

Neutral Citation No: [2024] NIFam 18

Ref: KIN12608

*Judgment: approved by the court for handing down
(subject to editorial corrections)**

ICOS No: 19/103847

Delivered: 03/10/2024

IN THE HIGH COURT OF JUSTICE IN NORTHERN IRELAND

FAMILY DIVISION

IN THE MATTER OF THE CHILDREN (NORTHERN IRELAND) ORDER 1995

BETWEEN:

A HEALTH AND SOCIAL CARE TRUST

and

AB

and

EF

Ms Ramsey KC with Ms McKernan (instructed by Directorate of Legal Services) for the
Applicant

Respondent Mother appeared as a Litigant in Person

Mr Magee KC with Ms McHugh (instructed by Quigley Grant & Kyle Solicitors) for the
Respondent Father

Ms Smyth KC with Ms McAleer (instructed by Caldwell & Robinson Solicitors) for the
Children's Court Guardian

KINNEY J

Introduction

[1] Nothing must be published which would identify the family or the child to whom this case relates. The judgment has been anonymized and the parties have been given ciphers. I have referred to the child as "Fiona." This is not her real name.

[2] The Health and Social Care Trust ("the Trust") has made an application for a care order in respect of Fiona who is now seven years old. The Trust application is

supported by EF (“the father”) and by the Court Children’s Guardian (“the Guardian”). The application was opposed by AB (“the mother”).

Background

[3] Social services have been involved with this family for some considerable time. The mother has two older children who were placed in the care of their father. Fiona was born in 2017. The mother did not engage in a pre-birth assessment of Fiona, and she was placed in her father’s care. Recurring themes of concern in the family were allegations of physical abuse between the father and mother, substance misuse by the mother and father, the mother’s mental health and the mother’s aggression towards social services.

[4] Proceedings were issued by the Trust for a public law remedy. The father was granted an interim residence order in April 2021. A supervision order was made in respect of Fiona by Her Honour Judge McCaffery on 1 September 2021 along with other orders including a residence order to the father and a prohibited steps order preventing the mother from removing Fiona from the jurisdiction during the lifetime of the supervision order which was 12 months. This order had followed the abduction of Fiona by her mother in June 2021 which required the involvement of the Garda in the Republic of Ireland to assist in having Fiona returned to the care of her father.

[5] There was a further incident of abduction in July 2022 when the mother again took Fiona out of the jurisdiction. Police were involved and a child alert was raised. Fiona was located in Donegal with the mother. She was not returned to this jurisdiction and to the father’s care until January 2023 after the High Court in Dublin had made a Hague Convention return order on 20 December 2022. A further interim supervision order was made in August 2022 and was continued until June 2023 when an interim care order was made along with an exclusion zone which included the father’s house and Fiona’s school. In July 2023, the mother again abducted Fiona from within the exclusion zone and took her to Donegal. A recovery order was sought and made by the court on 6 July 2023 and Fiona was returned to the father on 11 July 2023. A further court order was required to restrain the mother from uploading confidential information onto social media. The information included portions of LAC meetings relating to Fiona.

[6] There was a significant history of domestic violence in the family including an allegation by the mother’s eldest son that she had assaulted him. The mother has consistently refused to engage in any assessments. There was a child assessment order made in January 2020, but the mother only attended one session. She has steadfastly refused to engage with social services over the years. There is a long history of a lack of engagement by the mother while she has been extremely critical of all other parties involved in Fiona’s care.

[7] When the matter came before HHJ McCaffery in the Family Care Centre in 2021 there was dispute over the statutory threshold for a public law order. After hearing submissions and considering the evidence HHJ McCaffery made findings. The father conceded threshold, but the mother did not accept the threshold statement put forward by the Trust. The father accepted that at the date of intervention his relationship with the mother was characterised by incidents of domestic disharmony. He was convicted of a drugs-related offence in April 2019 which resulted in a custodial sentence. The father's ability to provide full-time primary care for Fiona was assessed at that point. The Family Care Centre identified the following threshold criteria.

