Case No: LE25C50082

Neutral Citation Number: [2026] EWHC 2968 (Fam)

IN THE HIGH COURT OF JUSTICE
FAMILY DIVISION

Royal Courts of Justice
Strand, London, WC2A 2LL

Date: 30/07/2026

Before :

MS JUSTICE HARRIS DBE

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Between :

A Local Authority	**Applicant**
- and -	
X	**1st Respondent**
- and -	
Y	**2nd Respondent**
- and -	
B, C, D, E	**3rd to 6th**
(by their children's guardian, Paul Henry)	**Respondents**
- and -	
A	**7th Respondent**

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Hannah Markham K.C. and Samantha Dunn (instructed by **Andrea Clarke-Davies of the Local Authority**) for the **Applicant**
Richard Hadley K.C. and **Heather Popley** (instructed by **Katie Randall of P R Robinson**) for the **First Respondent**
Jonathan Sampson K.C. and **Matthew Brookes-Baker** (instructed by **Andy Wisniewski of Family Law Solicitors**) for the **Second Respondent**
Katie Miller and **Rhianna Manani** (instructed by **Chet Desai of Cartwright King**) for the **Third to Sixth Respondent**
Will Tyler K.C. and **Meredith Major** (instructed by **Nicholas Herring of Wilson Browne**) for the **Seventh Respondent**

Hearing dates: 6th July, 7th July, 8th July, 9th July, 10th July, 13th July, 14th July for written submissions, 16th July and 30th July.

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Approved Judgment

This judgment was handed down remotely at 1.00pm on 30th July 2026 by circulation to the parties or their representatives by e-mail.

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MS JUSTICE HARRIS DBE

This judgment was delivered in private. The judge has given leave for this version of the judgment to be published on condition that (irrespective of what is contained in the judgment) in any published version of the judgment the anonymity of the children and members of their family must be strictly preserved. All persons, including representatives of the media and legal bloggers, must ensure that this condition is strictly complied with. Failure to do so may be a contempt of court.

Ms Justice Harris DBE :

1. This matter relates to five children: A aged 16 years old, and his four younger siblings B aged 7 years old, C aged 6 years old, D aged 4 years old and E aged 2 years old. The guardian of the four younger children is Paul Henry. He has been represented at this fact-find hearing by Ms Miller and Ms Manani.

2. A directly instructs his own legal representatives. He has been represented at this hearing by Mr Tyler KC and Ms Major.

3. The children's mother is X. She has been represented at this hearing by Mr Hadley KC and Ms Popley.

4. The children's father is Y. He has been represented at this hearing by Mr Sampson KC and Mr Brookes-Baker.

5. The local authority is A Local Authority who have been represented by Ms Markham KC and Ms Dunn.

Background:

6. A was the subject of previous care proceedings in 2014 having presented at hospital with numerous injuries. Threshold was compromised and he was returned to his mother's care under a supervision order. On 13th April 2025, A ran away from the family home and made a 999 call. He alleged that he had been subjected to sustained serious physical, sexual and emotional abuse at the hands of his mother for the last 10 years. A alleged that he had run away following an incident that afternoon in which his mother had held a knife up to his eye and he was worried the abuse was escalating again. As a result of those allegations the local authority issued care proceedings and all five children were made subject to interim care orders. All five children are now residing with their father, the parents having purportedly separated. The local authority characterise the abuse A alleges he has suffered in the care of his mother as amounting to a torturous regime. During the course of these proceedings A has once retracted the allegations (October 2025), before reinstating them (May 2026). A is clearly a highly conflicted vulnerable young man. In January 2026 he made a serious attempt on his own life. It is in many ways remarkable and enormously to his credit that he has managed to achieve sufficient stability and focus to sit his GCSE examinations this summer.

Threshold:

7. The local authority rely on the following threshold allegations (as amended upon conclusion of the oral evidence):

> **1. Injuries**
>
> As at the date A underwent his Child Protection medical on 14th April 2025, he presented with the following injuries:-
>
> 1) 4cm cut / laceration to his right cheek.
>
> 2) 8cm linear scar to right flank.

3) 2cm scar to his right thigh described as a brown scar.

4) 5cm swollen bruised area to his right shin.

5) 4cm swollen bruised area to his right lower shin.

6) 1cm white scar to the occipital region on scalp.

7) 0.5cm brown birth mark to his right elbow – not an injury.

8) 3-4cm multiple brown doughnut shaped marks with central sparing, singular crescents to his back.

9) 1cm white scar to his right scapula.

10) 1cm white scar to his right posterior shoulder.

11) 2cm scar to his right elbow – likely accidental.

12) Cluster of three bruises to his lower back – likely accidental.

13) 0.5cm abrasion to his right hand.

14) 0.3cm abrasion to his right hand.

15) 0.5cm diameter multiple small brown circular scars to his dorsum of right foot.

2. Causation

1) The 4cm cut / laceration to his right cheek was located on the soft part of the face. It was caused by a blow with a sharp-edged instrument that caused an incision in the skin.

2) The large 8cm scar on the flank was caused by a sharp-edged instrument causing an incision in the skin.

3) The scar on the right thigh was caused by a sharp-edged instrument causing an incision in the skin.

4) The swollen 5cm area on the shin was caused by an impact with a hard object onto the area.

5) The swollen 4cm area on the shin was caused by an impact with a hard object onto the area.

6) The white scar on the occipital area of the scalp is an old injury resulting from the split of the skin or a cut on the scalp caused by a sharp object, a forceful impact with a sharp object or from a forceful impact with a hard object/edge of rock or pole.

7) [This is not an injury it is a birth mark.]

8) Three human bite mark injuries caused to A's back.

9) 1cm white scar to his right scapula was caused due to a laceration or forceful impact causing the skin to split. Likely caused by a sharp or heavy object.

10) 1cm white scar to his right posterior shoulder was caused due to a laceration or forceful impact causing the skin to split. Likely caused by a sharp or heavy object.

11) [likely accidental]

12) [likely accidental]

13) 0.5cm abrasion to his right hand resultant from a forceful graze or impact with an object / forceful rubbing with a hard, rough surface causing some injury of skin.

14) 0.3cm abrasion to his right hand resultant from a forceful graze or impact with an object / forceful rubbing with a hard, rough surface causing some injury of skin.

15) Healed injuries of scars on the dorsum of the foot were inflicted injuries.

3. Degree of force used:-

All of the injuries identified in para 1 above are inflicted injuries [save for no 7, 11, 12] and each would have required a significant amount of force to inflict. A would have experienced pain and significant discomfort at the time.

4. Infliction and perpetration:

The above injuries [save for no 7, 11 and 12] individually and collectively were inflicted on A by the mother. The injuries were inflicted over several different events at several different times.

The mother would have been fully aware that she had inflicted the injuries to A and that A would have experienced pain, discomfort and distress at the time each of the injuries were inflicted.

If the mother had not inflicted the injuries, she took steps to cover up the infliction of some (knife mark to cheek) and failed to share

her worries with the father or any third party, thus failing to protect A

5. Torture:

The above injuries were inflicted as part of a torturous regime within the household where A was punished routinely.

Incidents include, but are not necessarily limited to:

(a) A being forced to lie down on the floor whereby mother would then walk on his back with heels or use wooden planks to strike his back and or his head.

(b) Mother would hit A with poles and spanners targeting bony prominences to deliberately inflict more pain.

(c) Mother would strike A to the head with a wrench or spanner.

(d) A was frightened of his mother and the parenting or treatment he would receive from her, describing her as a "feral animal, it was like living with something that wasn't human, it was terrifying".

(e) A was strangled by his mother.

(f) Mother would pull A's hair hit him and kick him.

(g) Mother would cut A using knives and scissors.

A has experienced flashbacks, nightmares, difficulties sleeping and physical pain as a consequence of the significant harm that was inflicted on him

6. Harm caused to the siblings as a consequence of that torturous regime within the household:

B, C, D and E were all placed at risk of significant emotional harm as a consequence of living within the same household where they would have been exposed, either directly or indirectly, to the significantly harmful parenting mother inflicted upon A.

7. Malign influence

The mother has placed pressure upon A to retract his allegations against the mother.

(a) The mother meeting up with A, despite bail conditions and undertakings prohibiting such, she has pleaded with A to retract his allegations

(b) A has his mother's number in his new phone and has been influenced by seeing her status changing.

8. The mother has sought to influence third parties into placing pressure on A to retract his allegations, which has included sharing confidential documents from these proceedings with third parties.

9. Mother prioritised her own needs above the needs of her children by allowing A to take on a parenting role for the younger children which included clearing up sick, changing nappies, feeding the children and taking them to and from school.

10. Parental collusion:

The parents have lied to professionals and have misled them and the court by asserting that they were separated when they had not. This included:

(a) Engaging in a sexually intimate relationship.

(b) Mother sharing court documents with father and discussing the case.

(c) Discussing A, his allegations and retractions.

(d) The father being aware of unauthorised contact between A and his mother and failing to prevent this.

11. Parental drug misuse:

(a) The parents have at times both led a chaotic lifestyle and have both used illegal drugs.

(b) The children, in particular A, have been exposed to this whether directly or indirectly.

(c) The children have also been exposed to the consequences of the parents associating with individuals whom supply illegal substances.

(d) The mother has also misused non-prescription drugs (Co-codamol) and has not been honest and open about this drug use.

12. Findings sought against Y (after close of oral evidence):

(a) Y has a lack of insight into the allegations as pleaded against the mother.

(b) Y failed to protect A and his siblings by failing to work open and honestly with professionals in October 2024 with regards to the accepted ongoing toxicity within the parents' relationship and failing to ask more probing questions with regards to the injury A sustained in April 2023.

8. X denies causing any injuries to A. Y denies any knowledge of the injuries, save for the injury to A's cheek for which he was given an alternative explanation. He denies having any knowledge of A being abused by his mother.

9. X accepts that she breached the bail conditions, meeting up with A on one occasion in May 2025. She denies asking A to retract his allegations. Y denies knowing about any telephone or other contact between A and his mother. X accepts that she shared confidential court documents with her brother maternal uncle W, but again denies that she sought to use her brother to put pressure on A to retract the allegations.

10. X denies that A was made to take on an inappropriate parenting role. Y asserts that A was asked to undertake appropriate chores for a teenager to assist the family.

11. Both parents accept that they were not open and honest with professionals or the court regarding their ongoing relationship, albeit father says he only physically met up with the mother and engaged in sexual intercourse with her on four occasions. Y denies knowing that X and A were in contact and that he failed to prevent it. The father accepts he did not tell the social worker of mother's attempts to contact A until December 2025 when he became aware A had met up with his mother.

12. Mother denies any substance misuse or leading a chaotic lifestyle. Father accepts using cannabis until April 2024 and that the home could on occasions be chaotic due to having four young children.

Law:

13. The core legal principles to be applied at a fact-find hearing can be briefly stated as they are not contentious.

14. The burden of proof rests at all times with the Local Authority. The parents do not have to prove anything to the Court. In this regard, the Court reminds itself that it must always be cautious not to effectively reverse the burden of proof by requiring a parent

to provide a credible explanation for a child's injuries. This does not however mean that the absence of any credible explanation for the child's injuries by the primary carer(s) when such an explanation might be expected is not a relevant, even very significant, consideration for the court in its overall evaluation of the evidence. Similarly, where a parent proffers an explanation that is patently untrue. This was recently reiterated by Peter Jackson LJ (approving *Re BR (Proof of Facts)* [2015] EWFC 41) in *Re M (Children: Findings of Fact)* [2024] EWCA Civ 1290:

> The fourth submission is that the judge reversed the burden of proof in respect of the father by noting the lack of an account of an accident from either parent. This is a familiar argument, addressed in *Re BR (Proof of Facts)* [2015] EWFC 41 at [15-17] in this way. It would of course be wrong to apply a hard and fast rule that the carer of a young child who suffers an injury must invariably be able to explain when and how it happened if they are not to be found responsible for it. However, the absence of any history of a memorable event where such a history might be expected in the individual case may be very significant. Medical professionals, social workers and the court are entitled to take account, to whatever extent is appropriate in the individual case, of the lack of a history of injury from the carer of a young child. In the present case, the judge regarded the lack of any account from a carer as a factor, among others, that supported her conclusion. As Mr Morgan put it on behalf of the Guardian, consideration of the evidence does not amount to reversal of the burden of proof. In reality this aspect of the appeal is a complaint that the judge gave too much weight to the lack of an account. I reject that submission too.

