



Born into care

Newborns in care proceedings in England

Nuffield Family Justice Observatory Stakeholder Event (9th October, 2018)
The Friends Meeting House, Manchester

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The Rees Centre, Oxford University

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Research in Practice, Dartington Hall



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Nuffield Foundation: Rob Street, Carey Oppenheim & Fran Bright.

Cafcass: Teresa Williams, Emily Halliday & Jigna Patel.

External Reviewers: Martha Cover (ALC), Maud Davies (TV Edwards LLP), Teresa Williams (Cafcass), Prof. Marian Brandon (UEA).

Dr Yang Hu and Dr Stuart Bedston (Lancaster University)

Why study newborns in care proceedings?

Over-arching messages from stakeholders:

- Generate better knowledge about children's pathways through the FJS and outcomes
- Make better use of national administrative data
- Tackle contested issues
- Support development and innovation

Newborns are largely invisible in:

- National statutory practice guidance
- National statistics

Despite multiple calls from different stakeholders groups, for example:

- improved support during pregnancy (mental health)
- Better shared understanding of good practice regarding removals at birth

- **Data source:** population-level data [Cafcass]
- **Extract:** 2007/08 to 2016/17. n= 47, 172 infants [3 samples]
- **Permissions:** Lancaster University; Cafcass
- **Privacy:** pseudo-anonymisation
- **Analysis:** descriptive statistics
- **Interdisciplinary skills:** computing, statistics, social work, family law
- **Outputs:** summary and full reports via the Nuffield FJO website.

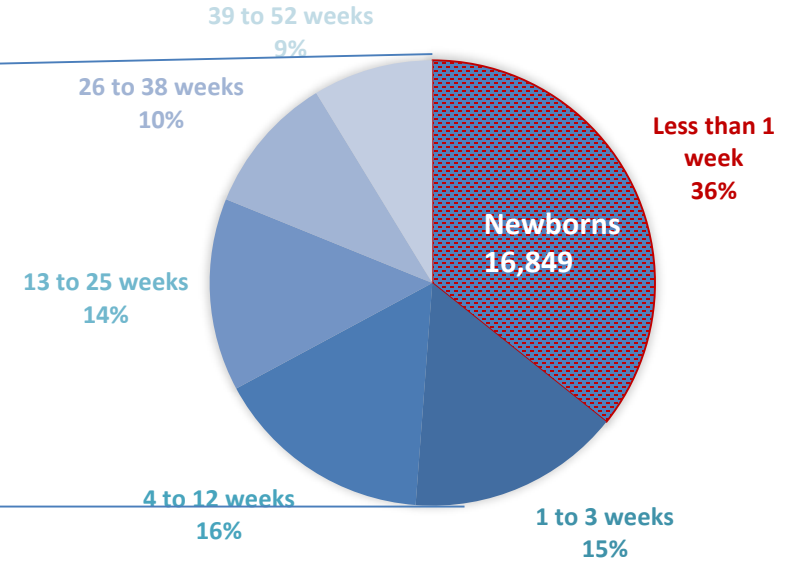
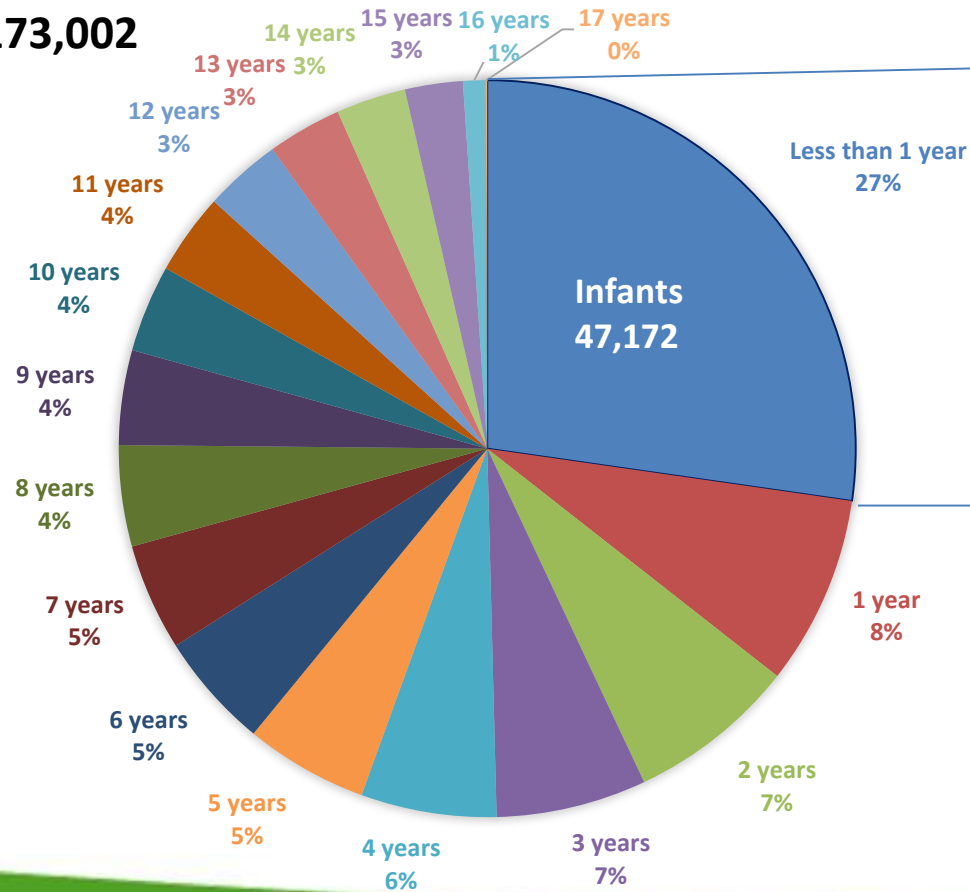
Study objectives