[8] At the date of intervention, the child suffered and was at risk of suffering significant physical and emotional harm because:

- the relationship between the mother and the father was characterised with incidents of domestic disharmony and on occasions Fiona was present. There has been police involvement with the family, including the incident which occurred in April 2019.
- The mother is unable to appropriately and consistently regulate herself and her behaviours when engaging with others, particularly those with whom the mother disagrees. The mother is aggressive and abusive towards professionals. This adversely impacts on the emotional well-being of Fiona.
- The Trust have ongoing concerns about the mother's presentation, her mental health (in particular, the mother's refusal to seek appropriate professional assessment and intervention regarding same) and disharmony in her relationships.
- The mother has mental health and/or emotional difficulties which are evident in her behaviours and presentation. This adversely impacts on her ability to meaningfully engage with others, to meet the emotional needs of her children and to provide appropriate parenting for them. The mother refuses/is unable to seek appropriate professional assessment and intervention regarding her mental health needs.
- The mother has little or no insight into the concerns of the Trust.
- The mother prioritises her own needs above the needs of the child particularly when she is unable to contain herself to ensure the child is not exposed to emotional outbursts which adversely impacts on her.
- The mother is unable to work in cooperation with the Trust. The child's name was placed on the Child Protection Register in July 2019. Since that date, the mother has been unable to or has refused to consistently engage with the

professionals involved to enable the child protection plan to be actioned. The Trust have been prevented from assessing the situation and to ensure that the child is safe and to enable informed decisions to be made in the interests of the child.

- The mother refuses to comply with the court order. The mother refused to make herself or the child available for the child assessment order to be put into effect.
- The child's emotional needs are not met by her mother.
- The mother is unable to provide appropriate parenting for her child. The mother was unable to provide a safe home environment for the child and to protect her from harm.

[9] The mother was seen by Dr Curran, consultant psychiatrist, in 2021 to assess her competence to understand instructions and to represent herself in proceedings. He described features of mild hypomania characterised by persistent disinhibition and mood elevation or euphoria, increased talkativeness and confidence commonly exhibited with a flight of creative ideas, feelings of grandiosity and distractibility. Dr Curran did not believe that the mother had any understanding of Trust concerns and because of the lack of insight into her own impaired mental condition was unlikely to act on advice and work with professionals. His conclusion at the time of that report was that she did not have capacity to understand court proceedings and the consequences of any order. The Official Solicitor subsequently became involved and, with legal representatives, supported the mother through the application for a supervision order in 2021. The mother continued to have legal representation until December 2023 when she sought to dismiss her legal team and to represent herself, assisted by an individual who was to act in the capacity of a McKenzie friend or advocate.

[10] In a written judgment on this issue (*A Health and Social Care Trust v a mother and a father* [2023] NIFam 22) McFarland J considered the mother's litigation capacity and the application for a McKenzie friend. The judgment reflected the history of the proceedings including these proceedings seeking a care order. The Official Solicitor had assumed a role in these proceedings as an amicus as there had been no formal ruling on litigation capacity. The court noted that Dr Curran's report was almost three years old, and the mother was refusing to carry out any further assessment by any psychiatrist. The court noted there was a presumption in favour of capacity and found that the mother did have litigation capacity. She was then allowed to terminate her retainer of her solicitors and counsel. In light of that ruling, the mother made a further application for a named individual, XY, to be appointed a McKenzie friend. Such an individual if appointed can provide moral support, take notes with the permission of the judge, help with case papers and quietly give advice during the hearing. In exceptional circumstances, rights of audience can be permitted by the court and the McKenzie friend can therefore in those exceptional

circumstances take on the role of advocate. After carefully considering the practice guidance relating to the appointment and conduct of McKenzie friends and relevant case law the court determined that XY was not a suitable person to act as a McKenzie friend for the mother. The court emphasised that the mother would benefit from the services of a McKenzie friend and that she could approach another person to fulfil that role. The court would consider any application on its merits. The court also advised the mother that she should consider instructing a solicitor as she may benefit from receiving legal advice. The matter was then listed for final hearing in January 2024.

[11] The care plan at that time, as now, was for the father to look after Fiona. Further work was required to be done with the father. He had engaged well with the Trust and had successfully completed a parenting assessment. The paternal grandfather lived with the father and was part of a safety network. However, Trust concerns remained about the parental relationship, the ongoing substance misuse by the father and the difficulties in adhering to safety plans regarding the mother's contact with Fiona. In autumn 2023 the father tested positive for cocaine in a hair follicle test, casting some doubt on the care plan, and the hearing was adjourned.

