

THRESHOLD CRITERIA

The relevant statute **Section 31 (2) Children Act 1989** is the test which has to be met before a Court can consider the welfare principles for a care order, the welfare checklist and whether or not an order should be made and if so, which order.

Section 31 (9) defines harm, development, health and ill treatment.

Section 120 ACA 2002 extended the definition of harm to include *“impairment suffered from seeing or hearing the ill treatment of another”*.

The nature of harm is set out but not the degree.

Relevant Rules – Disclosure FPR 1991 Rules 4.4 and 4.14.

When is significant harm not significant and not harm?

Re L (Care: threshold criteria (2007)) 1 FLR 2050.

Agreed orders, agreed facts, concessions, agreed threshold. What does all this mean?

Split hearings

PLO/Case Management Conference/IRH

Parental compulsion

Standard and burden of proof

Care/supervision least intervention.

Care Plan or Wish List?

Patricia Ayer. Piece 1st. Successful care in court.

- 90% of some care review should be: -

local authority 150: in court and each LA has

1-2 some care reviews:

- Acclimatisation - home moved to position with family, become very attached to family and fail to see the faults of parent

- 2 girls 13 + 15 as prostitutes. - mother died and were allowed to live at home alone, supervised by SW; - ~~no~~ during this period they were abused, etc. beyond shadow of doubt had a claim against LA.

- On husband man who can be a source of information a to themes / theory of particular local authority - words - on to parent centred etc.

S. 8 - Neobehavioural about learning: not supposed to be disciplinary etc.