

# Tug of war over

Despite judge's rebuke, social workers try once more to take away girl's newborn child



A MOTHER faces having her newborn baby taken into care again today for the second time in 72 hours.

A High Court judge had ruled that social services acted unlawfully in separating the 18-year-old from her son just two hours after he was born.

But council lawyers have now made an application for a care order.

The case started in secret before a district judge yesterday and was adjourned until today without a decision being made.

The mother – known only as 'G' – gave birth on Wednesday, shortly after leaving local authority care.

She is understood to have remained in hospital yesterday during the two-hour legal hearing and it is unclear whether she will be required at Nottingham County Court when the case continues today.

John Hemming, a LibDem MP who campaigns for greater transparency in family courts, said: 'The fact that the case has been transferred to a county court and adjourned shows that it is not the pushover case that the local authority thought it was.'

Mr Hemming said he had been

By David Wilkes and Fiona Barton

involved in more than 20 cases where social services acted 'illegally' and urged the young woman in today's case to 'Hang on in there. People are rooting for you'.

The baby was reunited with his mother 46 minutes after Mr Justice Munby made his order at the High

Court in London on Wednesday. Giving his ruling, he said the officials involved in taking the baby away 'should have known better' and acted 'on the face of it without lawful authority'.

The mother, who had a troubled childhood, is said to suffer mental health problems.

She was taken into care after reportedly running away from home and starting on drugs. Her baby was

taken after hospital staff were shown a birth plan prepared by social workers.

It said the mother was to be separated from the child, and no contact would be allowed without supervision by social workers.

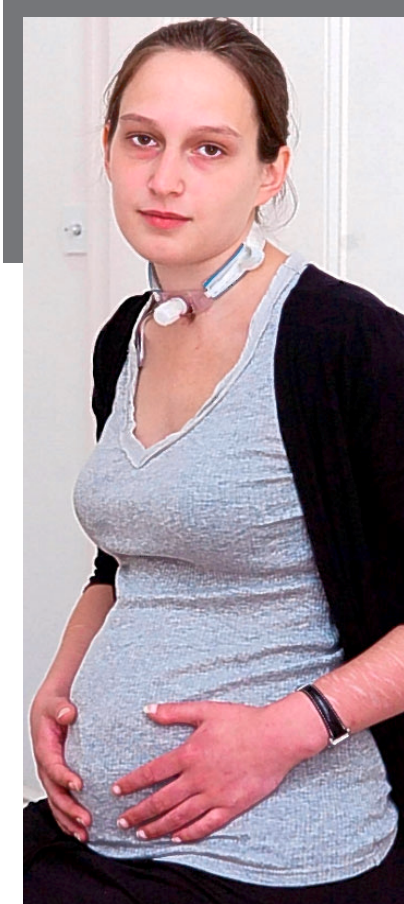
Last night, Nottingham City Council issued a statement saying: 'We're happy that there is appropriate protection overnight for the baby who is our primary concern in

this case. Nottingham City Council will continue to prioritise this baby's welfare.'

In his ruling, Mr Justice Munby had said social services must put in place a package of care to meet the mother's immediate needs.

He also said the council must prepare a comprehensive 'pathway' plan setting out proposals to help her in the future.

Comment – Page 14



Chilling: Fran was told she'd have just ten minutes with her baby

## I had to flee Britain to stop my baby being snatched away by the State

**F**RAN LYON will be a mother by now. All alone, in a hiding place somewhere in Europe, the 22-year-old student will be cradling her newborn daughter Molly and hoping that one day she will be able to return home to Hexham in Northumberland, and share the joy of the birth with her family and friends. Last November, at seven-and-a-half months' pregnant, Fran fled the country after social workers warned her that her baby would be taken away ten minutes after the birth and placed with foster parents. Horrified, she moved to Birmingham. But as the due date neared, she decided even that was too risky and boarded a flight to Europe, where she remains in hiding. Today, one can only imagine her reaction as she learns that this week a young mother had her baby illegally snatched by social workers. In this dramatic new case, officials claimed the 18-year-old was unfit to care for her child because of mental health problems. But hours later a High Court judge ordered the infant to be returned immediately, ruling the social workers had acted beyond their powers. The case has chilling echoes of Fran Lyon's experience. Despite medical evidence to the contrary, social workers believed that

because she had suffered from eating disorders and had self-harmed as a teenager, she posed a threat to her unborn baby.

In the last telephone interview she gave before she fled, Fran said: 'I wouldn't have done it unless I absolutely had to. Every time there was a twinge, I was petrified. I just kept thinking: "Please don't go into labour, not yet. Now, for the first time, this will be just me and Molly. I want to enjoy it."

Fran, who was studying for a degree in neuroscience at Edinburgh University, became unexpectedly pregnant last April. 'I was shocked because I'd had the contraceptive injection,' she said. 'I didn't have a clue how I was going to make it work with university and my job (for two mental health charities) but I was determined that I was having her.'

She fell out with the father of the baby, who then became the subject of a police investigation. He then alerted social services to Fran's medical history. When they investigated, Fran was open about her past. The catalyst for her problems, she told them, came at 14 when she was raped by an acquaintance. She became clinically depressed and spent the next three years, on and off, in residential psychiatric hospitals. But she had fully recovered by the time she was 18

and the diagnosis of borderline personality disorder was removed.

Fran received a letter informing her that a 'child protection case conference' would be held on August 16 last year. She instructed a solicitor and contacted her former psychiatrist, Dr Stella Newirth, who offered her full support.

Fran claimed that social services thought she was in danger of suffering Munchausen's by proxy, a controversial and unproven condition in which a parent invents an illness in her child to draw attention to herself.

Fran was also told she could not be trusted to breast-feed her child.

By November, the plan to remove Molly was confirmed and Fran was distraught.

A spokeswoman for Northumberland County Council said: 'We are unable to comment on individual cases, and we do not believe that it's in the best interests of any mother or child to discuss personal details through the media.'

For Fran, however, the publicity was her last chance to stay with her little girl. 'All I am asking for is a chance to prove I will be a good mother to Molly,' she said.

JILL FOSTER