



NE21C50153
1634-5524-6215-7092

Standard directions order

This order comes under The Children Act 1989.



Ordered on 18 October 2021 by Miss Blakey

Family Court sitting at Newcastle

Next hearing

Date	4 November 2021
Venue	Remote hearing at Newcastle Civil & Family Court. Details and instructions will be sent by the local court.
Hearing attendance	Remote - video call
Details	Teams
Pre-hearing attendance	1 hour before the hearing
Hearing	2:00pm - 3:00pm

Parties and their legal representatives must attend pre-hearing discussions.

Complying with this order

The 26 week time limit runs out on 18 April 2022.

Let the case management judge know as soon as possible if you cannot comply with any of these directions and you need to ask for an extension.

If any party does not follow these directions or does not attend the hearing without a good reason, the court may make final orders, including care orders and placement orders, at that hearing.

Confidentiality

The names of the family and children must not be disclosed in public without the permission of the court.

Children in the case

Rebecka Ru Yu Gan	Girl	Born 24 March 2007
--------------------------	------	--------------------



The Children Act 1989

The child

Rebecka Ru-Yu Gan Girl 24/03/07

FURTHER INTERIM CARE ORDER MADE BY HER HONOUR JUDGE SMITH AT A FURTHER INTERIM CARE ORDER HEARING ON 25 OCTOBER 2021

The parties and representation at this hearing

1. The applicant is Northumberland County Council, represented by J.O'Sullivan counsel instructed by Katherine Reay (Solicitor) whose contact details are 01670 623338 and Katherine.Reay@northumberland.gov.uk

The first respondent is Choi Yang Gan, the Mother, represented by K. Patterson solicitor of Yarwood and Stubley Solicitors whose contact details are kyle@yarwoodstubley.co.uk

The second respondent is Peter Dunne, the Father, represented by Eleanor Irons, whose contact details are e.irons@derestreet.co.uk instructed by Lawson and Thompson whose contact details Tim.barker@lawsonandthompson.co.uk

The third respondent is the child (by their children's guardian Joanne Eadie), represented by L. Peel solicitor of Richard Reed Solicitors whose contact details are Laura.Peel@RichardReed.co.uk

Important notices

Confidentiality warning

The names of the family and the child are not to be disclosed in public without the court's permission.

Compliance warnings

All parties must immediately inform the allocated judge as soon as they become aware that any direction given by the court cannot be complied with and to seek in advance an extension of time to comply.

In the event that a party fails to comply with directions and/or fails to attend any hearing without good reason the court may make final orders including care orders and placement orders at that hearing.

PUBLIC FUNDING RECITALS

Family Advocacy Scheme

2. The Court determined that in the exceptional circumstances of the current national public health emergency this case is suitable for hearing remotely ('remote hearing') by means of Microsoft Teams
3. The hearing was conducted by Microsoft Teams in accordance with the President of the Family Division's Covid 19: National Guidance for the Family Court dated 19.03.2020 and all parties and their advocates being required to attend today at 09.00 for the purposes of pre-hearing discussions, and the hearing being listed at 10:00 and concluding at 10.52
4. The Court allowed a further hour for the drafting of this Order, such that the above-named advocates were in attendance continually between 09.00- 11.52 being a total time of 2 hours and 52 minutes.

OTHER RECITALS

5. The Court was advised that the father had since 23 October 2021 left the jurisdiction and returned to the Republic of Ireland in order to pursue proceedings designed to challenge and overturn his material conviction as wrongful and so remove a key issue in the local authority's case within these care proceedings. He indicated that he was living with his brother but proposed to return to the jurisdiction at some time in the future. It was noted that neither parent has alluded to this development in their very recent statements.
6. The Court approved of there being a further interim risk assessment of the mother by the local authority given this very recent change of circumstances so that the interim placement of the child could be properly reviewed as recommended by the children's guardian and agreed to be the local authority and the parents.
7. The Court was further advised that the initial assessment of Laura Hanrahan as parents' nominated alternative carer if the child could not be rehabilitated to parental care was positive and that the local authority proposed to fully assess her. Owing to her distant whereabouts the local authority was not presently minded to move the child at this interim point but will keep this under review in the light of the child's wishes and feelings and further initial risk assessment of the mother by the local authority. It being noted that the parties were not aware prior to the hearing of the outcome of Ms Hanrahan's assessment and therefore were

not able to take instructions on the same and await the receipt of the assessment today.

8. The Court agreed to;

a. the making of a third party disclosure order to Warwickshire Children's Services regarding previous its involvement with the father on the basis that he today consented to this (which he later through counsel confirmed to be the case). Any further necessary applications for such orders must be made at case management hearing and;

b. the use of the EX660 process upon supply to the Court of a completed draft form from the local authority regarding the immigration status of the child and her parents

9. The Court was not asked today by any party to discontinue the interim care order or approve a different interim care plan for the child on the basis that the parents' had not had sight of the viability assessment of Ms Hanrahan and wished to do so, and wished for the risk assessment of the mother to be carried out, with the matter of interim placement to be reviewed by the Court at the next hearing following this evidence being available;

THE COURT ORDERS

Jurisdiction

10. The court declares it is satisfied it has jurisdiction in relation to the child based on habitual residence.

Interim Care Order

11. The child is placed in the care of Northumberland County Council until determination of the proceedings or further order

Interpreters/translation

12. **The court must arrange for an interpreter fluent in mandarin to be available at all future hearings to attend no later than one hour before the time the hearing is listed.**

13. The court authorises the use of an interpreter by the solicitors for the first respondent mother to enable them to take instructions. The cost of the interpreter must be paid by the legal certificate of the Respondent Mother.

Parents' further statements

14. The parents must by 4.00 pm on 29.10.2021 send to the court and to the other parties a narrative statement providing;

1. clear, detailed and corroborated indication of the parents recently altered living arrangements plus their short and medium term plans for care of and contact with the child and including details of parental living arrangements and the supervision of paternal contact in the event the child returns in the interim to live with the mother, where the father would live should he return to England; any safeguards/ orders that could be put in place to protect a placement of the child with her mother in the interim; how long the father intends to remain in the republic of Ireland and any evidence the father can provide to demonstrate he is currently residing in the Republic of Ireland;
2. Any further information properly considered by them to be material to the immediate, short and medium interim care and contact arrangements for the child;

Further local authority evidence

15. The local authority shall provide as follows;

- a. Its viability assessment of Laura Hanrahan by 4.00 25 October 2021
- b. An updated risk assessment of the mother in the context of interim care and contact including any safeguards/ orders that could be put in place to protect a placement of the child with her mother in the interim by 4.00 pm 2.11.2021

Children's Guardian's further analysis

16. The Children's Guardian must by 4.00pm on 3.11.2021 send to the Court and to the other parties a position statement.

Advocates' meetings

17. The child's solicitor must arrange an advocates' meeting for no later than 2 working days before each hearing. Each advocates' meeting shall be attended by the advocates who will appear at the hearing to which the advocates' meeting relates or any subsequent fact-finding or final hearing if different.