15. The standard of proof is the balance of probabilities.

16. Findings of fact in these cases must be based on evidence, including inferences that can properly be drawn from the evidence and not on suspicion or speculation.

17. When considering cases of suspected child abuse, the court must take into account all the evidence and furthermore consider each piece of evidence in the context of all the other evidence. The court invariably surveys a wide canvas. A judge in these difficult cases must have regard to the relevance of each piece of evidence to other evidence and to exercise an overview of the totality of the evidence in order to come to the conclusion whether the case put forward by the local authority has been made out to the appropriate standard of proof.

18. When determining whether a fact is proved on the balance of probabilities, the inherent probability or improbability of an event remains a matter to be considered.

19. The evidence of the parents and any other carers is of the utmost importance. It is essential that the court forms a clear assessment of their credibility and reliability.

20. The court notes the oft-cited references to paragraphs 576 and 577 of the judgment of MacDonald J in *Re P (Sexual Abuse – Finding of Fact Hearing)* [2019] EWFC 27 in which 'judicial notice' is taken of a number of matters pertaining to the evidence of

children including the observations that children, especially young children, are suggestible and that memory is prone to error and can be confabulated from imagined experiences. The Court also, however, notes the observation within MacDonald J's judgment that allegations made by children may emerge in a piecemeal fashion, with children often not reporting events in a linear history, reporting them in a partial way and revisiting topics. In this latter regard, the Court notes the helpful submissions made in father's closing submissions as to the potential impact of trauma and vulnerability on A's accounts of abuse, it now being well-recognised that trauma impacts the ability of a victim to recall and recount events coherently. The Court must weigh all of these considerations in evaluating the credibility of what A has alleged.

21. The Court also draws attention to the much more recent 2024 report of the Child Safeguarding Practice Review Panel, *"'I wanted them all to notice' Protecting children and responding to child sexual abuse within the family environment."* Based on the findings from 130 rapid reviews and related serious case reviews (SCRs) and local child safeguarding practice reviews (LCSPRs), that report draws attention to the harmful silencing of child victims of sexual abuse by professionals and includes the following finding:

> [W]hen children did tell someone, as they did in nearly three-quarters of the reviews we looked at, they were often not listened to or were disbelieved, with subsequent retractions taken as proof that the abuse had not occurred, and leaving them at further risk of harm.

22. In this Court's judgment, it is important not to substitute a practice of "believing the child" as complainant, with one of approaching a child's allegations with a mindset of caution, suspicion and disbelief. The duty on the Court, as it is on all professionals, is to approach the child's allegations with an open mind and to objectively evaluate the evidence, both inculpatory and exculpatory, in reaching their conclusions.

23. The Court also reminds itself that it is common for witnesses in these cases to tell lies in the course of the investigation and the hearing. The court must be careful to bear in mind that a witness may lie for many reasons, such as shame, misplaced loyalty, panic, fear and distress, and the fact that a witness has lied about some matters does not mean that he or she has lied about everything (see *R v Lucas* [1981] QB 720). This caution must be applied equally to both complainants and respondents.

24. The court also notes the Court of Appeal's more recent exposition of the *Lucas* direction in *Re H-C* [2016] EWCA Civ 136, in which McFarlane LJ emphasised that the fact an individual has lied on a material issue is not itself direct proof of guilt.

25. When seeking to identify the perpetrators of non-accidental injuries the test of whether a particular person is in the pool of possible perpetrators is whether there is a likelihood or a real possibility that he or she was the perpetrator. In order to make a finding that a particular person was the perpetrator of non-accidental injury the court must be satisfied on a balance of probabilities.

26. Finally, where the Local Authority allege a failure to protect, the Court should be alert to the dangers of making a finding of failure to protect as 'a bolt-on', and of assuming that such a finding was inevitable if a person lived in the same house as the perpetrator.

It is necessary to prove a causative link, i.e. from requisite knowledge to failure to protect (Re L-W (Children) [2019] EWCA Civ 159.

Evidence:

27. The Court has read and considered the full court bundle, and heard from the following witnesses:

- Mr M, social worker
- Ms K, social worker
- The maternal uncle
- X, mother
- Y, father.

Medical and expert evidence:

28. The Court begins with the unchallenged medical and expert evidence regarding the injuries identified on A at a Child Protection Medical on 14th April 2025. The CPM was conducted by Dr D who recorded the following marks and explanations provided by A:

1. Injury to the right cheek consisting of a 4 cm linear old scar. A's explanation: "Mother cut my cheek".
2. Injury to the right flank 8 cm linear old scar. Unexplained.
3. Injury to the right thigh consisting of a 2 cm brown scar. A's explanation: "Mum stabbed me with a knife or scissors".
4. Injury to the right shin consisting of a 5 cm swollen bruised area. A's explanation: "I was hit by a pole. Mum was swinging it like an axe".
5. Injury to the right lower shin consisting of a 4 cm swollen bruised area. A's explanation: "I was hit by a pole. Mum was swinging it like an axe".
6. Injury to the occipital region on scalp consisting of a 1 cm white scar. A's explanation: "From being hit with a pole".
7. Birth mark. Not an injury.
8. Group of injuries that present in patterns of opposing curves and some single curves. These marks are consistent with a history of being bitten.
9. Injury to the right scapula consisting of a 1 cm white scar. A's explanation: "From a spanner".
10. Injury to the right posterior shoulder consisting of a 1 cm white scar. A's explanation: "From a spanner".

11. Injury to the right hand consisting of a 0.5 cm abrasion. A's explanation: "From being hit with a pole by mother yesterday."

12. Right elbow 2 cm scar. Unexplained.

13. Cluster of three brown bruises on the lower back. Unexplained.

14. Injury to the right hand consisting of a 0.3 cm abrasion. A's explanation: "From being hit with a pole by mother yesterday".

15. Injury to the dorsum of the right foot consisting of multiple small brown circular scars of 0.5cm diameter. A's explanation: "Mum tells me to lie still and walks on me with high heels".

29. Dr D opines that the identified injuries were all consistent with the history given by A and, where an explanation has been provided, are consistent with non-accidental injury.

30. Having considered the injuries and explanations provided by A, Dr D concludes that there is evidence of both recent and historical physical abuse (disclosures including being hit with implements including poles, spanners and wooden planks, of being cut with knives and scissors, of being made to lie still whilst being walked on with high heels); emotional abuse (threats to his wellbeing, threats to hurt him to prevent any disclosure of abuse, scapegoating); and sexual abuse (scar in the genital area reported to be caused by his mother). In this latter regard, A's genitalia were not examined but A Told Dr D that he has a scar on his skin between his testicles and penis which was caused by his mother's fingernails.

31. The expert evidence obtained within the proceedings supports those findings.

Dr Kouble, Odontology

32. Dr Kouble was instructed to assist on the alleged bite marks to A's back. He has filed one report dated 19th September 2025. The injuries are indistinct and distorted and thus his opinion is guarded. However, he concludes that the marks are possible human bite mark injuries of low forensic value (*British Association for Forensic Odontology Guideline for Good Practice in Bite Mark Investigation and Analysis 2024)*. That means there is an injury showing a pattern that may or may not have been caused by teeth. The injury may have been caused by other factors, but biting cannot be ruled out.

33. He explains that all three injuries would be classed as partial bite marks as not all of the teeth marks are visible. The three injuries also vary in shape with distortion present. That means it is not possible to undertake a meaningful comparison with any suspected biter's teeth. He does however observe that the wide size of the arch is consistent with the width of an adult biter, albeit he cannot fully exclude the possibility of an older child bite.

34. Dr Kouble notes that it is impossible to determine the amount of force that was inflicted to make the marks. However, he observes that for teeth to leave bruising with opposing arcs of bruising and clear tooth marks, which have developed into the pigmented marks present there would have been significant discomfort when the injury was initially inflicted and it would have been painful and distressing for the child.

35. He is unable to assist with the timing of the injuries other than he is clear these are older injuries.

Dr Chawla, Paediatrician

36. Dr Chawla has filed two reports within the proceedings dated 13th October 2025 and 29th October 2025. Her addendum report contains a helpful summary of her opinion having considered the CPM report.

37. Dr Chawla concludes that the injuries are traumatic in nature, with the following specific findings:

1) **Injury to the right cheek**. She notes that this is a healed scar which could have resulted from an injury with any sharp-edged instrument that caused an incision in the skin. This injury is located on the soft part of the face. The injury could be accidental, if a suitable history of accident is provided or non- accidental injury, in the absence of an acceptable accidental injury. She notes the possible explanation provided of A accidentally injuring himself whilst playing with knives. Dr Chawla notes that the scar appears large, both on photos as well as on description and whilst accidental cause cannot be ruled out, it is less likely. In her opinion, non-accidental injury, on a balance of probabilities is more likely due to the large size of the scar.

2) **Scar on flank: 8 cm.** Dr Chawla notes that this is a healed scar and could result from any sharp-edged instrument that caused an incision in the skin. This is again described to be a large scar. Dr Chawla observes that she would expect an account of a known incident causing the scar as this would have been a memorable event. In the absence of a suitable history, she opines that on the balance of probabilities this is likely to be non-accidental in origin due to the size and site of the scar.

3) **Scar on right thigh.** Dr Chawla notes that this is a healed scar and could result from any sharp-edged instrument that caused an incision in the skin. She notes that this also appears to be a significant scar and would have been due to a memorable event. Any accidental injury would be remembered. In the absence of a clear history of an accident, she opines that the scar is likely to be non-accidental and on a balance of probabilities, likely to be due to the explanation given by A.

4) **Swollen area on the shin.** Dr Chawla notes that this injury is likely to be caused by impact with a hard object on to the area. The shin is a common site of accidental injuries caused by knocks or bumps onto hard objects in children and older children. She observes that any impact with a hard, unyielding object can also lead to such an injury. In her opinion this injury is either accidental or non-accidental. The explanation given by A, if accepted, is a plausible cause of the injury.

5) **Swollen shin on the lower shin.** As above, Dr Chawla notes that this injury is likely to be caused by impact with a hard object on to the area. In her opinion this injury is either accidental or non-accidental. The explanation given by A, if accepted, is a plausible cause of the injury.

6) **White scar on the occipital area.** Dr Chawla explains that this is an old injury, resulting from a split of the skin or a cut on the scalp. The possible causes of the scar would be healed lacerations caused by a sharp object, or by a forceful impact with a

hard object or by a fall on a hard object, edge of a rock or a forceful impact with a pole. The cause of this injury should be a memorable event and in the absence of an accidental cause, is likely to be non-accidental. Dr Chawla opines that the history of the injury resulting from mum hitting A with a pole, could be a plausible explanation and if accepted then a likely, non-accidental cause of the injury.

7) **Birth mark.**

8) **Multiple crescent shaped marks**. Dr Chawla notes that these marks appear to be caused by forceful impact/indentation on the skin with semicircular/arc like objects and likely to be teeth marks. Dr Chawla defers to Dr Kouble as to whether these are bite marks but further observes that on a balance of probabilities these injuries are likely to be inflicted as A is unlikely to be able to self-inflict them due to the site of the injuries.

9) **Scars**. In Dr Chawla's opinion these scarred marks, measured to be about a centimetre in size, appear to be old injuries resulting from a break in the continuity of the skin. That could be due to lacerations or forceful impact causing a split in the skin. Thus both a sharp object and/or a heavy object could cause the marks. Dr Chawla observes that it is difficult to say what sort of object would have been required to cause the laceration or a break in the skin as there is no clear pattern or depth apparent from the description. The injuries are noted to be near bony areas. Dr Chawla notes however that it would have been difficult for A to reach these areas on his own and therefore difficult to self-inflict these injuries by scratching or by any other mechanism. She again is of the view that sustaining these injuries would be a memorable event and in the absence of a suitable accident, are likely to be non-accidental. She notes that the explanation given of these being caused by spanners could be a possible explanation, as the implement is strong and unyielding. If the explanation is accepted to be true, it is her opinion on the balance of probabilities that the injuries are consistent with that account.

10) **Scar – as above.**

11) **Abrasion to the right hand.** See below.

12) **Scar on right elbow.** Dr Chawla notes that this appears to be a small scar on a bony area and could be either accidental or non-accidental. In Dr Chalwa's opinion it is however more likely to be accidental on the balance of probabilities, unless a further explanation is provided.