[12] The matter came back before the court for final hearing in June 2024. The mother received a very substantial volume of documentation from the Trust just before the hearing and after considering submissions I determined that it was not appropriate to continue with the final hearing as the mother was a self-represented party and had not been able to properly consider all of the documentation provided by the Trust. Having determined it was appropriate to adjourn the case I then dealt with a variety of other issues.

[13] The mother renewed her application for XY to be allowed as her McKenzie friend or advocate. McFarland J's principal concern was the issue of XY's conduct. After the court determined that XY was not a suitable McKenzie friend she continued to remain involved in the mother's case. The mother had been provided with disclosure by the Trust and gave an undertaking not to share that information with anyone. It appeared from a comment from the mother that XY had accessed approximately 90% of that documentation. XY was present in court and was allowed to remain pending the resolution of the application. It was made clear to her that she could play no active role. Despite that warning and indeed further warnings given to XY, she continued to be actively involved. I am satisfied that the concerns expressed by McFarland J are not only well grounded but that those concerns remain. XY has continued to play a role in these proceedings which she is not entitled to play. I am satisfied that XY is not suitable to participate in these proceedings either as a McKenzie friend or as an advocate. I also reminded the mother that she is entitled to seek the assistance of a McKenzie friend and indeed would be encouraged to seek either such help or further legal representation. She simply cannot have the assistance of XY.

[14] At this hearing the guardian also made an application that Fiona be provided therapeutic assistance. That had been identified as a priority for Fiona for some time. The mother had refused to provide permission to allow that work. However, at court she confirmed that she was providing her permission, and I made a direction that the therapeutic work for Fiona would commence before the final hearing.

[15] A further issue was ongoing contact between the mother and Fiona. The mother agreed to sign a contract to ensure that the contact proposed by the Trust was safe and appropriate for Fiona. I explained to the mother that contact would not start until she signed the contract and that if she did not abide by its terms contact would stop. Finally, I explained to the mother the task facing the court. The mother had sought a separate fact-finding hearing. Having heard submissions and having considered the papers I did not consider a separate fact-finding hearing to be appropriate or beneficial. All matters could be considered at the final hearing.

[16] When the matter came for final hearing in September 2024 the mother made further applications. Many of these were a repeat of applications previously made. The mother sought again the appointment of XY as her advocate. She sought an adjournment of the case. The previous guardian had retired in June 2024 and a new guardian was appointed who had made a preliminary report before the final hearing. The mother contended that she did not have notice of the report of the guardian and that certain matters had been left out of that report. The mother also contended that there was further disclosure required from the Trust although it was not clear what exactly was requested. Finally, the mother complained that the court had not yet conducted a fact-finding hearing.

[17] There had been no further change in circumstances regarding the application for assistance from XY, other than the mother now requesting that assistance by way of advocate rather than McKenzie friend. The mother maintained that she was entitled to the advocate of her choice. The mother had read the practice guidance on McKenzie friends and rights of audience, and I explained that any such assistance was a matter for the court. In all the circumstances, I confirmed that XY was not a suitable advocate or McKenzie friend but that the mother would be encouraged to seek assistance from someone else. She refused to do so.

[18] The mother then moved her adjournment application on the basis she had just received the guardian's report and two other short documents from the Trust. After hearing submissions from all the parties, I refused the application to adjourn. The mother's concerns regarding the guardian could be explored during evidence and the mother had the right to cross examine the guardian. There was almost a week between the first day of the hearing and the second day of the hearing and the mother would have time to prepare and to consider the papers which she had received which amounted to some seven pages. I ensured the mother understood the way in which the court intended to progress the hearing, and I gave her added time to consider her approach. On her return to court the mother was very

dysregulated and insisted that I had not dealt with the applications. She said that she intended to leave the court and prevent the matter from proceeding. I encouraged her to remain and told her it was important that she make her case. However, the case would proceed if she removed herself. She decided to leave. The case did not proceed further that day, and the mother was written to, encouraging her to attend on the second day of hearing and also making it clear the case would proceed if she decided not to attend.

[19] On the second day of hearing the mother did attend. She again challenged the decisions made by the court. She made an application that I should recuse myself on the grounds of bias. On further probing it appeared that the bias alleged was that I had attempted to usurp the function of the Court of Appeal in deciding on the application for a McKenzie friend. I explained to the mother that she had filed a further application in relation to XY and that was the matter I had dealt with. I declined to recuse myself and the mother again left the court. In those circumstances I invited submissions from the remaining parties as to the appropriate way forward. I determined that the final hearing should proceed. The mother had refused to sign the contract for contact and there was no direct contact currently between the mother and Fiona. She had also withdrawn her consent for the therapeutic work identified for Fiona and this had not taken place. I took into account the no delay principle but primarily considered the welfare of Fiona and her best interests. A further delay in the final hearing in this matter was in my view detrimental to Fiona's welfare. The case proceeded without any further direct involvement of the mother.