Documents/Bundles

18. No document other than a document specified in an order or filed in accordance with the Rules of any Practice Direction shall be filed without the court's permission.

19. Court bundles must be prepared and lodged at court in accordance with Practice Direction 27A.
20. Permission is not given for the court bundle to exceed 350 pages.
21. The local authority must provide a witness bundle for any hearing at which evidence is to be called.

Variation of orders

22. Any application to vary this or any other order is to be made to the allocated judge on notice to all parties.
23. An application to vary this or any other order may be made by email to the allocated judge provided the party seeking variation seeks the prior agreement of the other parties and when seeking the variation must submit a draft order and confirm whether:
 - a. the proposed variation is agreed; and, if so
 - b. to what extent the proposed variation would affect the timetable for the proceedings.

Dated 25.10.2021

SCHEDULE

Child's current arrangements

1. The child is living with local authority foster carers, having been removed from her parents on 15.10.21 under police powers of protection. The Local Authority agrees to facilitate face to face contact between the child and the Mother as soon as possible. Contact with the Father will be subject to a risk assessment being undertaken.

Allocation

2. The proceedings are allocated to Her Honour Judge Smith.

Timetable for the proceedings

3. 26 weeks from the date of issue of these proceedings will expire on 18 April 2022.

Timetable for the child

4. The key dates for the child are as follows:
 - 01.11.2021 – New school half term
 - 24.03.2022 – 15th Birthday

Threshold

5. The threshold criteria are in dispute.
6. The Father conceded that the threshold criteria for the making of an interim care order was met on the basis of the following:
 - a. The Father accepts that he has served a prison sentence for sexual assault in Ireland

- b. The Father accepts that he appeared in Court on 15.10.2021 and received a Sexual Risk Order

The key issues in the case are:

7.

- A. Does the Father pose a risk to Rebecka?
- B. Is the Mother able to protect Rebecka?

The Children Act 1989

The child

Rebecka Ru-Yu Gan Girl 24/03/07

THIRD PARTY DISCLOSURE ORDER MADE BY HER HONOUR JUDGE SMITH AT A FURTHER INTERIM CARE ORDER HEARING ON 25 OCTOBER 2021

The parties and representation at this hearing

1.

The applicant is Northumberland County Council, represented by J.O'Sullivan counsel instructed by Katherine Reay (Solicitor) whose contact details are 01670 623338 and Katherine.Reay@northumberland.gov.uk

The first respondent is Choi Yang Gan, the Mother, represented by K. Patterson solicitor of Yarwood and Stubley Solicitors whose contact details are kyle@yarwoodstubley.co.uk

The second respondent is Peter Dunne, the Father, represented by E Irons, counsel whose contact details are e.irons@derestreet.co.uk instructed by Lawson and Thompson whose contact details Tim.barker@lawsonandthompson.co.uk

The third respondent is the child (by their children's guardian Joanne Eadie), represented by L. Peel solicitor of Richard Reed Solicitors whose contact details are Laura.Peel@RichardReed.co.uk

IMPORTANT NOTICES

THE NAMES OF THE PARTIES AND THE CHILDREN ARE NOT TO BE DISCLOSED IN PUBLIC WITHOUT THE PERMISSION OF THE COURT.

ALL PARTIES MUST IMMEDIATELY INFORM THE ALLOCATED JUDGE AS SOON AS THEY BECOME AWARE THAT ANY DIRECTION GIVEN BY THE COURT CANNOT BE COMPLIED WITH AND TO SEEK IN ADVANCE AN EXTENSION OF TIME TO COMPLY.

IN THE EVENT THAT A PARTY FAILS TO COMPLY WITH DIRECTIONS AND/OR FAILS TO ATTEND ANY HEARING WITHOUT GOOD REASON THE COURT MAY MAKE FINAL ORDERS INCLUDING CARE ORDERS AND PLACEMENT ORDERS AT THAT HEARING.

Recitals

2. This is an order for information to be provided to this court by Warwickshire County Council Children's Services
3. The reason that this request for information is made is to assist the Family Court in making its essential factual determinations and/or reaching optimal welfare determinations for the child who is its paramount concern.
4. This order was made at a hearing without notice. The reason why the order was made without notice was urgency and the Court having been advised that Warwickshire County Council Children's Services had already indicated that it would require a third party disclosure order

Warwickshire County Council Children's Services has the right to apply to the court to vary or discharge the order – see **“The right to seek variation or discharge of this order”** below

IT IS ORDERED (BY CONSENT):

5. Warwickshire County Council Children's Services shall provide to the local authority as a matter of urgency and in UNREDACTED form, all information and material held in relation to the father whether under the name Peter Dunne or otherwise and the child known to be his son namely Nathan David Rafiq Domek/Domeck DOB: 12 March 2000 or otherwise as may be known

6. The representatives of the local authority shall serve a copy of this order on Warwickshire County Council Children's Services together with a letter setting out in respect of the solicitors representing each party the full name of the firm, the full postal address, and the reference at that firm dealing with the matter giving his/her email address and direct telephone number.
7. The information when supplied may be used only for the purposes of these proceedings and must not be disclosed to any third party without the express permission of this court.
8. The local authority must serve all evidence it receives from Warwickshire Children's Services on the respondent parties no later than 2 working days following receipt of the same.
9. **This order has immediate effect and may be validly served notwithstanding that it may then lack a Court seal**

The right to seek variation or discharge of this order

10. Warwickshire County Council Children's Services may apply for discharge or variation of this order, upon giving two clear business days' notice of the hearing to the parties.