A first descriptive picture [newborns in s.31 proceedings]

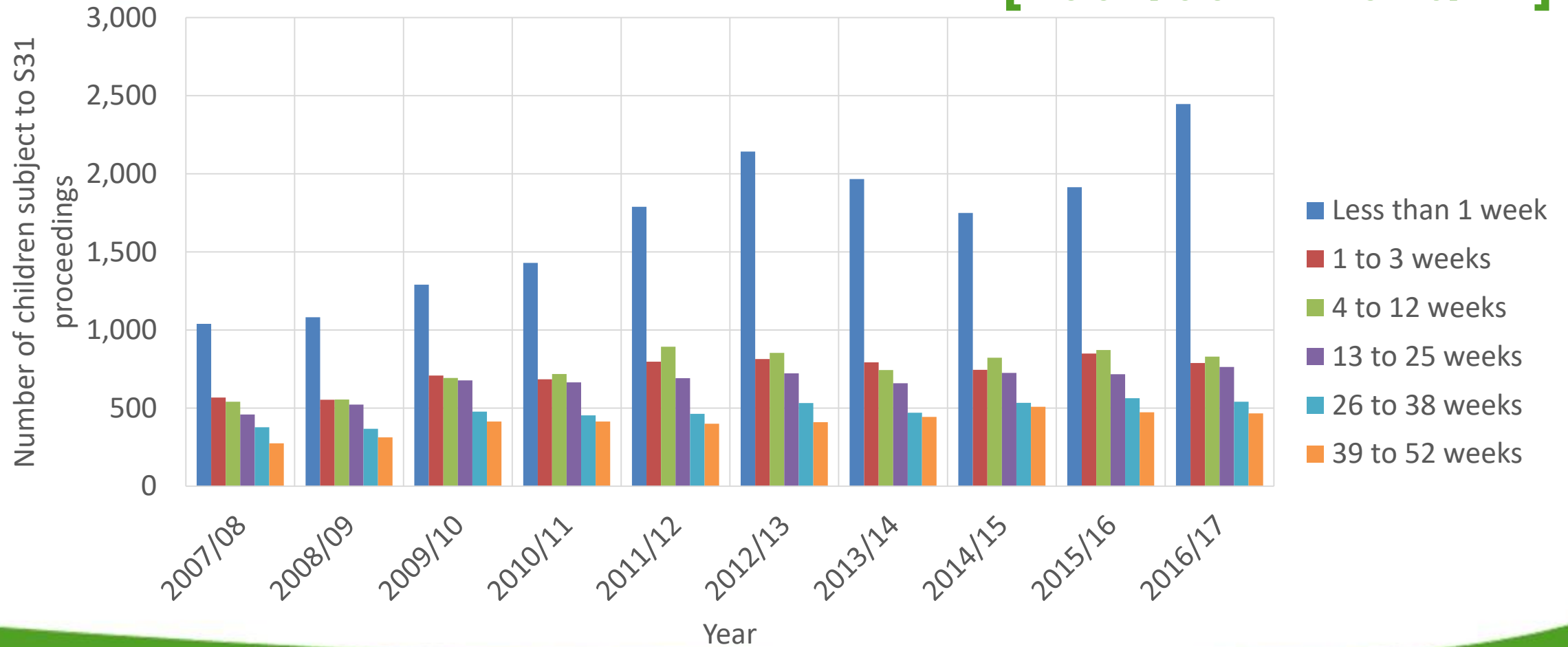
- 1) Quantify the **volume and proportion** of newborn cases and **incidence rates** over time
- 2) Describe variation in incidence rates **between regions and between local authorities over time**
- 3) Identify the number of newborn cases in which an older sibling had previously been subject to care proceedings (**“subsequent infants”**)
- 4) Quantify the **duration of care proceedings** over time
- 5) Describe the pattern of **final legal orders** and trends over time