The mother

[20] Social services involvement with the mother started from in and around 2010 in relation to her two older children. The mother refused to engage in pre-birth assessments in relation to Fiona. However, she did engage appropriately with health professionals in Fiona's early life and the Trust closed its direct involvement with Fiona in July 2017 when she was some five months old. Concerns remained about the relationship between the mother and the father. The Trust were unable to complete assessments or provide support because of the mother's lack of meaningful or sustained engagement with those services. As reflected in the threshold findings there was a significant incident of domestic violence in April 2019. The father was subsequently held in custody for drug related matters. The Trust obtained a child assessment order in 2020, and the mother apparently agreed to engage in a parenting capacity assessment but in the event attended only the initial session. The mother has not engaged in the work or assessment proposed by the Trust since then.

[21] Fiona moved to the care of her father in April 2021 and since that time there is sadly an established pattern of abduction of Fiona by her mother. One episode lasted from July 2022 to January 2023 and required the involvement of professional services both in this jurisdiction and in the Republic of Ireland. The mother has shown persistently high levels of hostility towards professionals and there is a lack of meaningful engagement.

[22] The mother's older daughter returned to her full-time care some months ago. She left the care of her father. However, there have been substantial issues for the designated social worker in being able to see this child and evidence was given during this case that there is likely to be further Trust intervention in relation to that child. The mother has refused to adhere to safety plans for Fiona. She has refused to sign a contract to enable safe contact to take place. She has prevented therapeutic interventions which the guardian, the father and the Trust all consider necessary for Fiona's well-being.

The father

[23] The father has cooperated with the Trust and supports both the care plan proposed by the Trust and its application for a care order. The care plan is for Fiona to remain in her father's care supported by the paternal grandfather who resides with the father and Fiona and also supported by an identified safety network. The father is supportive of contact between the mother and Fiona but considers that there must be ground rules in place so that contact is a positive experience for Fiona.

[24] The father has completed work regarding stress management and trauma. He engaged well in those sessions and was assessed as being better equipped to manage and deal with anxiety and stressors. He has also recently conducted individual parenting support sessions. He demonstrated a high level of commitment and engagement in this process. He is engaged with psychotherapist work and will cooperate with future psychotherapeutic support along with child psychotherapy for Fiona.

[25] His substance misuse is a matter of some concern. He has admitted to cannabis consumption and one drug test proved positive for cocaine. He has been addressing these issues by engaging both with the Trust and other services such as Probation, Barnardos and ASCERT. His most recent hair follicle test was clear for illegal drugs but worryingly showed evidence of excessive alcohol consumption. This area of work is ongoing.

Fiona

[26] The original guardian, Ms Forgrave, saw Fiona on a number of occasions. In her last report dated 7 June 2024 she noted her growing willingness to engage with the guardian. Fiona misses her mother and wants more time with her. The guardian found that Fiona had attempted to normalise her experience, particularly sudden and unplanned changes to her caregiving, by processing those as being on holiday. The guardian describes Fiona as an emotionally traumatised young girl who requires the delivery of narrative work and therapeutic input. More recently, Fiona has been able to articulate a range of difficult feelings and sense of uncertainty regarding her relationships. The guardian concluded that Fiona has a clear sense of

the acrimony that exists between her parents and that she wonders if she is in some way responsible for this.

[27] Fiona is well settled in day-to-day routines. The key concerns are about her emotional health and development. Fiona was assessed by a psychologist in June 2023. This confirmed that Fiona's exposure to significant emotional childhood adversity and attachment disruption led to a conclusion that a diagnosis of developmental trauma alongside indicators of ADHD needed to be considered.

[28] The guardian considers the need for a narrative and psychotherapy work to be a priority for Fiona. The father has noted periods of dysregulated behaviour by Fiona, but these have decreased with the passage of time. The school have also noted that such episodes can escalate around contact visits.