Ordered by HHJ Smith

Dated 25 October 2021

The Children Act 1989

The child

Rebecka Ru-Yu Gan Girl 24/03/07

CASE MANAGEMENT ORDER MADE BY HER HONOUR JUDGE MOIR AT A CASE MANAGEMENT HEARING ON 4 NOVEMBER 2021

The parties and representation at this hearing

1. The applicant is Northumberland County Council, represented by J.O'Sullivan counsel instructed by Katherine Reay (Solicitor) whose contact details are 01670 623338 and Katherine.Reay@northumberland.gov.uk

The first respondent is Choi Yang Gan, the Mother, represented by K. Patterson solicitor of Yarwood and Stubley Solicitors whose contact details are kyle@yarwoodstubley.co.uk

The second respondent is Peter Dunne, the Father, represented by T.Donnelly counsel whose contact details are t.donnelly@derestreet.co.uk instructed by T. Barker solicitor of Lawson and Thompson whose contact details are Tim.barker@lawsonandthompson.co.uk

The third respondent is the child (by their children's guardian Joanne Eadie), represented by H. Murray counsel whose contact details are h.murray@derestreet.co.uk instructed by L. Peel solicitor of Richard Reed Solicitors whose contact details are Laura.Peel@RichardReed.co.uk

Important notices

Confidentiality warning

The names of the family and the child are not to be disclosed in public without the court's permission.

Compliance warnings

All parties must immediately inform the allocated judge as soon as they become aware that any direction given by the court cannot be complied with and to seek in advance an extension of time to comply.

In the event that a party fails to comply with directions and/or fails to attend any hearing without good reason the court may make final orders including care orders and placement orders at that hearing.

PUBLIC FUNDING RECITALS

Family Advocacy Scheme

2. The Court determined that in the exceptional circumstances of the current national public health emergency this case is suitable for hearing remotely ('remote hearing') by means of Microsoft Teams
3. The hearing was conducted by Microsoft Teams in accordance with the President of the Family Division's Covid 19: National Guidance for the Family Court dated 19.03.2020 and all parties and their advocates being required to attend today at 10.00 for the purposes of pre-hearing discussions, and the hearing being listed at 11:00 and concluding at 11.50
4. The Court allowed a further hour for the drafting of this Order, such that the above-named advocates were in attendance continually between 10.00- 12.50 being a total time of 2 hours and 50 minutes.

OTHER RECITALS

5. The Court was advised that the father had since 23 October 2021 left the jurisdiction and returned to the Republic of Ireland in order to pursue proceedings designed to challenge and overturn his material conviction as wrongful and so remove a key issue in the local authority's case within these care proceedings. He indicated that he was living with his brother but proposed to return to the jurisdiction at some time in the future. This was not going to be the case for at least 3 months
6. The Court noted that following a further negative interim risk assessment of the mother by the local authority given this very recent change of circumstances, the children's guardian indicated today that she considered that the risk of harm to the child through ongoing separation from maternal care likely exceeded the assessed risk to child by returning to maternal care if appropriately managed under a continued interim care order with exclusion order and a detailed safety plan/contact of expectations.
7. The parents agreed with the views of the children's guardian regarding interim placement and the conditions for such. The father offered to submit to any orders including an injunction to facilitate the return of the child to the interim care of the mother.
8. The local authority did not today agree return to maternal care in the interim but sought further time to re-evaluate such a plan and how it could be effectively supported and managed. It was acknowledged that if the local authority altered its view there was no reason why with the agreement of all parties it could not restore the child to

maternal care without prior need of an attended hearing but subject to a revised care plan and other material documents being filed with the Court

9. The Court was further advised that the initial assessment of Laura Hanrahan as parents' nominated alternative long-term carer if the child could not be rehabilitated to parental care was positive and that the local authority proposed to fully assess her. Owing to her distant whereabouts the local authority was not presently minded moving the child at this interim point but will keep this under review in the light of the child's wishes and feelings
10. It was not possible for the Court to case manage the proceedings through to issues resolution hearing or beyond owing to the outstanding need to receive a complete application under Part 25 Family Procedure Rules 2010 for permission to instruct identified expert psychiatric assessment of the father as proposed by the children's guardian and supported by the local authority. The Court nonetheless expected the local authority in the meanwhile to commence/continue its assessment and planning so that future delay could be minimised.
11. The father was not presently minded to agree to such instruction or to the release of his medical records in support of that assessment because of what he considered to be false content in the local authority case being relied upon but reserved his position until the application was made and considered by the Court.
12. The father was not prepared at this stage to disclose any papers relating to his self-reported proceedings in the Republic of Ireland concerning his previous conviction of a material sexual offence but offered to supply them to his representatives within these proceedings so that the validity of his claim could be verified. The Court accepted this offer as "a first step" and any further or other disclosure by the father in this regard would be considered by the Court upon request.
13. The Court agreed to;
 - a. the making of a third-party disclosure orders to Northumbria Police, Warwickshire Constabulary, Thames Valley Police, City of Coventry Children's Services and Oxfordshire Children's Services if needed to be served by the local authority. Any further necessary and undisputed applications for such orders may be made administratively to the Court and;
 - b. checking the EX660 process following supply to the Court of a completed draft form from the local authority regarding the immigration status of the child and her parents

THE COURT ORDERS

Jurisdiction

10. The court declares it is satisfied it has jurisdiction in relation to the child based on habitual residence.

Interim Care Order

11. The child is placed in the care of Northumberland County Council until determination of the proceedings or further order

Interpreters/translation

12. **The court must arrange for an interpreter fluent in mandarin to be available at all future hearings to attend no later than one hour before the time the hearing is listed.**

13. The court authorises the use of an interpreter by the solicitors for the first respondent mother to enable them to take instructions. The cost of the interpreter must be paid by the legal certificate of the Respondent Mother.

Further hearing and case management

14. There will be a further case management and interim order (submissions only) hearing before HHJ Powell on 26 November 2021 at 11.00 am allowing 2 hours. The hearing will be conducted remotely using MS Teams or as otherwise advised by the Court. All parties must attend no later than 10.00 am for prehearing discussion.

15. Any application for permission to instruct expert assessment must comply with Part 25 Family Procedure Rules 2010 and be made no later than 3 working days before the next hearing.

16. All parties shall provide position statements by 4.00 pm 25 November 2021 relating to all remaining disputed matters which require an adjudication by the Court

Advocates' meetings

17. The child's solicitor must arrange an advocates' meeting for no later than 2 working days before each hearing. Each advocates' meeting shall be attended by the advocates who will appear at the hearing to which the advocates' meeting relates or any subsequent fact-finding or final hearing if different.

