

**When do you pursue a finding?**

**What is meant by “significant injury” e.g. NAI:bruise v fracture?**

**How do you deal with retracted allegations?**

**Answered by: Susan Grocott QC of Deans Court Chambers**

**FINDINGS: “THE BASICS” CRIB SHEET**

The following cases and materials provide a core reference for issues which may be raised in respect of fact finding.

Family Procedure Rules 2010, SI 2010/2955 - Part 1.1 The overriding objective; Part 1.4 Court’s duty to manage cases; Practice Direction 12A – Care, Supervision and Other Part 4 Proceedings: Guide to Case Management.

Pleadings/burden of proof – linking facts/harm. Re A (a child) [2015] EWFC 11 – the Darlington case. [Approved in Re J (A Child) [2015] EWCA Civ 22 and Re R (Children) [2015] EWCA Civ 167].

Standard of/Proof of facts – Re BR (Proof of facts) [2015] EWFC 41 [H-C (Findings of Fact: Rehearing) [2016] EWFC 48]

Split hearings/terminology Re S (A Child) [2014] EWCA Civ 25

Retraction – Re S (Children) EWCA Civ 83

Re B/Re S-B – the House of Lords decision in Re B (Care Proceedings: Standard of Proof) [2008] 2 FLR 141, HL and Re S-B (Children) [2010] 1 FLR 1161.