[29] The guardian also commented on the role of the paternal grandfather. The guardian assessed that the father still requires consistently high levels of support from his own father along with the safety network and the Trust. The guardian considers this need for support will continue for the foreseeable future.

[30] One particular aspect of Fiona's life has been the unpredictability in caregiving created by the mother's abductions without warning or preparation. The guardian concluded that these are not only emotionally detrimental but also continue to impact her daily life as tight safety plans are required to prevent similar episodes in the future.

[31] Ms Forgrave retired and subsequently Ms Forster was appointed as guardian for Fiona. She completed a report for the court dated 5 September 2024. Ms Forster met with Fiona, the father and the mother separately. She described Fiona as a bright happy little girl who was quick to laugh and enjoyed having fun. As with Miss Forgrave, Fiona told Ms Forster that she misses her mother and despite having completed narrative work with the social worker did not understand why she was not seeing her mother. Fiona sees her half-brother on a regular basis but has not been able to see her half-sister because she now resides with her mother and the mother will not allow contact unless she is also present.

[32] The mother told the guardian of her concerns about the father in particular his difficulties with drugs and alcohol intake. The mother was clear in telling the guardian she wanted Fiona to return to her care. She refused to accept that Fiona could be safe in her father's care. The father told the guardian that he supported the Trust's application for a care order and also that he recognised his continuing need for support and the continuing involvement of the Trust in managing contact between Fiona and the mother. He was anxious that Fiona could start her psychotherapy as soon as possible.

[33] The guardian also spoke to the parental grandfather who confirmed that he worked as a team with the father. Both the father and grandfather described the

difficulties in maintaining a tight safety plan around Fiona because of the previous actions of the mother. They said they were aware that she feels different to her friends who are not always accompanied by their parents.

[34] The guardian concluded that as a result of her history Fiona has not experienced healthy emotional development. She struggles with managing her emotions and her behaviour can be challenging. The therapeutic work available to her is long overdue. The guardian accepts that the mother clearly loves Fiona. Sadly, the mother cannot accept any professional opinion that differs from her own view that Fiona can only be cared for by her. The father also loves Fiona and has remained living with his own father to ensure that Fiona is well cared for. He is concerned about Fiona's emotional needs and well-being and is keen to see therapeutic work carried out.

[35] The guardian referred to Ms Forgrave's recommendation that a care order should be granted for Fiona. The guardian noted the areas in which the father will have to continue to make a sustained effort, and she noted his intent to continue to work to improve the situation. Ms Forster also recommends that the court grant a care order in respect of Fiona.

Consideration

[36] The Trust application for a care order is pursuant to Article 50 of the Children (NI) Order 1995 ("the 1995 Order"). The court may consider making a care order placing a child in the care of the Trust if the threshold criteria are met.

[37] Article 50 provides:

"50.—(1) On the application of any authority or authorised person, the court may make an order —

(a) placing the child with respect to whom the application is made in the care of a designated authority; or

(b) putting him under the supervision of a designated authority.

(2) A court may only make a care or a supervision order if it is satisfied —

(a) that the child concerned is suffering, or is likely to suffer, significant harm; and

(b) that the harm, or likelihood of harm, is attributable to —

- (i) the care given to the child, or likely to be given to him if the order were not made, not being what it would be reasonable to expect a parent to give to him; or
- (ii) the child's being beyond parental control.

(3) Where the question of whether harm suffered by a child is significant turns on the child's health or development, his health or development shall be compared with that which could reasonably be expected of a similar child."

[38] I have considered the various reports and assessments that were opened to me in these proceedings, the statements of the parties and the oral evidence that I have heard. I am satisfied that the facts contained within the schedule provided by the Trust and as found by HHJ McCaffrey in 2021 are made out on the evidence before me. I am further satisfied that Fiona has suffered significant harm and is likely to suffer significant harm by virtue of those findings. I am satisfied that the statutory test on threshold has been met.

[39] This finding is merely the first step in considering the applications before me. Having found that threshold is met I must go on to consider whether a care order is required. I must consider Fiona's individual circumstances. I have applied the welfare test and taken the welfare checklist factors contained in Article 3 of the 1995 Order into account in reaching my conclusions.