Documents/Bundles

18. No document other than a document specified in an order or filed in accordance with the Rules of any Practice Direction shall be filed without the court's permission.

19. Court bundles must be prepared and lodged at court in accordance with Practice Direction 27A.

20. Permission is not given for the court bundle to exceed 350 pages.

21. The local authority must provide a witness bundle for any hearing at which evidence is to be called.

Variation of orders

22. Any application to vary this or any other order is to be made to the allocated judge on notice to all parties.

23. An application to vary this or any other order may be made by email to the allocated judge provided the party seeking variation seeks the prior agreement of the other parties and when seeking the variation must submit a draft order and confirm whether:

- a. the proposed variation is agreed; and, if so
- b. to what extent the proposed variation would affect the timetable for the proceedings.

Dated 4.11.2021

SCHEDULE

Child's current arrangements

1. The child is living with local authority foster carers, having been removed from her parents on 15.10.21 under police powers of protection. The Local Authority agrees to facilitate face to face contact between the child and the Mother as soon as possible. Contact with the Father will be subject to a risk assessment being undertaken.

Allocation

2. The proceedings are allocated to Her Honour Judge Smith.

Timetable for the proceedings

3. 26 weeks from the date of issue of these proceedings will expire on 18 April 2022.

Timetable for the child

4. The key dates for the child are as follows:
01.11.2021 – New school half term
24.03.2022 – 15th Birthday

Threshold

5. The threshold criteria are in dispute.
6. The Father conceded that the threshold criteria for the making of an interim care order was met on the basis of the following:
 - a. The Father accepts that he has served a prison sentence for sexual assault in Ireland
 - b. The Father accepts that he appeared in Court on 15.10.2021 and received a Sexual Risk Order

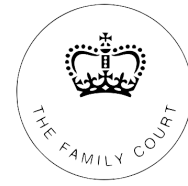
The key issues in the case are:

7.

A. Does the Father pose a risk to Rebecka?

B. Is the Mother able to protect Rebecka from any proven risk due to the father?

The Children Act 1989



The child

Rebecka Ru-Yu Gan Girl 24/03/07

**THIRD PARTY DISCLOSURE ORDER MADE BY HER HONOUR JUDGE
MOIR AT A CASE MANGEMENT HEARING ON 4 NOVEMBER 2021**

The parties and representation at this hearing

1.

The applicant is Northumberland County Council, represented by J.O'Sullivan counsel instructed by Katherine Reay (Solicitor) whose contact details are 01670 623338 and Katherine.Reay@northumberland.gov.uk

The first respondent is Choi Yang Gan, the Mother, represented by K. Patterson solicitor of Yarwood and Stublely Solicitors whose contact details are kyle@yarwoodstublely.co.uk

The second respondent is Peter Dunne, the Father, represented by T. Donnelly, counsel whose contact details are t.donnelly@derestreet.co.uk instructed by Lawson and Thompson whose contact details Tim.barker@lawsonandthompson.co.uk

The third respondent is the child (by their children's guardian Joanne Eadie), represented by H.Murray counsel whose contact details are h.murray@derestreet.co.uk instructed by L. Peel solicitor of Richard Reed Solicitors whose contact details are Laura.Peel@RichardReed.co.uk

IMPORTANT NOTICES

**THE NAMES OF THE PARTIES AND THE CHILDREN ARE NOT TO BE
DISCLOSED IN PUBLIC WITHOUT THE PERMISSION OF THE COURT.**

**ALL PARTIES MUST IMMEDIATELY INFORM THE ALLOCATED JUDGE
AS SOON AS THEY BECOME AWARE THAT ANY DIRECTION GIVEN BY
THE COURT CANNOT BE COMPLIED WITH AND TO SEEK IN
ADVANCE AN EXTENSION OF TIME TO COMPLY.**

IN THE EVENT THAT A PARTY FAILS TO COMPLY WITH DIRECTIONS AND/OR FAILS TO ATTEND ANY HEARING WITHOUT GOOD REASON THE COURT MAY MAKE FINAL ORDERS INCLUDING CARE ORDERS AND PLACEMENT ORDERS AT THAT HEARING.

Recitals

2. This is an order for information to be provided to this court by Northumbria Police
3. The reason that this request for information is made is to assist the Family Court in making its essential factual determinations and/or reaching optimal welfare determinations for the child who is its paramount concern.
4. This order was made at a hearing without notice. The reason why the order was made without notice was urgency and understanding that Northumbria Police had yet to comply with protocol disclosure request

Northumbria Police has the right to apply to the court to vary or discharge the order – see “**The right to seek variation or discharge of this order**” below

IT IS ORDERED (BY CONSENT):

5. Northumbria Police shall provide to the local authority as a matter of urgency and in UNREDACTED form, all information and material held in relation to the child, the parents (in the case of the father whether under the name Peter Dunne or otherwise) and the child known to be his son namely Nathan David Rafiq Domek/Domeck DOB: 12 March 2000 or otherwise as may be known
6. The representatives of the local authority shall serve a copy of this order on Northumbria Police together with a letter setting out in respect of the solicitors representing each party the full name of the firm, the full postal address, and the reference at that firm dealing with the matter giving his/her email address and direct telephone number.

7. The information when supplied may be used only for the purposes of these proceedings and must not be disclosed to any third party without the express permission of this court.
8. The local authority must serve all evidence it receives from Northumbria Police/ on the respondent parties no later than 2 working days following receipt of the same.
9. **This order has immediate effect and may be validly served notwithstanding that it may then lack a Court seal**

The right to seek variation or discharge of this order

10. Northumbria Police may apply for discharge or variation of this order, upon giving two clear business days' notice of the hearing to the parties.

Ordered by HHJ Moir

Dated 4 November 2021

The Children Act 1989



The child

Rebecka Ru-Yu Gan Girl 24/03/07

**THIRD PARTY DISCLOSURE ORDER MADE BY HER HONOUR JUDGE
MOIR AT A CASE MANGEMENT HEARING ON 4 NOVEMBER 2021**

The parties and representation at this hearing

1.