13) **Cluster of small bruises on the back.** Dr Chawla notes that these are small bruises and could be either accidental or non-accidental. She observes that there is absent a pattern of implement. A cluster of bruises could result from fingertips but due to their nonspecific appearance, she is unable to comment on a balance of probabilities, whether this injury is accidental or non-accidental.

14) **Non-specific abrasions**. Dr Chawla notes that these could have resulted from a forceful graze or impact with an object. They could also have resulted from forceful rubbing with a hard, rough surface causing some injury of skin. The injuries could be both accidental or non-accidental. However, they are consistent with the account given by A and thus if the account given is accepted to be true, on a balance of probabilities, the injuries could be non-accidental.

15) **Multiple small scars on the dorsum of the foot.** Dr Chawla notes that these are healed injuries and in the absence of a suitable explanation are likely to be non-accidental. On a balance of probabilities, they are consistent with the explanation given. She further notes that any collection of injuries on this site are likely to be suspicious.

38. Generally, Dr Chawla observes that A has a number of injuries on his back which are difficult to be caused by A himself due to their site. Similarly, the bite marks are likely to be caused by another person.

39. The evidence of Dr Chawla has not been challenged. The Court notes in summary the following points of particular note:

- The scar to the face is more likely, on the balance of probabilities, to be non-accidental due to its large size. This view is maintained despite an accidental explanation having been provided (knife tricks).

- In the absence of an accidental explanation, a number of the injuries are more likely to be non-accidental (scars to the flank, thigh, head and shoulder). These injuries are noted to be significant and thus to have been caused by a memorable event for which an accidental explanation would be expected.

- The explanations provided by A are consistent with the injuries. On the balance of probabilities, and in the absence of any other explanation, the injuries are thus more likely to be non-accidental.

- A number of injuries due to their site could not be self-inflicted (bite marks and scars to the head and shoulder).

A's allegations:

40. A's allegations are put before the court in a number of different evidential formats. They are contained in the evidence of others to whom he has made allegations, as well as his own words as recorded in the 999 call and ABE interview. Hearsay evidence is of course admissible in family proceedings but must be weighed with particular care. No party sought for A to give direct oral evidence given his current vulnerability. The fact he has not been subject to direct challenge is an important consideration for the court.

Allegations first made to (maternal uncle): September 2024

41. The police log contains a contemporaneous record of the allegations as reported by the maternal uncle. The maternal uncle. also gave a detailed statement to the police on 30th April 2025 in which he recalls A first making the allegations to him.

42. Maternal uncle told the police that he had had no contact with A for a long time but saw him on an unplanned visit to the home of maternal grandparents. A was very distressed and crying and he heard him tell his grandparents that his mum was physically abusing him. The maternal uncle. then spoke to him and A opened up, albeit he was hesitant at first. A told the maternal uncle. that his mum and dad hate him and he was scared to go home. He feels that he is not wanted and is the adult of the house. He alleged that his mum has been hitting and beating him and that he had previously lied to the authorities, saying that he hurt himself using a tool. He alleges that it was however his

mother who did it. He is concerned that his siblings will go into foster care. He denied that his siblings were ever harmed, saying they are too young. He said they were safe. He claimed that his parents have been on hard drugs but that he believes this stopped in January. He said he believes his mum lies to everyone.

43. This report to the police by the maternal uncle. resulted in a joint s 47 enquiry with children's services. H was the allocated social worker. When spoken to on 3rd October 2024 during a lengthy joint visit to the school by police and social care, A did not make any allegations of physical assault by his mother. He did however describe how he helps his mother with looking after the younger siblings and does this by hoovering, laundry, washing dishes and picking up food from the shops if his dad is not around. He described the relationship with his mum and dad as being good, but that he is closer to his mother. He stated that his mum has fibromyalgia and gets tired often. He therefore takes his younger siblings to school for breakfast club. He denied drugs or alcohol were used in the address. He denied being assaulted.

44. It was observed by the professionals that A had multiple marks on his face and head, including a linear scar on the right side of his face. He told them he was washing dishes when he was in year 8 and slipped on water and cut his face with a knife. He was also observed to have marks on his head where his hair has not grown. He was unable to explain how these happened but he was told that it had been done at the barbers when he got his hair cut. He could not recall falling over and badly injuring his head. He allowed the police and Ms H to see his back and there were further marks which he was unable to account for. A appeared very concerned about his parents finding out about the photographs that were taken of the marks. He also asked a lot of questions about foster care and where he would go if needed. The social worker's assessment of his presentation was that he was frightened.

45. X subsequently was spoken to but refused permission for a child protection medical. As A made no allegations of assault, no further action was taken.

46. Although the section 47 enquiry was closed, it is clear from the contemporaneous logs that both the police and social care were extremely concerned as to the marks observed on A for which there was no explanation. They expressed significant concerns as to his welfare. The police appeared to understand the local authority would remain involved.

999 call – 13th April 2025

47. On the 13th April 2025 A ran away from home and made a 999 call seeking help from the police. The log of the 999 call provides a contemporaneous record of what he alleged had happened to him.

48. A tells the 999 call handler that he has run away from home because his mother has threatened to stab him with scissors. He describes her holding the scissors near his eyes. He describes how he took the bin rubbish out, grabbed his phone and made his escape. He says that his mother has previously stabbed him in the leg and right thigh and he has the marks on his body. He says he has a scar on his face from a previous incident. He says he is scared to go home. He alleges his mother will use tools to hurt him and this has been going on since he was 5 years old. He describes being woken with a spanner or an iron, anything heavy. He gets up and does things around the house. He said he has

raised his siblings. He alleges mum will shout and intimidate the children but he will intervene if he thinks she will start on them.

49. A tells the 999 call handler that social services were involved years ago but his mum used to tell him what to say. He had to say he was happy and everything was ok but in fact it was not good. He describes his mother as smart and putting on a show so that people think there is nothing wrong. He says that his mother tells him she wishes he was dead and would fall down a hole and will threaten him with spanners and other tools. He said he tried to learn to cope with it and accepted his fate but he is fed up of pretending everything is ok. He tells the call handler he wants peace, a quiet life without shouting and not to be scared at the sound of footsteps or a drawer opening.

50. A alerts the handler to the fact his mother is messaging him, telling him to come home and blaming him for creating problems. He says she has threatened to cut his head off if he gets the police involved or cut his legs off so he can't run.

51. As regards his father, A says that his dad may have suspicions as to what is happening, but the mayhem happens when he goes out. He thinks his mum might be like this because his dad has not been around all his life.

52. The account given by A is detailed and free-flowing. There is no hesitation in what he describes. He is emotionally contained throughout much of the call but there are occasions where his voice breaks and he sounds genuinely upset and scared.

First account given to PC A – 13th April 2025

53. The Court again has the benefit of a contemporaneous recording of what A said to PC A when he arrived on the scene in response to the 999 call. A tells him that there been many incidents over the course of his life, and that he has marks on his body including where he's been stabbed and slashed that have now healed over. He also tells him he has bites to his back. A repeats what he alleged on the 999 call that he has been subject to physical abuse by his mother for the past 10 years. He describes his mother using scrap pieces of toys including a metal candy cane shaped tool from a disassembled toy car and knives and scissors on him. A alleges that he is woken daily by being hit by his mother and if he disobeys her she will come at him with a weapon.

54. A describes other assaults, including being told to lie on the floor, being instructed to cushion his nose and then being hit with footwear to the extent he'll wake up and not know where he is anymore. He also alleges sexual assault, telling PC A that it began about two years ago with her using sharp things to try and cut off his reproductive system, leaving injuries.

55. A describes day-to-day life as looking after his siblings, giving them takeout food and getting their milk ready for them. He says he pretty much does everything; their mother's interaction with them is limited. He suggests she needs help and may have mental health problems.

56. A repeats the threats his mother has made to him, alleging that she has said she will break his legs so he can't run away and break his arms so he cannot text anyone.

57. PC A describes him as nervous and on "high alert" whilst giving him this account.

Child Protection Medical: 14th April 2025

58. Dr D records in detail the allegations made by A when he attended for his child protection medical the following day. In addition to the specific explanation he provided for each injury (noted above), A told Dr D that his mother had hit him for at least the last six years. He said that as a younger child his mother would pull his hair, hit him and kick him. He described being hit with wooden planks, poles, and spanners, and explained that his mother would target bony prominences to cause him more pain. A told Dr D that she often chose places to hit him which are less easily seen. He reported being cut with scissors and knives by his mother. He told her that previously he was stabbed in his right thigh and that following this injury he was bleeding but no-one took him for medical help. A told her that the old scar on his face was caused by his mother cutting him with a knife and that she had told him to tell people he was playing with knives. He reported being hit on multiple occasions on his left knee with implements such that he is constantly in pain. He said his mother had thrown hot water at him from the kettle. He disclosed that when his mother had new artificial nails she would use them to cut his penis and testicles having got him to stand in a corner so that she could remove his clothing and he could not escape easily. He reported that his mother would tell him to lie still while she walked on him wearing high heels. He pointed out scarring to the dorsum of his foot which was caused by this. Finally, A reported that he had been hit in the head in the past, leaving him feeling confused. He disclosed that he has several scars on his scalp from being hit with objects.

59. A also told Dr D he was verbally abused by his mother and she would threaten him, including threatening to ruin his legs so he can't run and snapping off his arms so he can't text for help.

60. He told Dr D that his mother did not hit the younger children. He reported ensuring that the younger children were out of the way when his mother was upset so that he could take their punishments. He stated that his mother hates him and tells him she ruined his life.

61. Dr D notes that A was quiet during the CPM, occasionally distressed and "briefly shaking".

ABE Interview: 14th April 2025

62. A begins by describing the events of the previous day. He says he woke up and was getting stuff ready for the kids. His mum was already there and just started hitting him with her hand. He says he tried to get on with sorting out the house and giving his brothers their breakfast but she was chasing him around trying to harm him. He describes her throwing a perfume bottle at him.

63. He says that he forgot to do the dishes which caused a massive problem. She called him into the kitchen where she was waiting for him with a pole and started trying to hit him with it. He describes the pole as coming from a broken toy car where it held the steering wheel. He shows the police a mark caused by the pole. He says she was hitting his lower limbs causing a bruise.

64. He says he tried to start the washing up, but his mother put down the pole and picked up some scissors and a knife. He says she was holding one in each hand and pointing

them very close to him. He says she was poking him through his clothes in his back and telling him not to look back at her. She then put the knife down and picked the pole up again. He alleges that she then came round to his side standing very close to him with a pair of scissors and started putting them very close to his eye, such that she could have slipped, and they would have gone in his eye. He describes being able to see his own reflection in the scissors. He says her hands were jittering as if she really wanted to do it. He describes holding her hand back and her telling him to, "Get your filthy hands off of me." He says she was hitting his hands with the pole to try and get him off her.

65. A then describes X leaving him in the kitchen. He noticed the bin needed taking out and because he now had marks on his arms and legs he had to go and put some clothes on. He says she tried to hide his phone, but he found it. He took the rubbish out and had his phone in his hand. He says he just decided to leave and ran without looking back.

66. A says he has grown up looking after his siblings, giving them food, changing their nappies, potty training them, taking them to the toilet and making sure they are fed and hydrated. He shares a bed with two of his brothers so he cares for them at a night. On a school day he says he gets his brothers up, dressed and ready for school and takes one of them to school before going to school himself. When he comes home he checks on the younger two. Gets them rinsed off and in their pyjamas. He describes it as if he was married and doing everything a parent should do if they had children. He says this is why he did not leave. He says his dad will help when he is at home but won't tell his mum because she will otherwise accuse him of slacking. He says the only thing he doesn't do is the laundry.

67. A says his mum will only hit him if his dad is not there because she does not want him to see it.

68. In terms of his injuries, A tells the police that the doughnut shaped marks on his back are caused from bites, saying his mum has bitten him, "ripping my flesh off." He is unable to give a precise date saying it has happened multiple times.

69. A notes that the scar to his face which necessitated him attending at hospital was logged as having been caused by him playing with knives but that in fact his mum was swinging the knife and it caught and sliced his cheek. He says in the taxi on the way to the hospital his mum was telling him to say he was playing with knives. He describes the knife as sharp and smooth. It did not have a serrated edge. He thinks she was trying to severely hurt him.