Age of children in care proceedings [2007/08 to 2016/17]

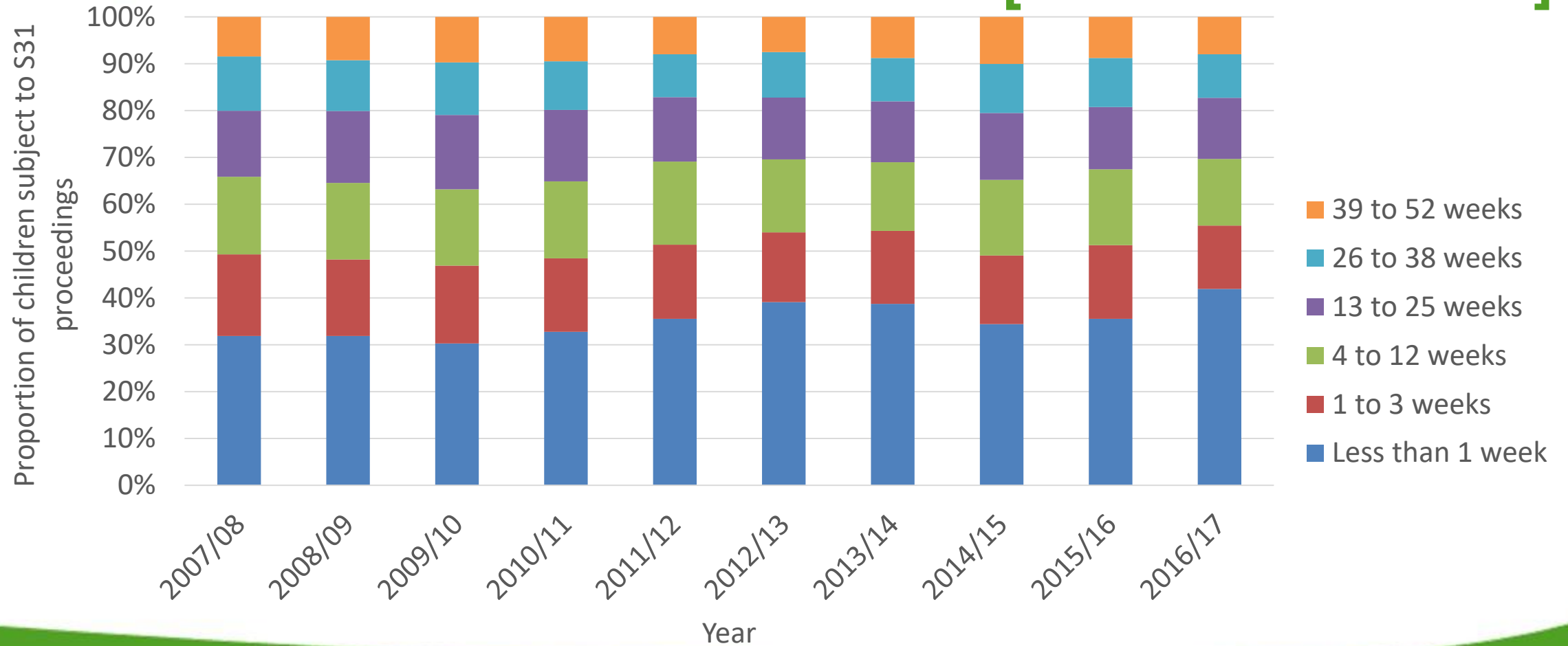
N=173,002



