

Public Law Working Group : Training & Implementation

Top 10 Tips

1. Ensure a risk responsible approach is taken in each & every case: managing risk in the community whilst supporting and working with families to effect sustainable change in the care given to the children.
2. Ensure effective use of the PLO in each & every case to assess parents' and/or the wider family's abilities to afford good enough care to the children.
3. Issue public law proceedings? Ask (i) what order is being sought (ii) why and (iii) why now? When proceedings must be issued, ensure that the evidence from the PLO is relevant and fresh to avoid duplication of work in proceedings.
4. Ensure timely applications for public law orders and ensure 'urgent' applications are confined to the small number of cases where urgent applications are justified and necessary on the facts of the case.
5. Use short form orders, save for the first hearing and final hearing, and ensure the use of template case summaries & position statements to inform the court of (i) immediate past events and (ii) the issues for determination at that hearing.
6. Ensure every court hearing is as effective as reasonably possible and resolves as many issues in dispute as can be fairly achieved. The number of hearings should be reduced to those that are necessary.
7. Carefully scrutinise each & every application for the instruction of an expert. Is an expert necessary? If so, why? Why does the social worker and/or children's guardian not have the requisite expertise and experience?
8. Save in the most exceptional of circumstances, do not remove a newborn baby from its parents using the s 20/ s 76 procedure.
9. Ensure SGO assessments are comprehensive and evidence informed based on the lived experience of the identified family member(s) and the child. Ensure that SGSPs are robust and make provision for the support and services to be provided on the basis of an assessment of need, especially in relation to contact, in the short, medium & long term.
10. Save in the most exceptional of circumstances, do not (i) make a supervision order alongside a SGO or (ii) make a care order where children are to return or remain at home.