[40] Fiona has been living with her father and her paternal grandfather since 2021. They share a close bond and there are consistent routines within the house. Fiona is safe and secure in this placement. The father has a history of drug and alcohol abuse. He recognises these as significant issues and has fully engaged with the Trust and the services available to him. I am satisfied that he has been able to make consistent and meaningful changes to his lifestyle. However, that journey is not yet complete, and it is clear further work is required. The role of the grandfather and the safety network that surrounds Fiona is of paramount importance. I am satisfied the father cannot provide what Fiona requires on his own. He needs, and currently avails of, the support of his safety network and of the Trust. He has been able to prioritise Fiona's needs but lives under considerable stress due to concerns created by the behaviour of the mother.

[41] The mother has been offered a range of assessments during these proceedings and earlier proceedings. She has simply refused to engage and has developed a very distrustful and dysregulated relationship with the Trust, other professionals involved with Fiona, and the paternal family. Her lack of insight has created considerable confusion and emotional trauma for Fiona. I entirely accept that this is

not a deliberate act and that the mother loves Fiona dearly, but nevertheless, the consequence of her actions has had a significant impact on Fiona and her welfare.

[42] In particular, the mother's behaviour has prevented contact with Fiona. This is something that Fiona has repeatedly said she wants and would welcome. The mother has also created great stress and uncertainty by her attempts to abduct Fiona. I am satisfied that the mother cannot show appropriate protective parenting abilities nor the ability to provide a safe environment. She is not able to prioritise Fiona's needs over her own. I am particularly concerned that despite a belated agreement in June of this year to allow Fiona to have the benefit of psychotherapeutic work, the mother withdrew that agreement and Fiona has not yet been able to benefit from work which all concerned considered to be essential for her well-being.

[43] I have taken into account the evidence and recommendations of both Ms Forgrave and Ms Forster in their roles as guardians. They have described Fiona as a delightful young girl. They have also described her concerns and desires. I am satisfied that Fiona's wishes and feelings have been expressed to the guardians in an age-appropriate way. She clearly wants to have an ongoing relationship with her mother and with her siblings. She wants to have a settled and secure life in which she does not feel different from other children. She has some awareness of animosity between her parents but does her best to rationalise this in an age-appropriate way. I have no doubt that she would benefit greatly from the therapeutic work which is planned and which the father supports. I equally have no doubt, sadly, much of the trauma in her young life has been created by the actions of her mother, even if this is unintentional.

[44] I have carefully considered the care plan. I am satisfied that rehabilitation to the mother is not possible now or at any foreseeable time in the future. I am satisfied that there are still issues to be resolved in the presentation of the father and in addressing his vulnerabilities. It is unusual to make a care order where the care plan involves placement with the parent. However, in this case it is clear that there are substantial issues about the father's ability to parent alone and also to regulate in any way contact between Fiona and her mother.

[45] I am satisfied in this case that a care order is both necessary and proportionate to safeguard Fiona's best interests and her future.

[46] I, therefore, approve the care plan and I make the care order.

[47] As I have already said, Fiona is keen to have contact with her mother. However, that contact is not possible until the mother will accept and address the safety contract which she has been asked to sign before contact can recommence. I have considered that contract.

[48] I am satisfied that it contains reasonable requirements surrounding contact between the mother and Fiona in the circumstances of this case. I emphasise that

these arrangements are not set in stone and circumstances can change. If the mother can make progress, engage in work that can be provided to her and, in particular, in view of the history agree to comply with the safety contract, then contact can be resumed. It is also important that contact between Fiona and her siblings is developed. The Trust has a duty to ensure that contact is reviewed and supported going forward for Fiona's benefit.

[49] I am satisfied that the Trust's current proposal for contact is appropriate.

[50] I discharge the guardian.

[51] The father has also made a private law application for a non-molestation order against the mother under the terms of Article 20 of the Family Homes and Domestic Violence (NI) Order 1998 ("the 1998 Order"). This application was initiated in the domestic proceedings court by summons dated 26 June 2023 and was subsequently transferred to the High Court to be determined alongside the care order proceedings relating to Fiona. The application is based on the evidence provided by the father. I am satisfied, on the basis of that evidence, that a non-molestation order is both necessary and proportionate. I am satisfied the draft order provided by the father is appropriate and includes an exclusion zone that the mother must observe as part of the order. This includes the father's home address and also Fiona's school. The father asked that the order be made until Fiona reaches the age of 18. The court should only make an order for a period that is necessary for the protection of the applicant. I am not satisfied that such a long period is proportionate or necessary. I, therefore, make the order for a period of 12 months which will expire on 2 October 2025.