

NICOLA MCILROY EXTRACTS FROM DOCUMENTS HELD BY SCRA

Please note: Some names have been removed from the document extracts. It would not be reasonable or appropriate to disclose this information to you. In order to make the extracts reader-friendly, names of relevant third-parties have been replaced with a descriptor or [].

Re: Children HR and PM

Documents for these children were duplicated by the Court and the Children's Hearing Panel

2015-08-31 Court document

Form 60 Rule 3.45(1) Form of application to sheriff under section 93(2)(a) or 94(2)(a) of the Children's Hearings (Scotland) Act 2011

Court ref. no.: SHERIFF COURT AT GLASGOW

Application to sheriff under section *93(2)(a) and/or 94(2)(a) of the Children's Hearings (Scotland) Act 2011 by The Principal Reporter in the case of (children HR and PM), 01/08/11, Flat 1/1, 6 Kilvaxter Drive, Glasgow, G46 8AR

5. (a) The said mother Nicola McIlroy, Flat 1/1, 6 Kilvaxter Drive, Glasgow, G46 8AR did not accept section 67(2)(a) and supporting facts, paragraphs 5, 6, 7, 8, 9(a), (d), (e), and (f) as annotated on the statement of grounds.

6. The Principal Reporter applies to the sheriff to determine whether the section 67 ground(s) not accepted by the said mother Nicola McIlroy...

2015-08-12 Statutory Statement of Grounds – Reporter

'Section 67 Ground

The children's reporter has arranged a children's hearing for HR (0108.11), Flat 1/1, 6 Kilvaxter Drive, Thornliebank, Glasgow, G46 8AR because the reporter believes the following ground(s) apply:

that in terms of section 67(2)(a) of the Children's Hearings (Scotland) Act 2011, he is likely to suffer unnecessarily or his health or development is likely to be seriously impaired, due to a lack of parental care.

that in terms of Section 67(2)(b) of the Children's Hearings (Scotland) Act 2011, a schedule 1 offence has been committed in respect of him.'

(The children) 'normally reside with their mother Nicola McIlroy, at Flat 1/1, 6 Kilvaxter Drive, Thornliebank, Glasgow, G46 BAR.'

'Ms McIlroy and [] have attained the age of sixteen years of age and at all material times, had the charge care and control of (the children)'

'...Ms McIlroy and [] failed to treat the head lice infestation and scabies infection appropriately and failed to seek appropriate medical attention for her. They failed to attend two doctor appointments for her on 5th and 12th May 2015.'

'Ms McIlroy and [] failed to treat the head lice infestation and scabies infection appropriately and failed to seek appropriate medical attention for him.'

' (two children) had head lice eggs in hair. This was left untreated by Ms McIlroy and

[].'

'On 2nd June 2015, police attended the family home and noted that the family home was unhygienic, extremely untidy and in a state of disrepair. The bedrooms were extremely untidy and there was no appropriate bedding on the children's beds. The mattresses were in a poor condition, (two children's) mattresses were saturated in urine. The carpets were dirty. Blood and scabs were on (one child's) pillows. There were blood stained tissues lying beside the bed. There were several bin bags of waste in the master bedroom. There was little food within the fridge and cupboards.'

'... an offence of wilful neglect of a child under the age of 16 in a manner likely to cause unnecessary suffering or injury to health has been committed by Ms McIlroy and [] in relation to (the children); this is an offence contrary to section 12 of the Children and Young Persons (Scotland) Act 1937 as amended and is an offence mentioned in Schedule One to the Criminal Procedure (Scotland) Act 1995.'

'Ms McIlroy and [] have failed to meet the children's basic care needs and their engagement with health and education has been poor, all to the detriment of the children. For example:-

(a) Ms McIlroy and [] have been unable to maintain the family home to an acceptable level of hygiene ...

(b) (Two children's) school attendance is poor and they often attend school late. Ms McIlroy and [] have failed to engage with education in their efforts to improve the children's attendance. Ms McIlroy and [] fail to provide (two children) with support at home to ensure homework is completed to an acceptable standard. This has impacted on (two children's) educational and emotional development.

(c) One child's attendance at nursery is poor and nursery have been unable to contact Ms McIlroy and [] regarding his poor attendance.

(d) On 2nd June 2014, during a home visit undertaken by social work and health, Ms McIlroy was verbally and physically aggressive towards (one child), in that she shouted at and threw clothing forcibly in her lap demanding that she put it away.

(e) Ms McIlroy and [] have failed to attend health appointments for (two children) and have failed to engage with health visitors.

(f) Ms McIlroy and [] present as hostile to professional staff tasked with ensuring the welfare of the children.'

2015-08-27 Statutory Record of Proceedings – Hearing

'Nicola McIlroy present

Decision of Pre-Hearing Panel/Children's Hearing

Decision 1 To direct the reporter to make an application to the sheriff for a determination on whether a ground not accepted/ not understood is established s.93(2)(a) /s.94(2)(a)

Decision 2 To not appoint a safeguarder s.30

Decision 3 To not make an interim compulsory supervision order

Reasons for Decision(s)

The hearing made these decisions for the following reason(s):

Decision 1: The parents denied the grounds in part and therefore the panel decided that as the children were so young and because the grounds were denied that the grounds needed to go to the Sheriff for proof.