The applicant is Northumberland County Council, represented by J.O'Sullivan counsel instructed by Katherine Reay (Solicitor) whose contact details are 01670 623338 and Katherine.Reay@northumberland.gov.uk

The first respondent is Choi Yang Gan, the Mother, represented by K. Patterson solicitor of Yarwood and Stublely Solicitors whose contact details are kyle@yarwoodstublely.co.uk

The second respondent is Peter Dunne, the Father, represented by T. Donnelly, counsel whose contact details are t.donnelly@derestreet.co.uk instructed by Lawson and Thompson whose contact details Tim.barker@lawsonandthompson.co.uk

The third respondent is the child (by their children's guardian Joanne Eadie), represented by H.Murray counsel whose contact details are h.murray@derestreet.co.uk instructed by L. Peel solicitor of Richard Reed Solicitors whose contact details are Laura.Peel@RichardReed.co.uk

IMPORTANT NOTICES

**THE NAMES OF THE PARTIES AND THE CHILDREN ARE NOT TO BE
DISCLOSED IN PUBLIC WITHOUT THE PERMISSION OF THE COURT.**

**ALL PARTIES MUST IMMEDIATELY INFORM THE ALLOCATED JUDGE
AS SOON AS THEY BECOME AWARE THAT ANY DIRECTION GIVEN BY
THE COURT CANNOT BE COMPLIED WITH AND TO SEEK IN
ADVANCE AN EXTENSION OF TIME TO COMPLY.**

IN THE EVENT THAT A PARTY FAILS TO COMPLY WITH DIRECTIONS AND/OR FAILS TO ATTEND ANY HEARING WITHOUT GOOD REASON THE COURT MAY MAKE FINAL ORDERS INCLUDING CARE ORDERS AND PLACEMENT ORDERS AT THAT HEARING.

Recitals

2. This is an order for information to be provided to this court by Warwickshire Constabulary
3. The reason that this request for information is made is to assist the Family Court in making its essential factual determinations and/or reaching optimal welfare determinations for the child who is its paramount concern.
4. This order was made at a hearing without notice. The reason why the order was made without notice was urgency and Warwickshire Constabulary have indicated to the local authority that it requires a third party disclosure order to me made before disclosure can be given

Warwickshire Constabulary has the right to apply to the court to vary or discharge the order – see **“The right to seek variation or discharge of this order”** below

IT IS ORDERED (BY CONSENT):

5. Warwickshire Constabulary shall provide to the local authority as a matter of urgency and in UNREDACTED form, all information and material held in relation to the child, the parents (in the case of the father whether under the name Peter Dunne or otherwise) and the child known to be his son namely Nathan David Rafiq Domek/Domeck DOB: 12 March 2000 or otherwise as may be known
6. The representatives of the local authority shall serve a copy of this order on Warwickshire Constabulary together with a letter setting out in respect of the solicitors representing each party the full name of the firm, the full postal address, and the reference at that firm dealing with the matter giving his/her email address and direct telephone number.

7. The information when supplied may be used only for the purposes of these proceedings and must not be disclosed to any third party without the express permission of this court.
8. The local authority must serve all evidence it receives from Warwickshire Constabulary on the respondent parties no later than 2 working days following receipt of the same.
9. **This order has immediate effect and may be validly served notwithstanding that it may then lack a Court seal**

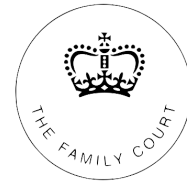
The right to seek variation or discharge of this order

10. Warwickshire Constabulary may apply for discharge or variation of this order, upon giving two clear business days' notice of the hearing to the parties.

Ordered by HHJ Moir

Dated 4 November 2021

The Children Act 1989



The child

Rebecka Ru-Yu Gan Girl 24/03/07

THIRD PARTY DISCLOSURE ORDER MADE BY HER HONOUR JUDGE SMITH ON 17 NOVEMBER 2021

The parties and representation at this hearing

1.

The applicant is Northumberland County Council, represented by Katherine Reay (Solicitor) whose contact details are 01670 623338 and Katherine.Reay@northumberland.gov.uk

The first respondent is Choi Yang Gan, the Mother, represented by K. Patterson solicitor of Yarwood and Stublely Solicitors whose contact details are kyle@yarwoodstublely.co.uk

The second respondent is Peter Dunne, the Father, represented by T Barker solicitor of Lawson and Thompson whose contact details Tim.barker@lawsonandthompson.co.uk

The third respondent is the child (by their children's guardian Joanne Eadie), represented by L. Peel solicitor of Richard Reed Solicitors whose contact details are Laura.Peel@RichardReed.co.uk

IMPORTANT NOTICES

THE NAMES OF THE PARTIES AND THE CHILDREN ARE NOT TO BE DISCLOSED IN PUBLIC WITHOUT THE PERMISSION OF THE COURT.

ALL PARTIES MUST IMMEDIATELY INFORM THE ALLOCATED JUDGE AS SOON AS THEY BECOME AWARE THAT ANY DIRECTION GIVEN BY THE COURT CANNOT BE COMPLIED WITH AND TO SEEK IN ADVANCE AN EXTENSION OF TIME TO COMPLY.

IN THE EVENT THAT A PARTY FAILS TO COMPLY WITH DIRECTIONS

**AND/OR FAILS TO ATTEND ANY HEARING WITHOUT GOOD REASON
THE COURT MAY MAKE FINAL ORDERS INCLUDING CARE ORDERS
AND PLACEMENT ORDERS AT THAT HEARING.**

Recitals

2. This is an order for information to be provided to this court by Staffordshire Police
3. The reason that this request for information is made is to assist the Family Court in making its essential factual determinations and/or reaching optimal welfare determinations for the child who is its paramount concern.
4. This order was made on an administrative basis and without notice. The reason why the order was made without notice was urgency and Staffordshire Police have indicated to the local authority that it requires a third party disclosure order to be made before disclosure can be given

Staffordshire Police has the right to apply to the court to vary or discharge the order – see “**The right to seek variation or discharge of this order**” below

IT IS ORDERED (BY CONSENT):

5. Staffordshire Police shall provide to the local authority as a matter of urgency and in UNREDACTED form, all information and material held in relation to the child, the parents (in the case of the father whether under the name Peter Dunne or otherwise) and the child known to be his son namely Nathan David Rafiq Domek/Domeck DOB: 12 March 2000 or otherwise as may be known
6. The representatives of the local authority shall serve a copy of this order on Staffordshire Police together with a letter setting out in respect of the solicitors representing each party the full name of the firm, the full postal address, and the reference at that firm dealing with the matter giving his/her email address and direct telephone number.
7. The information when supplied may be used only for the purposes of these

proceedings and must not be disclosed to any third party without the express permission of this court.