70. In quite graphic terms, A describes his mother as seeing his blood and it making her feral. He says she sees him as her enemy and her target in life. That it has gone from raising him to wishing he was never raised.

71. A also makes allegations of sexual assault. He says his mum will get him into one of the corners of the kitchen and then pull his trousers down and use her new nails to pierce his testicles and penis. He says she pushes in so hard that it ends up with blood coming out. He says it's painful, and he can't stop himself using his hands to try and pry her hand off his penis. He says she'll get a knife and threaten him. On one occasion she was telling him to stop, and he couldn't and she put the knife 3 or 4 cm down his leg. He says, "she just dropped it in." He says he put a bandage on it and his mum gave him loads of medicine which made him fall asleep.

72. A identifies things as being particularly bad when he was in year 8 at school. He says that she was "pretty much going mental with the torture and things." He gives a further example of there being a long plank from a broken wooden cabinet. He was told to lie on the floor and his mum smashed it on his back until it broke in two and then four. He says she repeated it with all the planks until they were all broken.

73. In terms of other scars and bruises, A says he has been hit by both a wrench and pole.

74. A also recalls memories of his mum holding his head under the water in the bath when he was a young child (triggered when he goes swimming), of being strangled and of having hot water poured on him when one of the younger children was sick. He thinks that happened in December.

75. A tells the police that his mum has told him to kill himself several times and threatened to break his legs so he can never run away and break his arms so he can't call anyone. He says she threatens to do so much damage to his head that he will be mentally retarded and she can claim benefits off him. She says she will finish him off if he calls the police.

76. He says he doesn't cry a lot, describing himself as "kind of dead inside".

77. As regards his father, A says that he doesn't think he has disclosed it to his dad, but his dad might know.

Reinstated allegations (May 2026)

78. On 21st April 2026, the maternal uncle contacted the social worker to inform her that on 19th April A had been playing with his son, who is 14 years old, and had told him that the original allegations he had made about his mother were true (A having retracted the allegations in October 2025 – see further below).

79. Ms K arranged to speak to the cousin on 6th May 2026 who confirmed what his parents had previously reported was true. He told her that he and A were in his room playing games. He was unsure how the conversation started. He said A mentioned his lawyers and talked about foster care and appeared to have a lot on his mind. Towards the end of the conversation, A mentioned the scar on his face and that his mum was swinging a knife and hurt it. He also mentioned the scar on his thigh but did not explain how he got it. The cousin said that A told him that his mum used to drug him and told him to lie on the floor, and that if he moved she would hurt him. A said that his mother tried to hang him. The cousin was unsure whether A meant hanging or strangling. The cousin also reported that A told him X would grab his head and headbutt it together with D's, and this was why D has speech difficulties. The cousin also reported that A had told him that during Ramadan X would make him sleep on the floor and that his insomnia was linked to having to help her when she was high.

80. A is reported to have told the cousin that he did not want the children to go into foster care and that he was worried because X had told the court she was meeting up with Y. A expressed being annoyed with his father. He also told the cousin that he wanted his mother to feel as much pain as he had felt. As regards the retraction, A described the situation as like "4D chess," explaining that he was moving pieces but it did not go to

plan. A said he wanted his mum to admit what she had done, but realised that she wouldn't.

81. On 29th April 2026 Ms K visited A with a police officer. He denied speaking to the cousin or confirming the original allegations were true. He suggested the maternal uncle was using his own son as a "scapegoat" and his uncle may have some kind of vendetta against his mum.

82. On 1st May 2026 A contacted Ms K and asked her to visit him. He told her that he wanted to tell her the truth. He said that he wanted to retract his retraction and said that "the original allegations are true". A confirmed what the cousin had reported to his parents as being true. A told Ms K that his mum physically and emotionally abused him, but he didn't want to go into any more details. He presented as distressed and in pain when asked to talk about the new allegations particularly the headbutting incident with D.

83. A said he had a lot on his mind and was emotionally struggling but felt it important to now be honest. He said he "wanted mum to admit what she did and tell the truth but she will not". A apologised for not telling the truth and for making the situation more complicated. A said that all the things he had said about hanging out with the wrong people and going out and doing things were all untrue. A told Ms K that when he was in foster care he felt his mum manipulated him. When they met up, she planted "seeds" in his head.

84. A reiterated that his dad had no idea about what had happened to him.

85. A has confirmed the truth of what Ms K and his aunt and uncle and the cousin report of these discussions in a subsequent statement to the court.

86. Ms K describes A on May 1st 2026 as upset, distressed, exhausted and emotionally overwhelmed. She says he was very quiet, low, withdrawn and emotionally flat. He presented as a "broken young person."

Assessment of A*'s credibility:*

87. The Court notes that the allegations made by A over the course of 13th and 14th April 2025 were repeated to a number of different professionals but remained clear, detailed and internally consistent throughout. His account was free-flowing and fluent, requiring no prompting or encouragement. The level of detail he gave when describing the abuse was also particularly notable. It did not have the typical hallmarks of a fabricated account.

88. The Court notes that when A confirmed the allegations as true in April/May 2026 further incidents of abuse were described, including serious allegations of 'hanging' and head injuries involving D. The latter is a marked departure from his previous insistence that none of his siblings were hurt by his mother. These new allegations give rise to concern that A may be embellishing or developing his account over the course of these proceedings. However, this developing narrative must be viewed within a context whereby A is describing many years of frequent and sustained physical abuse which, if true, will have caused him extreme trauma. The fact incidents will be disclosed in a partial and fragmented way, with further allegations being made over time is not

surprising and does not in the Court's judgment lead to an inevitable undermining of the credibility of what he reports.

89. The court of course must weigh carefully that some of A's allegations are not evidenced directly in his own voice and words but have been reported by others, in particular by his maternal uncle, cousin and social worker, Ms K. However, whilst mindful of the caution with which hearsay evidence must be approached, there is no evidential basis to suggest that any of those witnesses have been anything other than honest, careful and straightforward in what they report was said to them by A.

90. Indeed, the maternal uncle impressed the court as an intelligent and thoughtful man who is motivated only by concern for A. He has a professional background which has given him a basic understanding of safeguarding and he demonstrated a clear understanding of the need to simply provide a safe and supported space in which A would be free to speak. In the court's judgment, there is no reason to doubt that he gave a true, honest and accurate account to the police in September 2024 of what A had said to him. Similarly, there is no evidence to suggest the maternal uncle encouraged, suggested or led A into making the allegations, either in September 2024 or when he confirmed the truth of his allegations to the cousin, in April 2026. He was in the court's judgment an entirely credible witness.

91. Ms K was a similarly impressive witness. Ms K's written evidence has been extremely detailed, and she made clear and contemporaneous notes of all her discussions with A; notes which have been produced for the benefit of the court. There is nothing to suggest she did not conduct her discussions with A in accordance with best practice. There is no evidence to support any contention that she encouraged, suggested or led A into making allegations. Indeed, it is notable that on the first occasion A made allegations to a professional, they were made directly by him, entirely unprompted, on a lengthy 999 call.

92. Furthermore, in the Court's assessment both Mr M and Ms K were entirely straight forward professional witnesses. As confirmed in their oral evidence, both approached A's allegations with professional curiosity and an appropriately open and critical eye. Both recognised the importance of keeping an open mind and giving proper and due consideration at every stage of the proceedings to the possibility the allegations were not true. It is however important to be clear that the fact a social work professional may reach the view that allegations made by a child are credible (and in Ms K's case that A's retraction was unlikely to be true) is not a legitimate matter for criticism. Whilst they must always keep an open mind and remember they are not the ultimate arbiters of fact, it is the professional responsibility of social workers to keep under active assessment the credibility of allegations on which they carry out their safeguarding responsibilities. It does not amount to 'a myopic approach'.

93. The court therefore notes and affords some limited weight to the clear ongoing concerns of both the police and Ms H regarding A's welfare having spoken to him and noted the marks on his body as part of the s 47 investigation in October 2024. The court also places some, albeit limited weight, on the professional assessment of both Ms K and Mr M having directly witnessed A speak about the allegations against his mother that the allegations were credible.

94. The Court also weighs within the balance that since allegations were first made by A in September 2024, he has repeated those allegations to others. The Court recognises that mere repetition of allegations does not make them more likely to be true, but in the Court's judgment it is significant that there are three clear instances of A talking about the allegations in a private and confidential space and at a time when he was telling the authorities the abuse had not happened.

95. The first such occasion was when messaging his friend Z on 8th October 2025 at the point he purported to retract his allegations. His discussions with his friend are instructive as to the conflicted loyalties he was feeling but in a space he expected to remain private was maintaining the truth of the abuse:

> A: So yknow like how my mum is a bad person
>
> A:: I could lie and say that I was lying (but I wasnt) or she goes jail
>
> A:: But if I say that I go jail
>
> Z: Why would u say u were lying..
>
> A:: SHE ruined my life but like shes still my mum
>
> Z: no she's not
>
> …
>
> A:: Fam without her I wouldn't be alive gng
>
> Z: she's biologically your mum
>
> …
>
> A:: I alr told them I lied
>
> Z: yh like u had a decision in that
>
> A:: They wanna talk to me Monday
>
> Z: bro are you fucking dumb
>
> A:: Wallah she abused me n shi
>
> Z: why Tf would u do that
>
> A:: But I wanna help her
>
> …
>
> A:: But she will live with the fact she did this
>
> A:: I'm stupid ini

> A:: Ici ide risk my life for any of ym asw
>
> A:: Family or not
>
> Z: in this instance u lying and justice not being served is more harm

96. In the same vein, A messaged himself on 14th December in the form of a diary entry describing the abuse he had suffered as a child. He wrote:

> But within closed doors my mum knew nobody would find out if she did bad. My parents start smoking tgether and my mum slowly becomes the old abuser I had to deal with long ago. From knifes to wrenches and irons to heels digging into my chest and bite marks spread across my body I endured the pain and got my brothers into school. Age 13 my next brother comes and hes a handful. He has autism so dealing with him was stressful, on top of the stuff I had going on i had 3 siblings completely reliant on me aka their brother. I would tutor kids in school and make money to treat my brothers to thing I couldnt have. But the second my mum found out she was furious and chained me to the living room making me miss majority of y8 and she used my vulnerability to do unspeakable things. 2 years later my sister comes and my dad was advised to leave because he was causing problems. But this is when I was slowly going insane. From sleepless nights to panic attacks I ran away last may.....

97. The third and most powerful instance of A corroborating the allegations was in his CAMHS triage appointment following the attempt on his life in January 2026. He told the psychologist (as reported in the CAMHS letter dated 11th February 2026) of ongoing triggers of the abuse and the impact they had upon him. He describes historical neglect and physical abuse from his mother throughout childhood from five years of age and his previous long-term role as a carer for his siblings. He talks about his difficulties being triggered by reminders of his physical trauma such as kitchen utensils and TikTok videos. He described being hijacked by this past trauma which affected his day-to-day life and how he struggled to behave like a child. He also talked about his complex relationship with his mother and the maternal family's low opinion of him.

98. On none of these three occasions did A have any reason to lie. He could not have anticipated that any of those conversations would ever find their way into these proceedings.

99. There are also a number of messages within the phone disclosure which are suggestive of Xs culpability, albeit not stated as such in clear terms. There are thus references (in messages to maternal uncle W on 11th May 2026) of her seeking A's forgiveness and hanging her head in shame when she met up with him on December 12th 2025. Similarly, A has alluded within the messages to things having happened even though the allegations have been removed. On 12th December 2025 he wrote to his mother:

> Regardless of what allegations have been removed whats happened has happened and its got a lasting impact on my health.

> Some things we might have done before I doubt we would be able to do again

100. The Court also notes that although professionals have described all of the children as guarded when they are spoken to, there are a couple of key instances when the children have corroborated A's allegations. The Court regards those isolated comments by the children as significant given they would have absolutely no reason to know what A had alleged and no reason to lie or fabricate in those moments. Thus, on 3rd October 2024 when B was spoken to by JH as part of the s 47 investigation, he said that "his mother hits A with an object". He demonstrated by raising his hand in a slapping motion. He then quickly said that his parents never hit us.

101. B also provides some corroboration for the parenting role carried out by A, describing him as sleeping with two of his brother and downstairs with the baby in a swing. When spoken to by the police on 14th April 2025, C states that A looks after him by making him breakfast and helping him get ready for the day all the time.