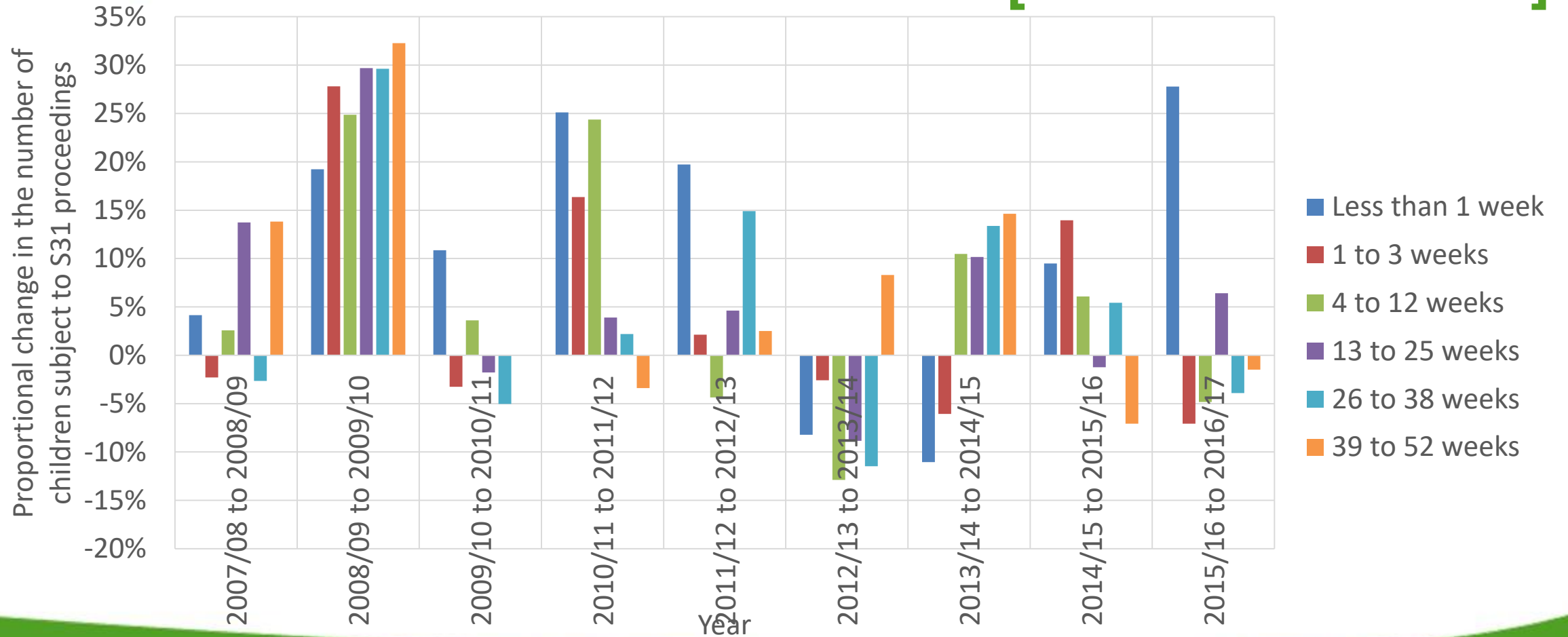
Number of infants in care proceedings per infant age band [2007/08 to 2016/17]