8. The local authority must serve all evidence it receives from Staffordshire Police on the respondent parties no later than 2 working days following receipt of the same.
9. Staffordshire Police shall be entitled to recover any reasonable costs incurred in complying with the terms of this order which shall be paid by the local authority.
10. **This order has immediate effect and may be validly served notwithstanding that it may then lack a Court seal**

The right to seek variation or discharge of this order

11. Staffordshire Police may apply for discharge or variation of this order, upon giving two clear business days' notice of the hearing to the parties.

Ordered by HHJ Smith

Dated 17 November 2021



The Children Act 1989

The child

Rebecka Ru-Yu Gan Girl 24/03/07

**CASE MANAGEMENT ORDER MADE BY HIS HONOUR JUDGE POWELL AT A
CASE MANAGEMENT /INTERIM CARE ORDER HEARING ON 26 NOVEMBER
2021**

The parties and representation at this hearing

1. The applicant is Northumberland County Council, represented by J.O'Sullivan counsel instructed by Katherine Reay (Solicitor) whose contact details are 01670 623338 and Katherine.Reay@northumberland.gov.uk

The first respondent is Choi Yang Gan, the Mother, represented by K. Patterson solicitor of Yarwood and Stubble Solicitors whose contact details are kyle@yarwoodstubble.co.uk

The second respondent is Peter Dunne, the Father, represented by T.Donnelly counsel whose contact details are t.donnelly@derestreet.co.uk instructed by T. Barker solicitor of Lawson and Thompson whose contact details are Tim.barker@lawsonandthompson.co.uk

The third respondent is the child (by their children's guardian Joanne Eadie), represented by R.Randhawa counsel whose contact details are r.randhawa@derestreet.co.uk instructed by L. Peel solicitor of Richard Reed Solicitors whose contact details are Laura.Peel@RichardReed.co.uk

The mother did not require an interpreter for this hearing.

Important notices

Confidentiality warning

The names of the family and the child are not to be disclosed in public without the court's permission.

Compliance warnings

All parties must immediately inform the allocated judge as soon as they become aware that any direction given by the court cannot be complied with and to seek in advance an extension of time to comply.

In the event that a party fails to comply with directions and/or fails to attend any hearing without good reason the court may make final orders including care orders and placement orders at that hearing.

PUBLIC FUNDING RECITALS

Family Advocacy Scheme

2. The Court determined that in the exceptional circumstances of the current national public health emergency this case is suitable for hearing remotely ('remote hearing') by means of Microsoft Teams

3. -1 The matter was listed primarily to consider the disputed interim placement of the child in continued foster care (as favoured by the local authority) and her interim rehabilitation to the care of the mother (as was recommended by the children's guardian and agreed to by the parents).

3-2 The hearing was conducted by Microsoft Teams in accordance with the President of the Family Division's Covid 19: National Guidance for the Family Court dated 19.03.2020 and all parties and their advocates being required to attend today at 10.00 for the purposes of pre-hearing discussions, and the hearing being listed at 11:30 and concluding at 12.20

4. The Court allowed a further hour for the drafting of this Order, such that the above-named advocates were in attendance continually between 10.00- 13.20 being a total time of 3 hours and 20 minutes.

OTHER RECITALS

5. The Court was advised that ;

a. the father, who had since 23 October 2021 left the jurisdiction and returned to the Republic of Ireland in order to pursue proceedings designed to challenge and overturn his material conviction as wrongful and so remove a key issue in the local authority's case within these care proceedings, proposed to leave that jurisdiction and;

b. other than to confirm that he was not returning to this jurisdiction he declined to indicate the destination for his relocation.

c. his stated reason for his removal was that he considered that the outcome of these care order proceedings to be a foregone conclusion and that his not being present in this jurisdiction may enhance the prospects of the mother to regain care of the child;

d. He has not yet provided any verification through his representatives of the existence or nature of the legal proceeding in the Republic of Ireland

6. The Court indicated that ;
 - a. it was not able in law to adjudicate upon any proposal or application yet to be made by the mother that the local authority be expected to provide her with financial support under section 17 Children Act 1989 .
 - b.it would, however, be disappointed if the local authority did not give due consideration to a request by the mother for financial assistance with which to support her in the interim care of the child should the Court later decide that such should become her interim placement.
 - c. accordingly while the Court agreed that each parent should provide further evidence regarding their recent financial and other circumstances, the relevance of this was to a proper consideration of the interim placement of the child and not by way of any review of the local authority's discharge of its duty under section 17 Children Act 1989 in this particular case;
 - d. having regard to the disputed issues now before the Court regarding the question of interim placement, it would no longer be appropriate for the matter to be dealt with by way of submissions only as had been intended and that focused evidence from the local authority, parents and children's guardian was now proportionately required;
 - e. it was concerned about the acceptability of father giving evidence from another jurisdiction without knowing its identity and whether it was procedurally correct for him to do so. While recognising that the father refused to reveal where he proposed to remove to, the Court encouraged a dialogue between the father, his representatives, and the Court so as to ensure procedural propriety and effectiveness at the next hearing where it was expected he would be giving evidence;
 - f. it accepted the parties' joint time estimate of 1 day duration for a contested hearing;
 - g. the impact of father leaving the jurisdiction upon the mother's immigration status required consideration;
7. It was not presently possible for the Court to case manage the proceedings through to issues resolution hearing or beyond
8. The Court considered the papers in the case together with a case summary for the local authority and position statements for the mother and children's guardian

THE COURT ORDERS

Jurisdiction

2. The court declares it is satisfied it has jurisdiction in relation to the child based on habitual residence.

Interim Care Order

3. The child is placed in the care of Northumberland County Council until determination of the proceedings or further order

Further Hearing

4. There will be a further interim care order hearing (to determine placement) and further case management hearing before HHJ Hardy at 10.00 am 21 January 2022 allowing 1 day.

5. The local authority shall provide no later than 4.00 pm 10 December 2021 updating evidence in further support of its interim placement care plan.