102. The children's schools have also reported concerns regarding A's presentation and his role within the family home. When spoken to as part of the s 47 investigation in October 2024, A's school noted that A is often tired, has fallen asleep in class and comes to school late due to taking his brother to school. A had told a teacher that he has to take younger siblings to school and do chores. Mum was spoken to and denied it.

103. B's school reported the same issues. The headteacher described a tricky relationship with mum who is good at manipulating adults. She confirmed that the only person who drops off B is A They describe him as struggling as he arrives very early. He has said his mother won't pay for earlier drop off.

104. The maternal uncle in his first police statement dated 30th April 2025 also provides support for A's account that he was inappropriately parenting the younger children. The maternal uncle reports that after the parents moved to their own accommodation, he began to see A take on more of a parent role and as he had more siblings this continued. He tells the police that he would see A feed his siblings, change nappies and if any of them cried he would instantly pick them up to comfort them, even if they were in an adult's arms. He described often seeing him washing up at home. He notes that this may appear nothing more than an older brother helping out, but he began to feel that A was being given too much responsibility beyond a sibling role. In his view he was acting like a parent.

105. It is noted that both the maternal uncle and Y have observed that A has struggled to settle into just being a child since being removed from his mother's care. In his police statement the maternal uncle observes that A will constantly rush to help around the family home, as if it is expected of him to constantly be doing something. He describes him as having a concerned look on his face as if he is worried, he will be in trouble if he does not help with things such as putting the shopping away.

106. In assessing the truth or otherwise of A's allegations, the Court also has to weigh a number of factors that point away from their credibility.

107. It is clear that A has been a child visible to family members and professionals throughout much of his childhood. Between 2014 and 2016 following the conclusion

of the care proceedings he lived with his mother in the home of maternal grandparents. Between 2018 and 2020 he lived with both his parents in the home of his paternal grandparent until his parents acquired their own property. During this period there was continued and sustained local authority involvement including at child protection level. Yet, despite living with family and extensive periods of local authority involvement including at child protection level, no concerns were raised to or by professionals regarding physical and sexual abuse of A .The focus of professional concern was the parents' volatile and toxic relationship and its impact on A.

108. The picture is however somewhat more nuanced. Maternal uncle gave evidence that A was often hidden away by his sister when they visited and in the last few years has excluded the maternal family from the children's lives. It is perhaps notable that A identifies the worst years of abuse as being around 2022/23 when his parents had moved into their own property but the relationship was unstable and Y was spending significant periods away from the home including a number of months when the parents were separated.

109. There were also two referrals made to the local authority due to injuries on the children. On 15th May 2023 A's school made a referral as a result of the injury to A's face. In January 2023, B's nursery reported B attending with a bump and bruise on his head and reporting that his mum had hurt his head and he had milk and then thrown up. X said that he had bumped it in the bath.

110. The Court must also weigh carefully within the balance the fact A retracted his allegations in October 2025, telling professionals they weren't true. The credibility of that retraction in light of surrounding events merits careful scrutiny.

111. The first indication that A may be shifting in his position is on 27th September 2025 when he speaks to the police. Just a few days before this conversation A had discussed the abuse and maintained the full weight of the allegations in his assessment session with Dr Foley. By 27th September, A had returned to live with his father and siblings in the paternal grandparents' home. He tells the police that he has thought about the investigation and does not wish to go to court. He says he will not be providing any further evidence to support it and just wants to move forward. He tells the police he is not angry anymore and that he and his brothers are now safe, that being all he cared about. He asked whether everything would go back to normal if he did not support the investigation and was pleased when the police said social care would continue to provide support.

112. On 8th October 2025 A telephoned Ms K and told her there were "untruths" in what he had reported. On 13th October A met with the police and Ms K. He told them some of the things he said were lies because he just wanted some freedom and independence and he was feeling guilty. With regards to the abuse, he said there was some verbal shouting but there was never anything physical. He suggested that any marks on his body were not self-harm but as a result of being out in the local area. He told them he would sneak out at night and started mixing with some people. He started smoking with them because he was curious. He denied that his parents knew he was doing this.

113. He explains that the injury to his face was because he was smoking cannabis and he was sometimes asked to distribute it. Some people wanted to take it for free and they were in the graveyard armed with knives and he was cut. He says he ran home and his

mum dealt with it. She took him to the hospital. He says it was her idea to say he slipped doing the dishes so he didn't get in trouble.

114. He says the cut to his thigh was caused the same way when distributing cannabis to some people who wanted it for free in a parking parade. He says it wasn't too bad. He just bandaged it and took some paracetamol.

115. As regards the bite marks on his back, he says it was bit odd but there were some people who were high on cannabis either in the graveyard or the parking place and who ended up biting and stuff.

116. A then tells the police and Ms K that he has now been clean for two months but was withdrawing at the point he ran away and made the allegations against his mother. He just didn't want to have to return home and hadn't planned for foster care or living with his dad. He said he didn't want to return home due to guilt and not wanting to face his mother. He also wanted to live more independently. He explains that he continued to make allegations once in foster care because it would look suspicious if he just suddenly stopped.

117. He denied the sexual abuse happened as he alleged, but tells the police some sexual activity had happened with the people he was mixing with.

118. He suggests he got the circular marks on his feet by people being clumsy when he was out. He says he can't really remember how they happened and was probably under the influence of substances.

119. On the day he ran away he said he was just washing the dishes, he saw the sharp objects, and he made up the scenario in his mind as if it was real. He explains the marks that were found on him as having been caused by the shoes he was wearing and hitting his ankle on the kerb and banging into walls as he was running.

120. As regards providing care for his siblings, A says that he was not fully involved and that his maternal grandmother helped out a lot. He said that his mum did drop off his brothers at school and sometimes he would as well. He said he has changed nappies and made food, and he has helped his mum when she has been unwell.

121. A tells the police he just wants to stop it and will take all the blame. He denies being placed under any pressure from his mum. He describes the one occasion he met up with her, saying they met in a bus station and then walked to KFC where they sat upstairs and talked. They then went to a fast food restaurant and met his friends. He confirms he has her number.

122. There are a number of concerning features about this retraction that raise doubts about its veracity. In stark contrast to the original allegations, A struggles to provide any detail or depth of explanation regarding how various of the injuries were caused, accepting for some that he cannot remember. He is unable to provide any details to the police about the people with whom he claims to have been mixing, being extremely vague as to their names, ages and where they lived. The account is generally stilted and hesitant.

123. His account that he was frequently absconding from home and became caught up in a lifestyle of cannabis misuse and dealing that resulted in him being stabbed on at least two occasions bears no relation at all to the young person that all of his family and professionals know. The only person to suggest A was a young person absconding from home and getting himself into trouble with drugs is his mother, X, having filed a statement with the court on 30th June 2025 in which she proffered this as an explanation for the allegations. Indeed, it is extremely concerning that A's explanation for the injuries mirrors the account put forward by his mother within the proceedings. Given contact was taking place between A and his mother in breach of the bail conditions, the possibility she was exerting pressure upon him to retract the allegations is very real.

124. None of what A says to the police and Ms K on 13th October 2025 rings true.

125. In her second police interview and first narrative statement to the court dated 30th June 2025 X sets out a deeply concerning picture of A. She suggests he has demonstrated a range of problematic behaviours including abusive behaviours directed at her. She tells the court that when trying to manage A's phone use she has attempted to take his phone from him, he has refused and this has on occasion resulted in a scuffle between them in which A has pushed her, grabbed and twisted her wrists or thrashed his body by turning away to prevent her taking it.

126. X says she has attempted to put in boundaries with A due to his behaviour becoming more challenging. She says he would be on his phone all night and wanted to spend increased time out of the home with his friends beyond his curfew.

127. More seriously X alleges she has found extreme pornography on A's internet history on his phone which included porn of a dominatrix nature. She says one of the videos that A had been viewing showed a person lying down and being walked on in high heels and there was a video showing a woman squeezing a man's genitals. X says that as a result of finding this content on his phone, she felt very uncomfortable around A and would always ensure that she was fully clothed when walking around the house. She alleges that his sexual interests made her uneasy. Concerns included A being groomed online by accessing chat rooms and speaking to older women.

128. X alleges that if A was unhappy with what he was being told to do, he could become aggressive and hit walls and doors in the home. That could account for the injuries to his hands/knuckles. She says A would copy Y and use his size to intimidate her. She says there are holes in her kitchen and living room doors as a result of A and Y hitting them and she would often be hurt in the altercations, including a time when she was pregnant with E. She worried about the choices he was making, which came not just from the porn he was watching but from his peers and father who were always talking disrespectfully about women and sex. She asserts, "A wanted this recognition for himself of sex, women, power and status, wanting only high end branded designer labels and money. He wanted to be known for the wrong reasons and had "a bad reputation for being the hardest, the roughest and toughest."

129. X also asserts that A thrives on the fact that anyone can call on him to protect them when they get into fights or any kind of trouble. She states that when she met up with him at Popeye's he informed her that he had been "bodyguarding" for people at school or his friends and this involved him getting into fights for other people for money. She says he would get into sparring matches or fights with people at school and would buy

new clothes from his 'earnings'. She describes him as acting like a 'gangster'. She says she worries that A has seen how Y behaves and speaks about his "street reputation regarding his status, power of affiliates/associates, criminal activity, drugs, fights, violence, making 'quick money' and women in a degrading way so A believes this is a normal way to behave."

130. There is no objective evidence of anything X asserts. A's family describe him as a kind, polite, family orientated and well-behaved young man who wants to do well in his education. Y is clear that he was never aware of any such behaviours and X never spoke to him about any such concerns. That is also the assessment of Ms K who now knows A very well. It is also the view of his school. During the s 47 investigation, A's school describe him as well behaved and a student for whom there were no concerns. The only support for any concerns about A's behaviour comes from his foster carers who report that when he first came into care, he wanted to exert his freedom and would disappear for hours without telling them where he was going. That is still some considerable distance from the young person X describes.

131. In all of the extensive police, local authority and CPOMs records before the court, there are only three recordings of concern. On 14th May 2023 the school make a referral due to A presenting with a knife injury to his cheek. When the police attend, X confirms it was an accident and raises no concerns at all over A's behaviour.

132. On 13th December 2023, A himself reported to the police that he was being blackmailed having been tricked into sending nude pictures of himself to someone on Kik. It is clear that A was distressed and was the victim in this incident. He contacted the police for help. This incident does not sit easily with mother's suggestion that this was a young man engaging with online hardcore pornography and sex chatrooms with adults.

133. On 24th June 2024 A took an imitation BB gun into school in his school bag to show his friends. He didn't remove it from his bag. The police were notified and A was extremely apologetic. He told the police he did not want the incident to jeopardise his future. The police removed the imitation gun to be destroyed. When the police attended at the family home, X refused to agree to a community resolution stating that A was a good kid who had made a simple mistake. No further action was taken by the police. This incident again does not fit easily with the picture created by X of a young person developing a 'gangster' lifestyle.

134. The Court is satisfied the lifestyle described by A and the explanations he gives for his injuries when retracting the allegations against his mother is not true. There is absolutely no evidence that A was regularly absconding from home, regularly smoking cannabis, involved in its supply, was mixing with individuals carrying knives and weapons and suffered injuries as a result. Indeed, it is striking that in her oral evidence X conceded that there was absolutely no evidence that A was involved in such a lifestyle and she herself did not believe it. The credibility of the explanation surrounding A's retraction is in the court's judgment fundamentally undermined.

135. It is an inevitable consequence of the way this matter has evolved that A was either lying in April 2025 when he first made the allegations against his mother or was lying in October 2025 when he retracted them. The Court does not however consider that A being untruthful in October 2025 leads to an inevitable position that what he has said at other points during these proceedings lacks reliability and credibility. It is in the

Court's judgment wholly understandable why a young person with conflicted family loyalties and now believing himself and his siblings to be safe would take steps to seek to end a criminal investigation against his mother. It does not mean he has a propensity to lie. There are other plausible reasons for his actions.

