that she was not seeing Dr. Fowlie until Saturday 10 December and that his report would not be available until after then. Dr. Morton does apparently feel that Dr. Fowlie's report is necessary before the panel can take a decision and he was not aware that Dr. Fowlie's report will not be available for the panel.

(e) Social Work Department's Position.

While our department are not qualified to question the medical opinion of a psychiatrist we do have reservations about some of the practical proposals suggested by Dr. Morton. Firstly, although we do have parental rights, we do not see this as the best means to supervise the possible return home of Andrew and Sarah. We feel that this would best be done by the children's panel under a section 44(1)(a) order. We have been apparently accused by Ann Mill's solicitor of working in an underhand way and the continued involvement of the children's panel would ensure that an independent body would have a say in the plans for returning the children home. This would also be crucial if the home supervision broke down then we would be accountable for our actions to the children's hearing. This would protect Ann Mill since if a home trial were carried out under Section 16 (Parental Rights) alone, there would be/

Andrew and Sarah Jane Jones (cont'd).

/be no accountability other than within our own department. Dr. Morton is also of the opinion that a Section 16 supercedes a 44(1)(a) order. I have been told this is not the case.

Secondly there is the matter of a contract. For Andrew and Sarah's return home it is essential that we have a working contract with Ann Mill. Dr. Morton's suggestion that there be no contract would leave too many uncertainties that would lead to a deterioration in Ann's mental health which is the very thing we want to prevent. If Ann Mill knows what is expected of her, then any home supervision will be easier for both sides. For example if part of the contract were that Ann was responsible for taking Sarah to Rosebank School everyday she knows the consequences of not doing this. It would not help Ann if she was aware of a vague threat from ourselves that if Sarah did not go to school then we might have to take her away. Similarly a condition of a contract we would want to see would be no lodgers. Ann Mill would then know that she could not invite anyone to stay. If she perhaps did have a lodger there would be the uncertainty when having no contract of whether we would approve of the lodger or whether she should hide the fact. This would also not help to build up a working relationship.

Thirdly there was a strong disagreement about whether the children should be returned home immediately or on a gradual basis. Dr. Morton felt strongly that there should be an immediate return. Ann St. and ourselves would favour a gradual approach. This means that before a home supervision order was even considered there would be an established pattern for Andrew and Sarah returning home. We could also pick up any possible problems at an early stage and still safeguard the children's places at Ann Street. Were the children to return home there would be no guarantee of the children being able to return if there were no vacancies at the required time. In any case given the way events have turned out we would be able to suggest a compromise. The most essential report in my opinion that will have to be considered will be Dr. Fowlie's psychiatric report on Ann Mill. Although Dr. Morton has ventured an opinion he has never been Ann Mill's personal psychiatrist and he has not been involved either with Ann Mill or Sarah until recently. Dr. Fowlie has known Ann since she was first admitted to R.D.L.H. in August 1980. He therefore has had the continuity of contact which would give a more accurate assessment of the ability of Ann to cope if the children were to return home. It is unfortunate that his report is not available for this forthcoming hearing. Our recommendation will be that the panel do not agree to Andrew and Sarah going home until it had had time to consider Dr. Fowlie's report. I also understand that another hearing because of the unavailability of dates cannot be arranged until early next year. The other problem is that Andrew's panel order expires on the 16 December and if the panel wish that he continue on supervision then I would recommend he continue on a 44(1)(b) order at Ann Street. It would be wrong to try and pre-empt Dr. Fowlie's opinion which could still be unfavourable for the children to return home. However, I would be prepared to give the undertaking that when I receive a copy of Dr. Fowlie's report and if it is in favour of the children going home, then we will immediately make arrangements for Andrew and Sarah to have overnights and weekends as well as establishing a working contract with Ann Mill. We would also hope that an early hearing can be arranged in the New Year and if the time at home is going well we would then ask for the children's hearing to consider a 44(1)(a) supervision order.

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Andrew and Sarah Jane Jones (cont'd).

Assessment and Recommendation:

Given the events in the past and my own experiences with this case, there will be a strong element of risk if these children go home. It is probable that Andrew will manage better than Sarah and her position will have to be monitored very closely to ensure that she does not regress. Mother's continued mental state will also have to be constantly looked at. However, despite our doubts, if the medical evidence points to Ann Mill being capable of looking after Andrew and Sarah, then we will make arrangements for these children to go home. Dr. Morton has stated that he feels mother can cope and that the children go home. However, as stated we would question some of the practical aspects of his opinion. Dr. Fowlie's report is not yet to hand and this report is essential before a decision is taken,

Because of this I would recommend that the status quo continue at present and that Andrew and Sarah remain in Ann Street on a 44(1)(b) supervision order. I will also be prepared to make the undertaking that once Dr. Fowlie's report is received and it favours the children going home then we will arrange for the children to go home for overnights and weekends as well as asking for a panel to be arranged in the early New Year to consider at that stage a 44(1)(a) supervision order.


Mr. E. Titterington,
Social Worker.

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I will attend the hearing.