

Chapter 9: Long term planning for children

Sonia has three children, Anita who is 12, Ben who is six, and Caitlin who is two. Sonia suffers from chronic alcoholism. Unfortunately, her sober intervals are becoming increasingly rare. She had a serious relapse about 18 months ago. The children were found on their own in Sonia's flat and it appeared that she had been gone for some days. Care orders were obtained on all three children. Anita is now settled with her grandmother. Ben and Caitlin are living with foster parents. You have been allocated this case and you would like to achieve some permanence for the children. Sonia has recently reluctantly begun to accept that she is unlikely to be able to care for her children again. The three children are very close to each other, and Anita is particularly close to Caitlin as she was her primary carer for large parts of her babyhood. Anita is very happy living with her grandmother. She has made it quite clear that she does not want to end her relationship with her mother. Ben and Caitlin are settled with the foster parents who have expressed a wish to adopt them. Caitlin in particular is very attached to them. The foster parents are white and in their mid-forties. Ben and Caitlin are mixed race.

What suggestions would you make to provide for the children? Why? What further information would you need? Assuming you decide that adoption may be appropriate, explain the procedure to Sonia. What contact provisions would you recommend?

Where possible it is always better for siblings to remain together unless there are very good reasons for them to be separated, such as where there is a trauma bond. In this case, two of the children are placed together and an older sibling is living apart. One question to settle early on is, what is Sonia's long-term prognosis for being able to look after her children again? If she is correct that she is not able to do so, then it would be prudent to establish if another family member can do so. The grandmother is already looking after Anita. Could she also look after Ben and Caitlin?

If she is unable or unwilling to do so, then it maybe possible for the children to be adopted. At the point at which the care orders were made the local authority should have provided the court with a care plan for all three children. In that no mention is made of placement orders being made at the time of the care proceedings, it is likely to local authority decided that the long-term plan for the children would be permanent fostering for the younger children or at least that is what the court decided should be the plan. For Anita, she is likely to have been placed with her grandmother as a foster placement initially under Regulation 24 of the Care Planning regulations for temporary approval and subsequently as an approved foster parent. The grandmother might be persuaded to make an application for a Special Guardianship Order so that she can exercise parental responsibility for Anita.

For the younger children to be adopted, the local authority would have to either seek placement orders or Sonia would have to voluntarily relinquish the children for adoption. The foster parents can make an application to adopt the children but they must first give notice of their intention to do so under s44 of the Adoption and Children Act 2002. The local authority would then have to assess their suitability. Should an Adoption Order application be made by the foster parents, the court would have to first deal with the matter of parental consent. A Contact Order could be made at the same time as the Adoption Order so that the younger children can maintain contact with Anita and possibly even their mother.