136. That said, there is other evidence before the Court that at times A has been dishonest or exaggerated matters. When in his first year at senior school he told his mother he was being bullied in response to finding himself in trouble for pushing another child. The Court does not consider this incident to be indicative of A's character some 4 years later or have any bearing on the current issues. More recently, on 3rd October 2024, during the s 47 enquiry, A told a teacher at school that he had been stabbed in a robbery and had to spend a couple of days in hospital. That was quickly accepted by A to be untrue. A has not given evidence and has not therefore been asked about this incident. There are a number of possible explanations, including providing an account as to why he may have a stab wound to his thigh and being absent from school or why he did not have the new phone he'd anticipated for his birthday.

137. Of more concern is that during the course of these proceedings, A also made an allegation of being 'strangled' by his foster carer, with the result the foster carers gave notice on the placement and clearly formed a negative view as to his honesty (see the report of Dr Foley and her discussions with the foster mother). Ms K's explanation as to what had happened was not entirely clear. In assessing A's credibility, it is clearly relevant if he has made false allegations against a foster carer, albeit those allegations do not appear to have gone anywhere. The court has also, again, not had the benefit of A's response to those concerns.

138. Whilst the Court does therefore have regard to these two recent examples of dishonesty, the weight to be afforded to them is limited. The court reminds itself that the fact A has told untruths on matters unrelated to these proceedings does not mean he has not been truthful with the court. The magnitude and seriousness of these proceedings, and A's clear understanding of the importance of being truthful given the issues at stake, is very far removed from the two concerns identified within the papers.

139. Finally, in assessing the credibility of A's allegations the Court must ask itself what motivation A would have to lie. It hardly seems plausible that he would fabricate such serious allegations against his mother simply to achieve greater freedom in his own life. A is acutely aware of the impact his allegations have had not only on his mother who has been separated from her family for over 12 months and continues to face the possibility of criminal prosecution, but on the lives of his father and siblings. A is described as a young man who loves his family, particularly his siblings. There is no sensible reason as to why he would knowingly cause his siblings the harm and distress of separation from their mother unless the allegations were true.

140. It is also clear that A has gained nothing from reporting the allegations. He has faced a sustained period of stress that has impacted on his studies and family life. His mental health has significantly deteriorated over the course of the proceedings leading him to make a genuine attempt on his life. Ms K's evidence could not have been clearer as to her very strong concerns for A's welfare during the months he was saying to professionals the allegations were untrue. In the period leading up to A reinstating the allegations she describes him as extremely low in mood and 'broken'. That is not a picture of a young person who has gained anything from alleging he has been abused

by his mother. If the allegations truly were fabricated there is absolutely no reason why, having retracted them, he would place yet further stress upon himself by reinstating them days before commencing his GCSE examinations. The lack of any reason to lie and the significant impact this whole process has had upon A weighs heavily with the Court.

141. In weighing all of these matters the Court is thus satisfied that whilst there are issues of concern regarding the reliability and credibility of A's account that need to be carefully considered, the weight of the evidence falls heavily in favour of the truth of the allegations. The Court is satisfied he is a credible historian of fact.

X The mother:

142. X has filed a number of written statements within these proceedings. She has also been interviewed twice by the police. Her first response to A's allegations is contained within her first police interview following immediately upon her arrest on 14th April 2025. The contents of that police interview are particularly significant.

143. In her first police interview X denied assaulting A or threatening him with a weapon. She described a healthy happy relationship with him. She tells the police that the previous day she had asked A to get off his phone as he was on holiday and needed to study for his mock exams. She says he simply went into the kitchen with his phone and then left the house. She denies there was any form confrontation and that the other children were present.

144. Throughout the interview X is consistent in denying there are any behavioural concerns with respect to A. She describes just the "normal teenage issues" such as his phone and schoolwork and exams. She denies that he has ever threatened violence towards her. She explains any cuts and grazes as due to wrestling and playfighting at school.

145. By the time of her second police interview X's account had changed significantly, mirroring her first statement filed on 30th June 2025 in which she portrays A as a violent deeply troubled young man. As regards events on 13th April 2025 she says she had spoken to A about the fact he should be studying for his upcoming mock exams and he should be prioritising studying on the days they were not busy. However, she found A playing on his phone and he was not listening to her so she asked him to put his phone in the kitchen drawer. She was unhappy with A's dismissive attitude about his need to study and so told him to go to his room. She then heard A in the kitchen and heard the kitchen drawer opening so she thought he was putting his phone away. A short time later, she heard the kitchen drawer opening again before she heard A leaving the house without asking. She says this was unusual but there was no physical altercation immediately prior to A leaving the home. She believes he left to avoid having to study.

146. As to why A would make the allegations, X suggests A was fed up with the situation at home, particularly the family dynamics with his dad. She suggests he wanted a whole new life and was rebelling against her morals, values and beliefs as instilled in the family home. She says he resented her, including from his experiences when very young and she was abusing substances, and is now lashing out. She suggests he has made the allegations to have her removed from the family home and that he is now living the life he wants.

147. In her statement dated 13th April 2026, X deals with the breaches of her bail conditions and ongoing contact with both A and Y. It is X's evidence that it was A who was trying to contact her in May 2025 and that on 5th May 2025 he followed her into a fast food restaurant in town and would not leave when she explained she would get into trouble. She says that A became very upset and said to her that he would not have made the allegations if she "had just told him I loved him every day". She disputes A's account that this was a pre-arranged meeting.

148. As to the contact that occurred in October 2025, X again alleges that it was A trying to contact her and persuade her to meet him. She says that on 16th October 2025, A turned up at her home without warning. A told her that Y did not know he was there as he would have tried to stop him. She says she can't explain why she did not tell the social worker and tried to manage the situation alone with Y and A. She says she regrets placing pressure on Y to manage matters.

149. As regards the contact that took place in December 2025, X suggests that it was her criminal solicitor that advised her that given the bail conditions were no longer in place, she could have contact with A if he reached out to her. She says that they were all naïve about the situation and had wrongly assumed that the police dropping their bail conditions meant that A could communicate and see her.

150. On the 12 December 2025, she states that A came to her home after school, they chatted, went to the gym and had dinner. X alleges that Y knew that A was with her and indeed that A had contacted him to ask if he could stay longer. On Thursday 18 December 2025, she says it had been agreed that A could see her after school, but that Y contacted A after speaking to the social worker to say that he could not come. She says A refused to listen and came anyway. She says he was at her home for less than 20 minutes arguing with the social worker and Y.

151. Mother's statement of 13th April 2026 also addresses her ongoing contact with Y. In her first narrative statement X made very serious allegations against Y, accusing him of sustained physical and sexual abuse and leading the 'gangster' lifestyle to which A aspired. She told the court she now realised how harmful that relationship was to both herself and the children and did not seek to resume it.

152. In her statement of 13th April 2026, X retracts much of what she said about Y. Indeed, she tells the court that she and Y had never separated contrary to what they had told the court and parties. She explains that this was a forced separation and they had continued their marriage in these difficult circumstances to support one another. She says that Y would come to her home when he could, leaving the children with family. She says they want to be a family unit.

153. In a further statement dated 28th April 2026, and in response to what Y had told the court, X denies that she was the one who instigated the contact. She says that in May 2025 Y had told her not to communicate with him on her main number in case the phones were checked and obtained a second phone, the number for which is stored under the false name on her phone. She denies that they only met four times as suggested by Y. She also repeats that Y knew about A being in contact with her in December 2025.

154. In assessing X's evidence, there are a number of significant features that undermine its credibility.

155. There is clear evidence that X's account has developed and shifted very significantly on a number of core matters. That includes the nature of her relationship with both Y and A. As regards A, it is notable that in her first police interview on 14th April 2025, X makes no negative comments about A and his behaviours, describing him as she always has done before as a good and well behaved child with nothing other than the normal teenage issues. By the time of the second police interview and her first written statement within these proceedings her description of A is entirely different, with her son now portrayed as a violent and frustrated young man experiencing problems with drugs, pornography and a criminal lifestyle. That inconsistency in her evidence is a key concern.

156. Moreover, and as considered at length above, there is no evidence other than what X says, to support this description of A as a deeply troubled young person. All the evidence is entirely to the contrary, as conceded by X in her oral evidence.

157. There remain other important inconsistencies between her evidence and that given by others. Notably, she gives a different account than that given by A as to how they met on 5th May 2025 with X placing all responsibility on A. Similarly, she places all responsibility for the contact between herself and A in October and December 2025 on A. She continues to maintain that X knew about the contact.

158. Furthermore, there are key parts of her account that make no logical sense or are plainly inconsistent with other contemporaneous evidence.

159. X suggests that A made his first allegations against her to the maternal uncle in September 2024 due to being upset that his father would not allow him to go back to his grandparent's house to spend time with his cousins. It makes no sense for A to make allegations of physical abuse against his mother because he was upset at what his father had done.

160. Similarly, X's description of A leaving the house on 13th April 2025 because of a very normal innocuous teenage argument about his phone and revision does not make sense in light of mother's frantic attempts to contact him as evidenced in the contemporaneous phone records. In the immediate aftermath of A leaving the house, X made 22 calls in 7 minutes and a further 25 calls over the next 2 hours. She also phoned Y to tell him he was urgently needed to return home. Her reaction is entirely disproportionate and indeed bewildering if this had been no more than an argument over his phone.

161. Moreover, the content of her text messages to A are instructive. She clearly believes he may be doing or saying something that poses a threat to the family. Thus, her messages switch between hostile and pleading in her efforts to persuade him to return home. She says to him:

> "Can u stop making issues for your family and come home"
>
> "A don't make unnecessary problems for you family"
>
> "A pls come home"
>
> "What are you doing to your brothers and little sister at least have some love care and consideration for them u jeopardising there

> happiness and worrying them all"
>
> "Don't cause problems for us like a devil trying to break our family apart"
>
> "A you seen me calling but your not answering dont cause unnecessary problems as there's no need no ones said or done anything to you for you to act up so don't be ungrateful and irresponsible and cause problems for the rest of the family think about them ok and don't jeopardise there family unit or being shit to them because your acting up its not fair on them"
>
> "A this is serious it's not a joke so please stop messing around think of all the kids here and what your putting them through cuz everyones worrying about you where u r this is not fair on them if u have love for them pls come home so they can stop worrying do we can all stop stressing"

Those messages do not make sense within a context whereby A simply left the house on a Sunday afternoon following an argument over his phone.

162. X's oral evidence was also revealing. It was of very poor quality and often incoherent. She was difficult to keep focused, providing long rambling sometimes argumentative answers that failed to answer the questions asked. She persistently avoided answering difficult questions, her demeanour often markedly changing when struggling to find a response. She deflected away from the core issues, consistently attempting to impose her own preferred narrative. The Court sadly must concur with the submissions made on behalf of the local authority that X presented throughout her evidence "in a very selfish, egotistical way looking at herself and her own needs rather than those of her son." There is evidence within the phone disclosure of X being deeply unpleasant and abusive towards both A and Y , just one example being when A did not want to watch a sexualised anime with his mother. In her evidence, she demonstrated no empathy or concern for A. Indeed, Ms Foley's assessment of X having: "a need to be admired by others and a belief in her superiority"; "an inability to be curious about A's internal world"; "a need for admiration"; "difficulties in mentalising"; and "traits of a narcissistic personality" was strongly borne out by her oral evidence.

163. Finally, the Court also has to weigh within the balance that X is capable of deliberate sustained deception. She is described by various people within the papers, from professionals at B's school to her own brother, husband and son, as clever and manipulative. There is evidence of her seeking to manipulate these proceedings, subtly communicating with A to try and exert some influence over him or persuading others (maternal uncle W) to do so on her behalf. Furthermore, she clearly misled professionals and the court for many months as to her ongoing relationship with Y. The Court has no confidence that she is now being honest and open. To the contrary, her narrative is entirely self-serving.

164. In the court's judgment X's evidence lacked any credibility. She was an entirely unimpressive witness.

Y: THE FATHER

165. By way of background, Y accepts that the relationship between himself and X was volatile, with periods when they separated due to arguments. After they moved into their own home in 2020 there were periods when they were not getting on and he

struggled to cope so he would leave and go and spend time with his mother. Between November 2022 and April 2023 they were separated and he lived with his parents. He says he would rarely be allowed to see the children because X would not allow it. They reconciled in 2023 having participated in mediation.