Decision 2: The hearing was open and honest from all parties with the parents being open about the reasons why the children were accommodated and therefore the panel decided that they had enough information to be able to make a decision today.

Decision 3: The parents are working very well with the social work department and also the current carers. Because of this social work said that they did not wish an order to be made as this would mean that the children and family did not need to attend further hearings and that they would work with the family to sort out effective contact.'

2016-01-25 Statutory Statement of Grounds – Court

'ESTABLISHED AT GLASGOW SHERIFF COURT ON 25th JANUARY 2016
STATEMENT OF GROUNDS'

'Section 67 Ground

The Children's reporter has arranged a Children's hearing for (child HR) (01.08.11), Flat 1/1, 6 Kilvaxter Drive, Thornliebank, Glasgow, G46 8AR because the reporter believes the following ground(s) apply:

that in terms of section 67(2)(a) of the Children's Hearings (Scotland) Act 2011, he is likely to suffer unnecessarily or his health or development is likely to be seriously impaired, due to a lack of parental care.'

'Supporting Facts

1. (The children) normally reside with their mother Nicola McIlroy, at Flat 1/1, 6 Kilvaxter Drive, Thornliebank, Glasgow, G46 8AR.

3. Ms McIlroy and [] have attained the age of sixteen years of age and at all material times, had the charge care and control of (the children).

4. ... Ms McIlroy and [] attempts to treat the head lice infestation were unsuccessful and they failed to treat the scabies infection. They failed to attend two doctor appointments for her on 5th and 12th May 2015.

5... Ms McIlroy and [] attempts to treat the head lice infestation were unsuccessful and they failed to treat the scabies infection.

6. (Two children) had head lice eggs in hair. Ms McIlroy and [] attempts to treat the head lice infestation were unsuccessful.

7. On 2 June 2015, police attended the family home and noted that the family home was extremely untidy and in a state of disrepair. The bedrooms were extremely untidy. The mattresses were in a poor condition. Blood and scabs were on (one child's) pillows. There were blood stained tissues lying beside the bed. There was little food within the fridge and cupboards although Mrs McIlroy advised the police that she intended to purchase food that day.

8. Ms McIlroy and [] have failed to meet the children's basic care needs. For example:
(a) Ms McIlroy and [] have been unable to maintain the family home to an acceptable standard as demonstrated by statement of fact 7.

(b) (Two children's) school attendance is poor and they often attend school late. This has impacted on (Two children's) educational and emotional development.

(c) (One child's) attendance at nursery is poor.

(d) Ms McIlroy and [] have failed on occasion to attend health appointments for (two children) and have failed to engage with health visitors.'

2016-02-23 Statutory Record of Proceedings – Hearing

‘Decision of Pre-Hearing Panel/Children's Hearing

Decision 2 To defer making a decision on whether to make a compulsory supervision order s.119(2)

Reasons for Decision(s)

Decision 2: ... Also their parents continue to be supportive of this placement -providing voluntary consent for this to continue in the meantime.’

2016-04-19 Statutory Record of Proceedings – Hearing

‘Decision of Pre-Hearing Panel/Children's Hearing

Decision 2 To defer making a decision on whether to make a compulsory supervision order s.119(2)

Reasons for Decision(s)

The hearing made these decisions for the following reason(s):

Decision 2: The purpose of today's hearing was established grounds...(Child left the hearing) This was done at her mother's request supported by the safeguarder and the foster carer. The panel heard that Ms McIlroy's health has improved although there have been concerns around Ms McIlroy ceasing her prescribed medication without the support and guidance from medical professionals. Both parents expressed their frustration that this had been a six month period of post-natal depression and that they see it that they have engaged with everything that has been asked of them on a voluntary basis but that 10 months have now passed and they are only 4 weeks in to the GIFT assessment that is due to run for 12 weeks. They are very keen to have their children back within their care and stated repeatedly that they will engage in whatever they need to, to facilitate the return of their children to the family home. Contact was discussed and is working well ... Contact appears to be meaningful ...

The panel was aware that there is an outstanding court case due to be heard in May 2016 in relation to the neglect that the children experienced that formed the basis of the established grounds of referral...

Decision 3. The panel made a majority decision to defer making a substantive decision until after the GIFT assessment has been completed and their recommendations made available. The reasons for this were that the panel members concerned did not have enough information to make a substantive decision as to whether compulsory measures of supervision would be in the best interests of the children and what form supervision would take without having access to the outcome of the GIFT assessment. The minority decision was to not make a compulsory supervision order as the family have engaged with all that they have been asked to on a voluntary basis for the past 10 months with no indication at any point that they would attempt to remove the children from their placements which are currently on a voluntary basis and have been for the past 10 months...’

2016-06-21 Statutory Record of Proceedings – Hearing

‘Decision of Pre-Hearing Panel/Children's Hearing

Decision 2 To discharge the referral

Reasons for Decision(s)

The hearing made these decisions for the following reason(s):

Decision 2: The panel heard from all present...the parents recognise they are at this time not able to have the children return home yet. The main content of the discussion centred around the verbal report from the GIFT assessment, which made clear to the panel that the parents were committed to what had been a very thorough assessment and what would be a comprehensive treatment, in order that the rehabilitation plan could be continued successfully. Since the initial grounds hearing, the family have made great progress, always on a voluntary basis, therefore it was felt that compulsory measures were not necessary. For this reason the referral was discharged.'