6. The parents shall each provide no later than 4.00 pm 7 January 2022 their respective statements in response to the local authority evidence including but not confined to;

(a) clear details of their respective financial and general living circumstances since October 2021 and prospectively;

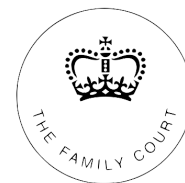
(b) their movements during the course of these proceedings and prospectively;

(c) their proposals for the care of/contact with child;

(d) their proposals in terms of their own involvement in the proceedings;

7. There will be an advocates' meeting before the next hearing.

The Children Act 1989



The child

Rebecka Ru-Yu Gan Girl 24/03/07

**THIRD PARTY DISCLOSURE ORDER MADE ADMINISTRATIVELY BY HER
HONOUR JUDGE SMITH ON 12 DECEMBER 2021**

The parties and representation at this hearing

1.

The applicant is Northumberland County Council, represented by Katherine Reay (Solicitor) whose contact details are 01670 623338 and Katherine.Reay@northumberland.gov.uk

The first respondent is Choi Yang Gan, the Mother, represented by K. Patterson solicitor of Yarwood and Stublely Solicitors whose contact details are kyle@yarwoodstublely.co.uk

The second respondent is Peter Dunne, the Father, represented by Lawson and Thompson whose contact details Tim.barker@lawsonandthompson.co.uk

The third respondent is the child (by their children's guardian Joanne Eadie), represented by L. Peel solicitor of Richard Reed Solicitors whose contact details are Laura.Peel@RichardReed.co.uk

IMPORTANT NOTICES

**THE NAMES OF THE PARTIES AND THE CHILDREN ARE NOT TO BE
DISCLOSED IN PUBLIC WITHOUT THE PERMISSION OF THE COURT.**

**ALL PARTIES MUST IMMEDIATELY INFORM THE ALLOCATED JUDGE
AS SOON AS THEY BECOME AWARE THAT ANY DIRECTION GIVEN BY
THE COURT CANNOT BE COMPLIED WITH AND TO SEEK IN
ADVANCE AN EXTENSION OF TIME TO COMPLY.**

IN THE EVENT THAT A PARTY FAILS TO COMPLY WITH DIRECTIONS

**AND/OR FAILS TO ATTEND ANY HEARING WITHOUT GOOD REASON
THE COURT MAY MAKE FINAL ORDERS INCLUDING CARE ORDERS
AND PLACEMENT ORDERS AT THAT HEARING.**

Recitals

2. This is an order for information to be provided to this court by Warwickshire Police
3. The reason that this request for information is made is to assist the Family Court in making its essential factual determinations and/or reaching optimal welfare determinations for the child who is its paramount concern.
4. This order was made administratively. On 02.12.2021 Warwickshire Police provided a report covering the preceding two years following receipt of the previous disclosure order. No information was recorded. Warwickshire Police have confirmed that if information relating to a time period other than the preceding two years then this needs to be specified in the court order. They are therefore aware a further order was being sought.
5. On 15.12.2021 Warwickshire Police confirmed that there is information on their system within the following time periods:
2000-2003
2015-2016

Warwickshire Constabulary has the right to apply to the court to vary or discharge the order – see “**The right to seek variation or discharge of this order**” below

IT IS ORDERED (BY CONSENT):

6. Warwickshire Police shall provide to the local authority as a matter of urgency and in UNREDACTED form, all information and material held in relation to the child, the parents (in the case of the father whether under the name Peter Dunne or otherwise) and the child known to be his son namely Nathan David Rafiq Domek/Domeck DOB: 12 March 2000 or otherwise as may be known.

7. The information provided by Warwickshire Police shall cover a time period exceeding the preceding two years, namely between 2000 and 2003 and between 2015 and 2016.
8. The representatives of the local authority shall serve a copy of this order on Warwickshire Police together with a letter setting out in respect of the solicitors representing each party the full name of the firm, the full postal address, and the reference at that firm dealing with the matter giving his/her email address and direct telephone number.
9. The information when supplied may be used only for the purposes of these proceedings and must not be disclosed to any third party without the express permission of this court.
10. The local authority must serve all evidence it receives from Warwickshire Constabulary on the respondent parties no later than 2 working days following receipt of the same.
11. **This order has immediate effect and may be validly served notwithstanding that it may then lack a Court seal**

The right to seek variation or discharge of this order

12. Warwickshire Police may apply for discharge or variation of this order, upon giving two clear business days' notice of the hearing to the parties.

Ordered by HHJ Smith

Dated 21 December 2021



In the Family Court sitting at Newcastle

Case no. **NE21C50153**

The Children Act 1989

The child

Rebecca Ru Yu Gan

Girl

d.o.b. 24.03.2007

**THIRD PARTY DISCLOSURE ORDER MADE BY RECORDER HENLEY AT A
FURTHER CASE MANAGEMENT HEARING ON 21.01.2022**

The parties and representation at this hearing

1. The applicant is Northumberland County Council represented today by Miss R Suttle, counsel, whose contact details are Trinity Chambers, 0191 232 1927 and r.suttle@trinitychambers.co.uk. She was instructed by Ms K Reay of the local authority legal services department, whose contact details are 01670 623 338 and Katherine.Reay@northumberland.gov.uk

The first respondent is Choi Yeng Gan, the mother, represented by Mr K Patterson of Yarwood and Stubble Solicitors whose contact details are 01670 361 211 and kyle@yarwoodstubble.co.uk

The second respondent is Peter Ivan Dunne, the father, represented today by Ms E Callaghan, counsel, whose contact details are Dere Street Barristers, 0344 335 1551 and E.Callaghan@derestreet.co.uk. She was instructed by Mr T Barker of Lawson and Thompson Solicitors whose contact details are 01670 530 700 and Tim.barker@lawsonandthompson.co.uk

The third respondent is the child (by her children's guardian Joanne Eadie), represented by Ms L Peel of Richard Reed Solicitors whose contact details are 0191 567 0465 and Laura.Peel@RichardReed.co.uk

Important Notices

Confidentiality warning

The names of the family and the children are not to be disclosed in public without the Court's permission.

RECITALS

2. This is an order for material to be provided by Thames Valley Police.
3. This order was made of the Court's own motion and without notice to Thames Valley Police.
4. The reason that this order is made is that:

- a. it is understood that the constabulary hold material which may be relevant to the issues in these proceedings;
 - b. a request for disclosure was made by the applicant on 17.11.2021 pursuant to the protocol. An automatic reply from the constabulary was received the same day within which it indicated that its timescale for disclosure was 50 working days from the date of receipt of the initial request. That timescale has nearly elapsed and disclosure has still not been received;
 - c. the material is now required as a matter of urgency ahead of a finding of fact hearing listed to commence on 23.03.2022;
 - d. any material held is likely to assist this Court in making its essential factual determinations and/or reaching optimal welfare decisions for the child who is its paramount concern.
5. The Chief Constable of Thames Valley Police has the right to apply to the Court to vary or discharge the order – see “The right to seek variation or discharge of this order” below.