166. He denies being physically violent towards the mother, suggesting there was just one occasion 7 years ago when he caused damage to the property. He suggests she always turned the blame onto him and fabricated or exaggerated allegations for her own ends. He insists he was not the only one to blame and they would both get angry at each other but she manipulated the situation and would tell children's services she was the victim. Y also accepts that the home was chaotic at time but says that was due to having four children under the age of five years of age and nothing to do with cannabis use. He maintained that the children were not exposed to either his cannabis use or the volatile relationship between himself and X such that they suffered any physical or emotional harm.

167. Y says he was absent from the home a lot. He was working, shopping or running errands and the burden of looking after the children fell on X. However, he also suggests that X was very controlling over the children's relationship with him, particularly A. He suggests she never let A go anywhere with him alone.

168. Y accepts that A would help with the children and around the house, doing small jobs such as washing up. He saw nothing wrong with it and says he never saw X tell A to do anything instead of doing it herself. He says he has never witnessed A being woken in the night by X hitting him. He says he shared the care of the children when he was at home and not working.

169. Y's position throughout proceedings has been that he cannot say whether A's allegations are true and is struggling to process the information. He is however clear that he was never aware of X abusing A. He recognises the concerns that he failed to protect A and must have known what was going on but says he is shocked by the allegations and if he had known would have stopped it. He says he cannot understand why A would make up such allegations. He has always been clear that he has doubts about the truth of A's retraction given he does not believe A was ever physically aggressive towards X or involved with gangs, drugs or pornography. He is clear that X never raised any such concerns with him, and he saw no sign of A being out at night or using cannabis. He wasn't aware of him getting into fights or wearing expensive clothes. He says any issues with A were just the usual teenage behaviours. There were times he would push boundaries or would not come off his phone when asked, but he would speak to him about it and most of the time A would just do as he was asked by his mother. He describes X as being in the charge of that relationship. He tells the court that A is not the kind of boy described by X. Y describes him as a good boy who is respectful of everyone, including women.

170. Similarly, Y says it is a nonsense to suggest he lives a gangster lifestyle. He points out he has a full-time job, has never been in trouble with the police and is devoted to his family.

171. As regards the injury to A's face, Y says that he was at home when this happened. He was sleeping. It was about 10.00 pm. X came up and told him A had cut himself. He went downstairs and asked him what happened. He says A didn't say much. X said she

was taking him to the hospital and he should stay at home to look after the kids as he had work. X took him to hospital and when they got back, X told him that A was playing with a knife because he was watching a video and he was flicking a knife. He asked A, who said the same thing.

172. On 13th April 2025, Y says he was at work when he got a phone call from X at around 4.00 pm insisting that he needed to come home. He says that X told him, A had gone out but he wasn't sure why this was such a big deal as A would often go out. He says that X told him that she took his phone off him because he wouldn't study and he left. Y says he managed to leave work around 5 pm and went straight to look for him eventually going to the police station.

173. Y expresses some bewilderment about this incident, noting that he has never known A to leave home because he did not want to study. He notes that A is a smart lad, who generally loves his studies. He says that he has never known it be necessary for A to have his phone taken off him so he would do his schoolwork.

174. As regards his knowledge of any contact between A and his mother, Y accepts that X messaged him on 13th October 2026 regarding contact between her and A but does not accept that he did not try to prevent it. He says X was contacting him excessively and he had to tell her to stop. He told A he could not see her. Y denies knowing anything about contact between A and his mother via social media before this date. He accepts that he did not contact the social worker to tell her about this incident because he was worried about his contact with X being discovered.

175. In December, Y says it was the 16th of December, he says he was speaking to A, and he asked if he could see his mum later that week. Y says he told him there was a process to follow, and he would need to speak with his solicitor, the social worker and the Guardian. He says he wasn't clear as to the position regarding X's bail conditions and whether they were still in place. He says A then told him that he had seen his mum the previous Friday (12th December). He says he had no idea that the contact happened and told A he was disappointed in him. Y says he tried to contact the social worker the following day.

176. Y says that on 18th December, he rang A to see how he would be getting home from school and he told him he was outside his mum's house. He says he tried to explain the process again to A, but he put the phone down. The social worker then rang him and he told her A was at his mum's house. The social worker contacted A to sort it out.

177. Ysays he was not aware of any other times A has seen his mother.

178. As to his own ongoing contact with X, a statement was filed by Y on 21st April 2026 in response to the mother's statement of 14th April 2026 in which she had disclosed their ongoing relationship. In that statement he explains that X was the love of his life, the mother of his children and he was struggling to make sense of everything. He denies however that they have simply carried on their relationship as if nothing has happened.

179. Y says his recollection is that X contacted him in the first instance and although he had no intention of contacting her, he did nothing when did she contacted him to stop it. He says he was worried she would make false allegations against him and remaining in

contact with her safeguarded against that. He says the longer it went on the more he got into a spiral that he could not get out of. Mother would say she was struggling with her mental health and feeling suicidal, and he wanted to support her. He says they only met on four occasions when he went to her home and they were intimate. He had a key to her property. He tells the court that X was persistent in wanting him to tell social care that they wanted to be together, but he was resistant because the social worker would then discover they had been in contact with one another and he continued to have doubts about the relationship. At other times he felt it may be possible for them to be together again as a family once the proceedings were over.

180. Y asserts that it had now all become too much and he blocked the mother. He says they have not communicated with one another since and he has no intention of doing so again. He says the relationship is over.

181. The chronology is important. On 28th April 2026 X filed a further statement disclosing the extent to which the parties had throughout the proceedings been engaging with two Imans regarding the future of their marriage and had met with one of the Imans on 15th April 2026 at the mosque in the wake of mother's disclosures to the court. On 5th May 2026 Y filed a further statement essentially confirming that it was correct that he had been speaking to an Iman once or twice a month regarding working on the marriage and that the Iman had wanted him to reconcile with X.

182. Y's evidence has deeply troubled the court. It is incontrovertible that he has lied to the court persistently and in a very deliberate and controlled manner over his relationship with X. On the evidence of X, it was Y who initiated the contact and took planned and deliberate steps to conceal the contact from professionals. That is a matter of fundamental safeguarding importance and had X not disclosed that ongoing relationship to the court (no doubt for her own purposes), professionals, including the social worker and assessing psychologist, and the Court would have remained entirely in the dark. The seriousness of that lie in light of the allegations against X cannot be under-stated. Furthermore, even when he has been caught in that lie Y has not engaged openly and transparently with professionals and the court but continued to minimise and withhold important information from them. The court notes in particular Y's failure to openly disclose the extent to which the parents have been engaging in marriage support throughout proceedings and the meeting that took place on 15th April 2026. Y's deceptive behaviour has continued until just a few weeks before this finding of fact commenced, more than 12 months after proceedings were issued.

183. Furthermore, there are other important issues before the court on which the evidence of Y and X continues to differ in the detail, leaving the court with no confidence either parent is engaging wholly honestly and transparently. It is unclear whether the parents were in fact separated at the time of the knife injury to A's face, with different contemporaneous accounts being provided to professionals at the time by both A (school in May 2023) and X (police in May 2023) from that which is now being given. It was also the evidence of the maternal uncle that the parents were separated in April 2023 which had led to an incident regarding contact at his home and social care reported to the school in February 2023 that father was no longer living in the family home. Those differences are concerning as to whether a true account as to the events on the evening of 30th April 2023 when A was injured are being provided. More recently, and as regards the contacts in December 2025, Y maintains he did not know A visited his mother on 12th December. X gives a very different account, albeit the social worker's

evidence would support Y having reached out to her on 17th December with his concerns A was wanting to see his mother. What is agreed by everyone is that neither parent informed the social worker of the contact that took place in October 2025.

184. The court appreciates that Y is providing very good care for the children and has worked well with the social worker in ensuring appropriate support is in place. There is however a long history of local authority involvement in this family's life, and on previous occasions he has not engaged appropriately with the social worker to safeguard the children. His lack of proper engagement with Ms H during the section 47 investigation concerning the serious allegations made by A to the maternal uncle is a clear example of that lack of genuine curiosity and concern as to the abuse A was reporting to have suffered. He told Ms H that as far as he is aware A is not being beaten, made to feed the baby during the night or do all of the housework. He said he did not believe that any of it is true. The concerns he raised with Ms H were all entirely about x and her well-being, not A.

185. Similarly, the court is troubled that on September 27th 2025, Y did not wish to cooperate with the police regarding the April 2025 allegations when asked to provide a statement, telling them he just wanted to move forwards. The Court is significantly concerned as to the level of disguised compliance in Y 's behaviour. The extent of both parents' dishonesty makes it exceptionally difficult for the court to form an accurate picture of A's experiences in the family home.

186. Y's oral evidence only compounded those concerns. He was appropriately distressed and emotional at points and is clearly struggling with A's allegations and the conflicted loyalties to which those allegations give rise. However, he remained somewhat equivocal as to the truth or otherwise of what A has said, despite the wealth of evidence both written and oral now before the court, his own knowledge of his son, and despite what he knows from his own direct experiences as to the propensity of X to lie, manipulate and fabricate. Yet, his ongoing loyalty towards her remained evident and his position uncertain. This court fully understands that time is often required for a parent to process and come to terms with serious allegations made against the other parent. These allegations have however been known to Y now for over 12 months. His relationship with X evidently remains complex and enmeshed.

187. Furthermore, Y's evidence on any matters that may have been perceived to reflect badly upon him was defensive and guarded. In the court's judgment, he continues to minimise the domestic abuse in his relationship with X, the children's exposure to that abuse and the impact upon them. Similarly, he was at pains to emphasise that he did care for the children and thus that no inappropriate burdens were placed upon A, despite the somewhat contradictory evidence regarding his absence from the home for significant periods and the contemporaneous observations of the schools.

Findings:

188. In determining the threshold allegations, the court first turns to the wider canvas. Indeed, the wider canvas in this case is very concerning with a number of risk factors being present.

189. In 2014 A was subject to care proceedings in which the evidence before the court included a child protection medical that identified 43 separate injuries including a skull

fracture, subdural haemorrhages and bilateral bruising to the soles of his feet. The opinion of the expert paediatrician was that a number of those injuries were most likely non-accidental. Threshold was however compromised essentially on the basis of neglect and A rehabilitated to his mother's care under a supervision order. There is no application before this court to re-open those findings and nor would it be appropriate for this court to make any comment beyond observing that this is a troubling backdrop to the allegations which A now makes.

190. After 2014, A lived with his mother in the home of the maternal grandparents. Following reconciling with Y in 2018, A lived with both parents in the home of the paternal grandparents. In 2020 the parents acquired their own property. Throughout that time there were periods of local authority involvement focused on the parents' toxic relationship and serious allegations of domestic abuse against Y to which A was exposed. There were no concerns raised that A was being subjected to physical abuse. It is not correct to say, however, there were no concerns being raised by professionals as to A and his siblings and what was happening in the family home. Those concerns and referrals intensified after 2020 when the parents move into their own home. This also accords with the period which A describes as the worst time when the abuse was at its worst:

- 2020 onwards – the maternal uncle raises persistent concerns with the local authority regarding treatment of A.
- October 2022 – A is off school for 4 days with a head injury
- November 2022 – maternal aunt raises concerns with school about A's circumstances at home, mum's mental health and A being exposed to it.
- January 2023 – B's nursery make a referral to the local authority after noticing a bruise to B's head. B said his mum hurt his head.
- Feb 2023 – A's school raise concerns about absences from school and A having a bruise to his eye.
- January 2024 – school raise concerns about A being tired and falling asleep. A says he has a list of jobs to do and has to run errands before dropping his sibling at school.
- June 2024 – school notice what looks like a burn on A's wrist and old scars on face. A says he fell off his bike.
- November 2024 – A has a noticeable scratch to his face. He gives inconsistent explanations to school.

191. This was clearly not a family for whom there were no concerns. The maternal uncle gave graphic oral evidence as to the extent of the difficulties he was witnessing between the parents and the impact on the children. Notably, he was raising concerns with the local authority as early as 2020 not about the abusive behaviours of Y but about X. He described X as suddenly switching and losing control. He said she would scream and shout hysterically, using awful abusive language. That description of X and her behaviours accord closely with what was reported in 2014 by X's neighbour. Those

behaviours as reported by the neighbour were directed at A. They strike an obvious chord with A's own description of his mother as "feral" when she was attacking him. Something of the true nature of X's character can be seen in her text messages to A and Y when they have said or done something she dislikes.