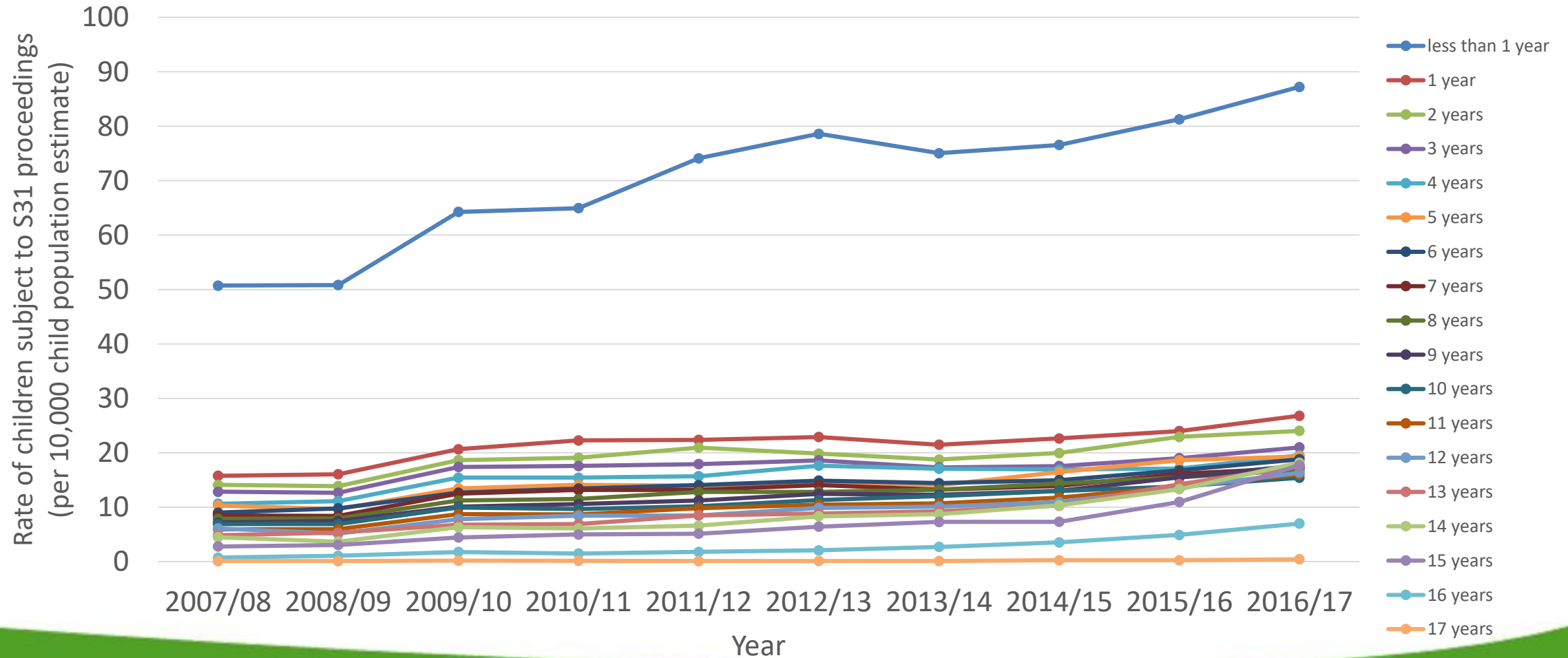
Infants in care proceedings, percentage per infant age band [2007/08 to 2016/17]