IT IS ORDERED:

1. Thames Valley Police shall by 4.00pm on 01.02.2022 serve upon the applicant’s solicitors for distribution within these proceedings all information and material held in relation to:
 - a. the subject child, Rebecca Ru Yu Gan (d.o.b. 24.03.2007);
 - b. the mother, Choi Yeng Gan (d.o.b. 15.01.1973);
 - c. the father, Peter Ivan Dunne (d.o.b. 24.10.1964) or otherwise as he may be known;
 - d. the father’s elder son, Nathan David Rafiq Domek/Domeck (d.o.b. 12.03.2000) or otherwise as he may be known.
2. The information when supplied must only be used for the purposes of these proceedings and must not be disclosed to any third party without the express permission of this Court.
3. The applicants’ solicitors are responsible for the service of this order.
4. Service shall be effected by e mailing a copy of this order (including an approved draft of this order) to the disclosure unit of the constabulary and service is deemed to have been effected 24 hours after the e mail is sent.

The right to seek variation or discharge of this order

5. The Chief Constable of Thames Valley Police has permission to apply to vary or discharge this order within 7 days of service. Any such application shall be made in writing to Recorder Henley or Recorder Taylor at the Family Court sitting at Newcastle setting out the reasons for the application and a copy of the application shall be served on the applicants’ solicitors for distribution within the proceedings.

Costs

6. Any costs associated with the disclosure shall be shared equally (1/4 shares) between the local authority and the funding certificates of the publicly funded parties, the Court being satisfied that it is a necessary, reasonable and proportionate disbursement upon the same.

Dated 21.01.2022
Recorder Henley



In the Family Court sitting at Newcastle



The Children Act 1989

The child

Rebecca Ru Yu Gan

Girl

d.o.b. 24.03.2007

**THIRD PARTY DISCLOSURE ORDER MADE BY RECORDER HENLEY AT A
FURTHER CASE MANAGEMENT HEARING ON 21.01.2022**

The parties and representation at this hearing

1. The applicant is Northumberland County Council represented today by Miss R Suttle, counsel, whose contact details are Trinity Chambers, 0191 232 1927 and r.suttle@trinitychambers.co.uk. She was instructed by Ms K Reay of the local authority legal services department, whose contact details are 01670 623 338 and Katherine.Reay@northumberland.gov.uk

The first respondent is Choi Yeng Gan, the mother, represented by Mr K Patterson of Yarwood and Stubble Solicitors whose contact details are 01670 361 211 and kyle@yarwoodstubble.co.uk

The second respondent is Peter Ivan Dunne, the father, represented today by Ms E Callaghan, counsel, whose contact details are Dere Street Barristers, 0344 335 1551 and E.Callaghan@derestreet.co.uk. She was instructed by Mr T Barker of Lawson and Thompson Solicitors whose contact details are 01670 530 700 and Tim.barker@lawsonandthompson.co.uk

The third respondent is the child (by her children's guardian Joanne Eadie), represented by Ms L Peel of Richard Reed Solicitors whose contact details are 0191 567 0465 and Laura.Peel@RichardReed.co.uk

Important Notices

Confidentiality warning

The names of the family and the children are not to be disclosed in public without the Court's permission.

RECITALS

2. This is an order for material to be provided by Warwickshire Police.
3. This order was made of the Court's own motion and without notice to Warwickshire Police.
4. The reason that this order is made is that:

- a. it is understood that the constabulary hold material which may be relevant to the issues in these proceedings;
 - b. on 04.11.2021, this Court made a disclosure order against Warwickshire Police after the constabulary indicated to the applicant that such an order was required before the material could be disclosed;
 - c. on 02.12.2021, Warwickshire Police provided a report covering the preceding two years within which no information was recorded;
 - d. on 15.12.2021, Warwickshire Police confirmed to the applicant that there is information on their system across time periods:2000-2003and 2015-2016 and that if disclosure was required in relation thereto, this needed to be specified within a Court order;
 - e. On that basis, a further order was made administratively on 21.12.2021 though this did not contain timescales for compliance;
 - f. the material is now required as a matter of urgency ahead of a finding of fact hearing listed to commence on 23.03.2022;
 - g. any material held is likely to assist this Court in making its essential factual determinations and/or reaching optimal welfare decisions for the child who is its paramount concern.
5. The Chief Constable of Warwickshire Police has the right to apply to the Court to vary or discharge the order – see “The right to seek variation or discharge of this order” below.

IT IS ORDERED:

1. Warwickshire Police shall by 4.00pm on 01.02.2022 serve upon the applicant’s solicitors for distribution within these proceedings all information and material held in relation to:
 - a. the subject child, Rebecca Ru Yu Gan (d.o.b. 24.03.2007);
 - b. the mother, Choi Yeng Gan (d.o.b. 15.01.1973);
 - c. the father, Peter Ivan Dunne (d.o.b. 24.10.1964) or otherwise as he may be known;
 - d. the father’s elder son, Nathan David Rafiq Domek/Domeck (d.o.b. 12.03.2000) or otherwise as he may be known.
2. For the avoidance of doubt, the information and material referred to at paragraph one above shall include, but not be limited to, that which relates to time periods:2000-2003 and 2015-2016.
3. The information when supplied must only be used for the purposes of these proceedings and must not be disclosed to any third party without the express permission of this Court.
4. The applicants’ solicitors are responsible for the service of this order.
5. Service shall be effected by e mailing a copy of this order (including an approved draft of this order) to the disclosure unit of the constabulary and service is deemed to have been effected 24 hours after the e mail is sent.

The right to seek variation or discharge of this order

6. The Chief Constable of Warwickshire Police has permission to apply to vary or discharge this order within 7 days of service. Any such application shall be made in writing to Recorder Henley or Recorder Taylor at the Family Court sitting at Newcastle setting out the reasons for the application and a copy of the application shall be served on the applicants' solicitors for distribution within the proceedings.

Costs

7. Any costs associated with the disclosure shall be shared equally (1/4 shares) between the local authority and the funding certificates of the publicly funded parties, the Court being satisfied that it is a necessary, reasonable and proportionate disbursement upon the same.

Dated 21.01.2022
Recorder Henley