192. Turning to A's injuries. The court begins from A's own account of how those injuries were caused as alleged to his uncle in September 2024, the police in April 2025 and recently confirmed in his discussions with his cousin and Ms K. For the reasons detailed above, the court finds A's account to be credible and reliable. There is no benefit to be gained for A from fabricating these allegations. Indeed, the impact on his own mental health is absolutely clear. A's own voice thus weighs heavily with the court. It is an account which in an unguarded moment has been corroborated by B.

193. In contrast, the Court finds his retraction of the allegations and the alternative explanation put forward both by A and X to be wholly lacking in any credibility. There is simply no evidence to support the suggestion that A was involved with drugs and a criminal lifestyle and that the injuries were caused by his associates. The fact A retracted his allegations given his conflicted loyalties and his perception that he and his siblings were now safe is not surprising and does not in the court's view undermine the truth of the original allegations.

194. The court of course reminds itself that it is not for X to prove the injuries were not caused as alleged by A. However, given the number of injuries dating back some time, the absence of any credible explanation from his primary carer as to how those injuries were caused is a relevant consideration for the court. The absence of any explanation leaves A with a number of serious but unexplained injuries.

195. In that regard, when one focuses on the individual injuries as identified in the child protection medical, A has provided clear explanations for how each of the injuries was inflicted on him by his mother, explanations which the expert evidence says are consistent with the injuries. The court thus weighs in particular Dr Chawla's expert opinion that:

- The injury to the cheek is most likely to be non-accidental given its size. The court notes the alternative explanation presented at the time by X and A: that the injury was caused by practising knife tricks; by A forgetting he was holding a knife when itching his face; and/or by slipping when washing up. The court notes the inconsistencies in how that incident has been reported to different professionals, including to the clinic just a few days after the incident. Dr Chawla did not consider that explanation to be the likely cause of the injury.

- In the absence of any credible explanation, Dr Chawla considered a number of the injuries to be most likely non-accidental (scars to the flank, thigh, head and shoulder).

- The explanation provided by A is consistent with all the injuries identified at the CP medical. In this regard, the court also notes that Dr Kouble considered the circular marks on A's back to be possible adult bite marks.

196. Weighing these matters the Court finds on the balance of probabilities that A suffered the following non-accidental injuries: 1) a 4 cm cut/laceration to his right cheek caused

by a blow with a sharp-edged instrument that caused an incision to the skin ; 2) an 8 cm linear scar to the right flank caused by a sharp-edged instrument causing an incision in the skin; 3) a 2 cm scar to his right thigh caused by a sharp-edged instrument causing an incision to the skin; 4) a swollen 5 cm area on the shin caused by an impact with a hard object onto the area; 5) a swollen 4 cm area on the shin caused by an impact with a hard object onto the area; 6) a white scar on the occipital area of the scalp resulting from the split of the skin or a cut on the scalp caused by a sharp object, a forceful impact with a sharp object or from a forceful impact with a hard object/edge of rock or pole; 7) three human bite marks; 8) a 1 cm white scar to his right scapula caused due to a laceration or forceful impact causing the skin to split, likely caused by a sharp or heavy object; 13) a 0.5 cm abrasion to his right hand resultant from a forceful graze or impact with an object/forceful rubbing with a hard, rough surface causing some injury of skin; 14) a 0.3 cm abrasion to his right hand resultant from a forceful graze or impact with an object/forceful rubbing with a hard, rough surface causing some injury of skin; and 15) healed injuries of scars on the dorsum of the foot.

197. The court finds on the balance of probabilities that the injuries were all inflicted on A by his mother on several different occasions and at different times. A would have experienced pain and significant discomfort. Furthermore, the court is satisfied on the credible account given by A that the injuries were inflicted as part of a torturous regime within the household where A was punished routinely in a systemic way over a prolonged period, such punishments including A being forced to lie down on the floor whereby mother would walk on his back with heels or use wooden planks to strike his back and or his head and mother hitting A with poles and spanners.

198. That torturous regime undoubtedly caused A profound physical and emotional harm. The Court is satisfied B, C , D and E were all placed at risk of significant emotional harm from living in the same household as a sibling being routinely abused in this way. Indeed, there is evidence that B had already been exposed to the physical abuse of his elder brother in what he said to Ms H in October 2024.

199. Having considered the evidence regarding the contact that took place between A and his mother in May 2025 immediately following the allegations and thereafter by way of both subtle indirect and direct messages between them, the Court finds that mother placed pressure on A to retract his allegations. In this regard the court is satisfied that the meeting in May 2025 was pre-planned and instigated by X in clear breach of her bail conditions and during that meeting she pleaded with A to withdraw the allegations. In October 2025 and December 2025 further meetings took place in breach of the undertakings X gave to the court and without the social worker's knowledge. Furthermore, the court has considered the text exchange between X and maternal uncle W in May 2025, in which X has clearly shared court documents with her brother and pointedly notes that she cannot contact A to discuss his reinstatement of the allegations, but maternal uncle W could:

> X: The argument was for the judge to believe A's retraction and not think it was collusion forced or manipulation now
>
> A is fighting this with his own QC his own team.
>
> maternal uncle W: But, somethings wrong in his head.
>
> maternal uncle W: Are you allowed to meet him?

> X: I did it all when we were alone how could I not. I buried my head in shame asked for forgiveness and begged him when he came on 12th December when the case closed on the 10th December the day u performed Ur umrah when he saw me 2days later I did everything I could and he wanted to to continue to see me he fought with the parties said he wanted contact we had supervised contact ever since then until weeks ago but it was different in supervised environment becoming more challenging when everyonelse moved in at mum and dad's.
>
> X: I was I wmhave been seeing him supervised since our breach in December it stopped 2 weeks ago he said it was because he wanted to focus on exams and revision but I didn't know this was all happening with everyonelse in the background
>
> maternal uncle W: And its too risky to make private contact with him?
>
> X: I don't think he wants to see me anymore or he will weaken his own case but I'm not sure what he wants to do with supervised visits with me.
>
> X: I can't but you can

In light of that exchange, the court is satisfied on the balance of probabilities that X has sought to influence third parties into placing pressure on A to retract his allegations.

200. Turning next to the allegation that A was forced to take on a parenting role for the younger children, the chronology reveals that there are referrals to the local authority dating back to 2018 in which concerns are being raised about A's treatment in the family home and being made to take on chores. From 2020, the maternal uncle was persistently raising his concern that A was being made to take on inappropriate tasks at home. Those concerns are supported by the reports A was making to school of being tired due to the number of chores he had to do, the reports of him falling asleep, and the observations of B's school that the parents were never present and A was the only person they saw with B. The court notes Y's evidence that A was only ever expected to do normal teenage chores and that he assisted mother with the care of the children when not at work. The court did not find his evidence persuasive. The weight of the evidence before the court is that Y was absent from the family home for very significant periods and when he was at home was completely disengaged from the care of the children. X has been consistent with the police and professionals that she was in effect a single parent. Y has himself described her as controlling his relationship with the children. The court must weigh also again what A has himself told the police and professionals in very detailed terms about his life at home and the role he has playing in caring for his siblings. That account is supported by observations of the relationship between A and his siblings since he left his mother's care in April 2025. The allegation is proved on the balance of probabilities.

201. Finally, the court is satisfied that both X and Y at times led a chaotic lifestyle and used illegal drugs. The evidence regarding the volatility of their relationship and its impact on their home life is overwhelming. The evidence of the maternal uncle could not have been clearer as to the extent of the issues and the harm to the children. Both parents also accept their past substance misuse and the court notes A's comments regarding the impact of that drug use on his home life [Phone diary entry on 14th December 2025].

The court makes the findings sought on parental drug use, the chaotic nature of their life at times and the children's exposure to it.

Y THE FATHER

202. The findings now sought by the local authority against Y alone are more limited. It may seem implausible that Y was completely unaware of any physical abuse of A given the extent of the physical injuries he suffered. A has at times referenced trying to tell his father what was happening and his father not believing him or that his father may have suspicions. However, the weight of A's evidence largely supports his father's position that he had no knowledge of how X was behaving and that the abuse occurred when Y was absent. It is noted again that the evidence portrays Y as often absent from the family home and when at the property somewhat disengaged from day-to-day parenting and family life. Furthermore, both the maternal uncle and A give evidence as to the nature of X's was Jekyl and Hyde character, and her propensity to switch suddenly between being calm, loving and attentive to 'feral'.

203. It is within that context that the local authority seek much more limited findings of failure to protect against Y resulting from his failure to engage openly and honestly with the section 47 investigation in October 2025 and his failure to ask more questions about A's serious facial injury in April 2023. With respect to the facial injury, the court has been troubled by the inconsistencies in the evidence as to whether Y was even living in the family home during this period, causing doubt as to the honesty of both parent's accounts of the events of that night. However, taking what Y says on balance to be accurate, and in a context whereby there was nothing else that had alerted him to the possibility that A was being physically abused, the court has sympathy with Y's position that he simply accepted what both A and X were telling him, namely, that this was an accident. None of the professionals involved at the time, including the hospital that treated A, were expressing any concerns about the explanation being provided for how the injury was caused. It is not a reasonable expectation to impose on Y that he would have considered anything wrong and asked more questions.

204. The Court however takes a different view of the events in October/November 2024 Y's response to the enquiries made of him by Ms H is entirely consistent with the general defensiveness displayed in his evidence and minimisation of any concerns raised by professionals. When Y eventually spoke to Ms H (something which quite concerningly he struggled to remember in his oral evidence), Y 's response was woefully inadequate. It was focused almost entirely on X, her response to the allegations, the difficulties it had caused her and the support she needed. Y simply dismissed the allegations as reported by A out of hand. Indeed, A was invisible in Y's response. There was no empathy, concern or curiosity about why A may have made such allegations. There is no evidence Y took the appropriate steps as may be expected of any parent in this situation to speak to his son about the allegations and whether he felt safe and ok. In the court's judgment, having now been told that A was reported to have made very serious allegations against his mother, that was a failure to protect. That failing was compounded by the lack of openness with Ms H regarding the ongoing issues of volatility and instability within the parents' relationship which gave a distorted picture of A's experiences within his family home. The lack of candour and lack of concern exhibited by Y materially contributed to professionals concluding there was no basis for ongoing involvement and allowed the abuse to continue for a further 6 months. On this more limited basis, the Court finds that Y failed to protect his son.

205. Finally, the local authority seek a threshold finding that Y has a lack of insight into the allegations made by A against his mother. The court does not consider this is properly constituted as a threshold finding given it pertains to matters which have arisen after the local authority first intervened to take protective measures. It is however an important consideration for the welfare stage of these proceedings, and the court, having considered the evidence and had the benefit of oral evidence, expresses grave concerns as to Y 's insight. The allegations made by A are of the most serious nature. Yet, despite the allegations made by A, Y has continued in a relationship with X throughout these proceedings, including engaging in marriage counselling with a view to working on the marriage and exploring being reunited as a family once proceedings have finished. That does not sit easily with Y having any genuine belief as to the allegations made by A.

206. Furthermore, throughout his oral evidence Y presented, and accepted, feeling confused and uncertain about the allegations, despite what he knows about A and the mother, and having observed the mother give oral evidence. The court understands that allegations of this nature made against one parent are very difficult for the other parent to process and it can take time to come to terms with the evidence and the consequences for all the family. These proceedings have however been ongoing for more than 12 months. Y has had significant time to consider the evidence and reach an informed view as to whether the children need protecting from X .He has not done so and his ambivalence about the truth of the allegations, alongside his evident ongoing feelings for X, the enmeshed nature of their relationship and his deliberate and sustained dishonesty with professionals, raises significant welfare issues.

Conclusion

207. The court's findings are of the utmost seriousness. A has suffered serious harm throughout his childhood as a result of physical and sexual abuse at the hands of his mother. For much of this time A's family have been subject to statutory intervention by A Local Authority. Yet, the abuse was never identified. There may be many different reasons for that failing including the way in which the 2014 proceedings were compromised creating the lens through which all future concerns were seen and the intense focus on domestic abuse within the parents' relationship, with father considered the perpetrator and X the victim, potentially occluding other safeguarding concerns. These are not matters for the Court but for the local safeguarding partners. A copy of this judgment is to be sent to the Directors of Children's Services of the Local Authority to give urgent consideration to whether a serious incident notification should be sent to the Child Safeguarding Practice Review Panel in accordance with the June 2025 Guidance.