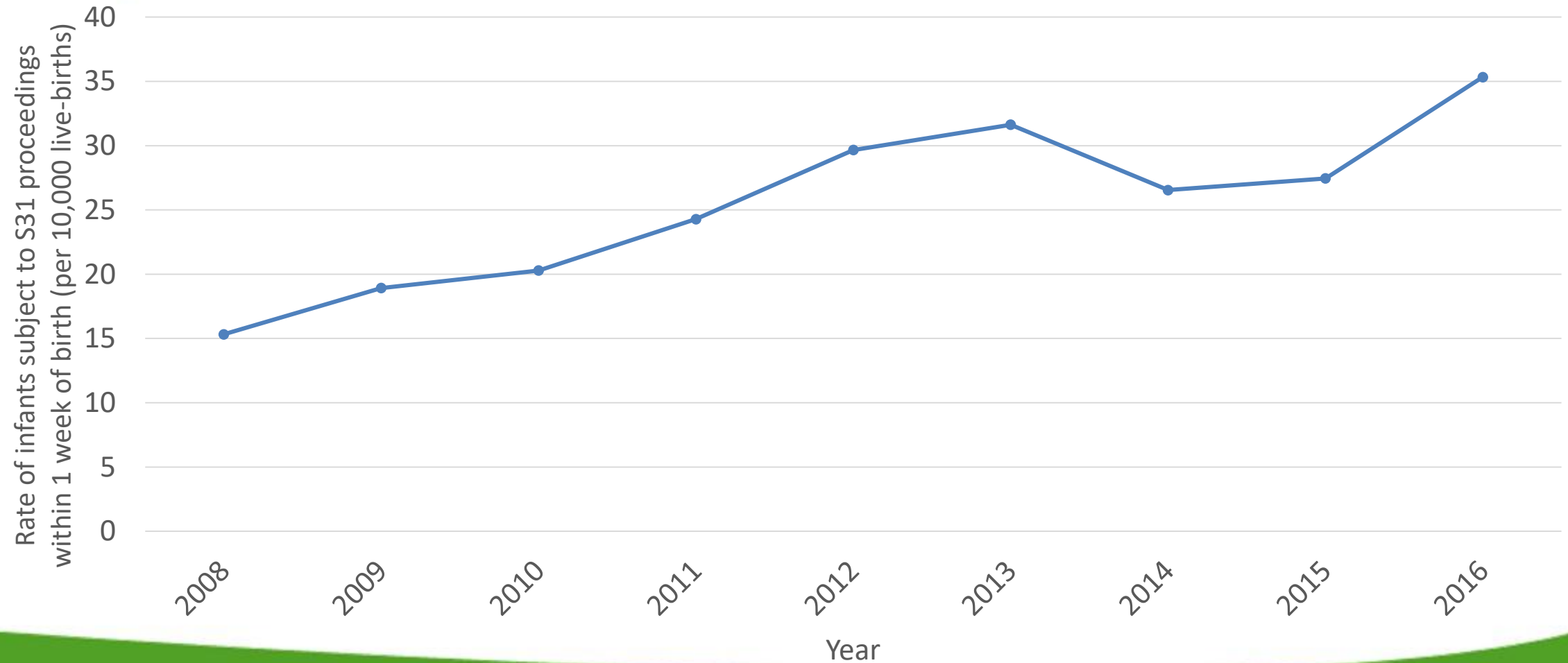
Year-on-year change in the number of infants in care proceedings [2007/08 to 2016/17]



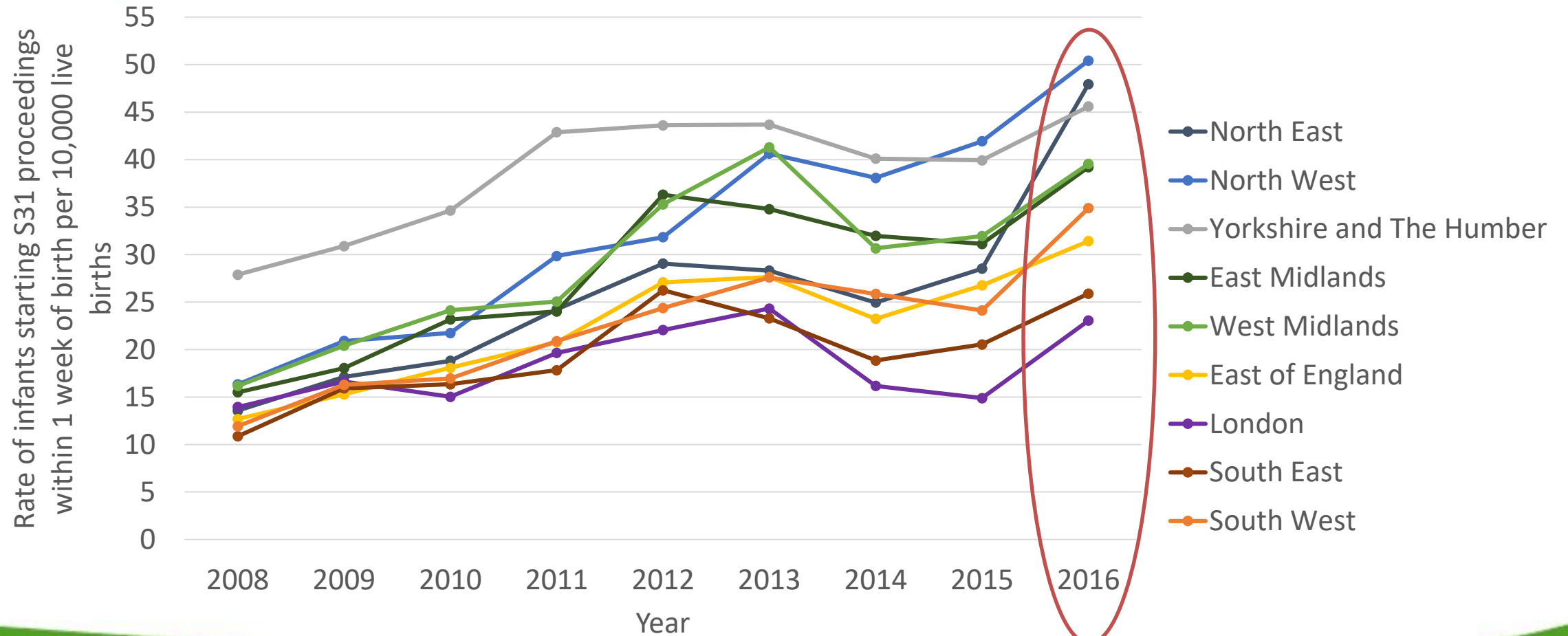
Incidence rates: all children [2007/08 to 2016/17]



