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Rook Irwin Sweeney recently succeeded in a judicial review against the London Borough of Hackney, on behalf of our client, TS, a 13-year-old child who is significantly disabled. The High Court found that the Council had acted unlawfully in relation to her social care needs, quashed the Council’s social care assessment and care planning decision, and ordered it to pay all of the legal costs of the proceedings. Hackney has agreed to provide 2 nights per week of overnight respite to the child’s family pending a new assessment and care plan.

TS lives at home for most of the week with her parents and her brother. Her parents had consistently stated that they were at crisis point. TS has a diagnosis of William’s Syndrome, a rare and complex condition. On behalf of TS, we successfully argued that Hackney had (1) failed to complete a lawful assessment of her social care needs, (2) failed to consider whether it should provide overnight respite in accordance with its duties under the Children Act 1989, and (3) had made an irrational and unlawful care planning decision.

Importantly, in terms of future decisions by local authorities in relation to the needs of disabled children, the High Court accepted that whilst Hackney had recorded the necessary information in relation to TS and her family’s needs, it had unlawfully failed to analyse those needs and that, as a consequence, a “realistic plan of action” was not put in place. In particular, the assessment failed properly to consider and address TS’s family’s clear message that they were at crisis point unless they were provided with more support.

The full judgment can be found at the link below:

- [Judgment - TS v LB Hackney \(click here to download\)](#)