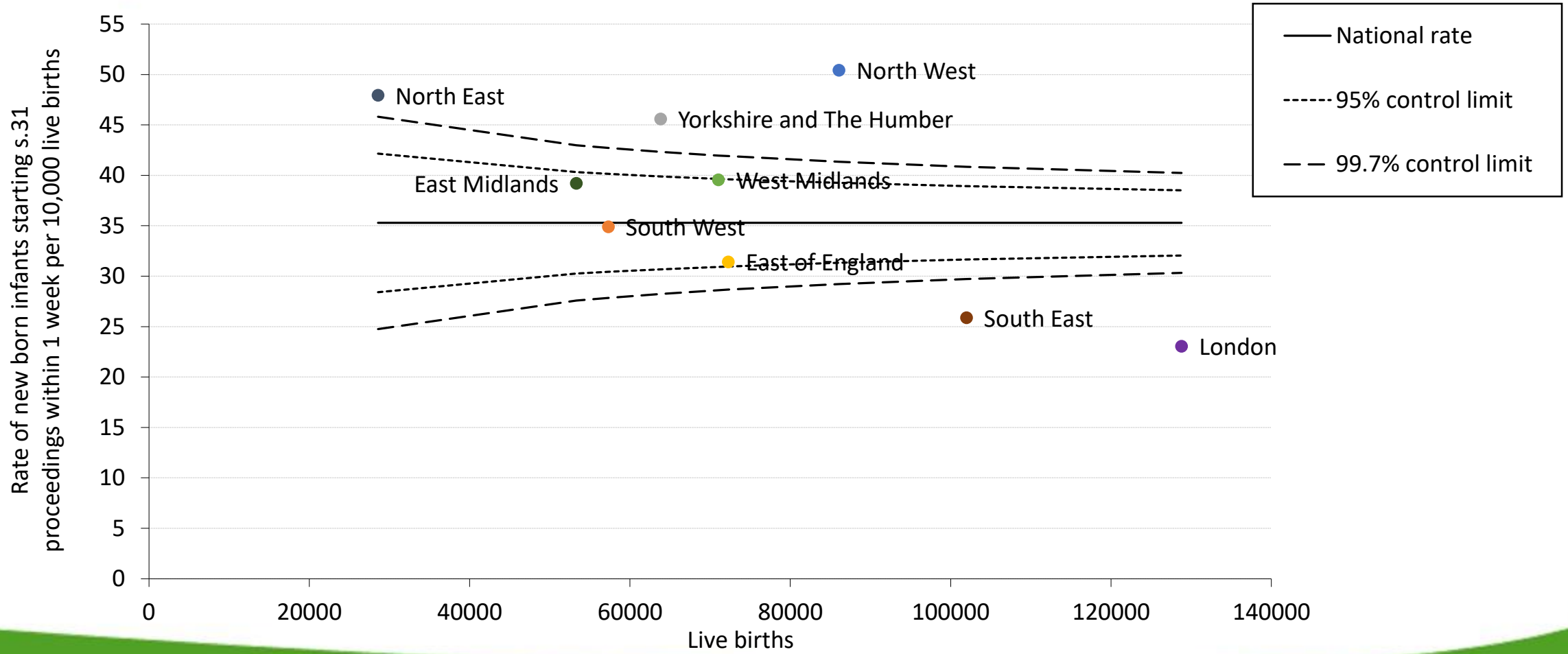
Incidence Rates: Newborns [2008 to 2016]



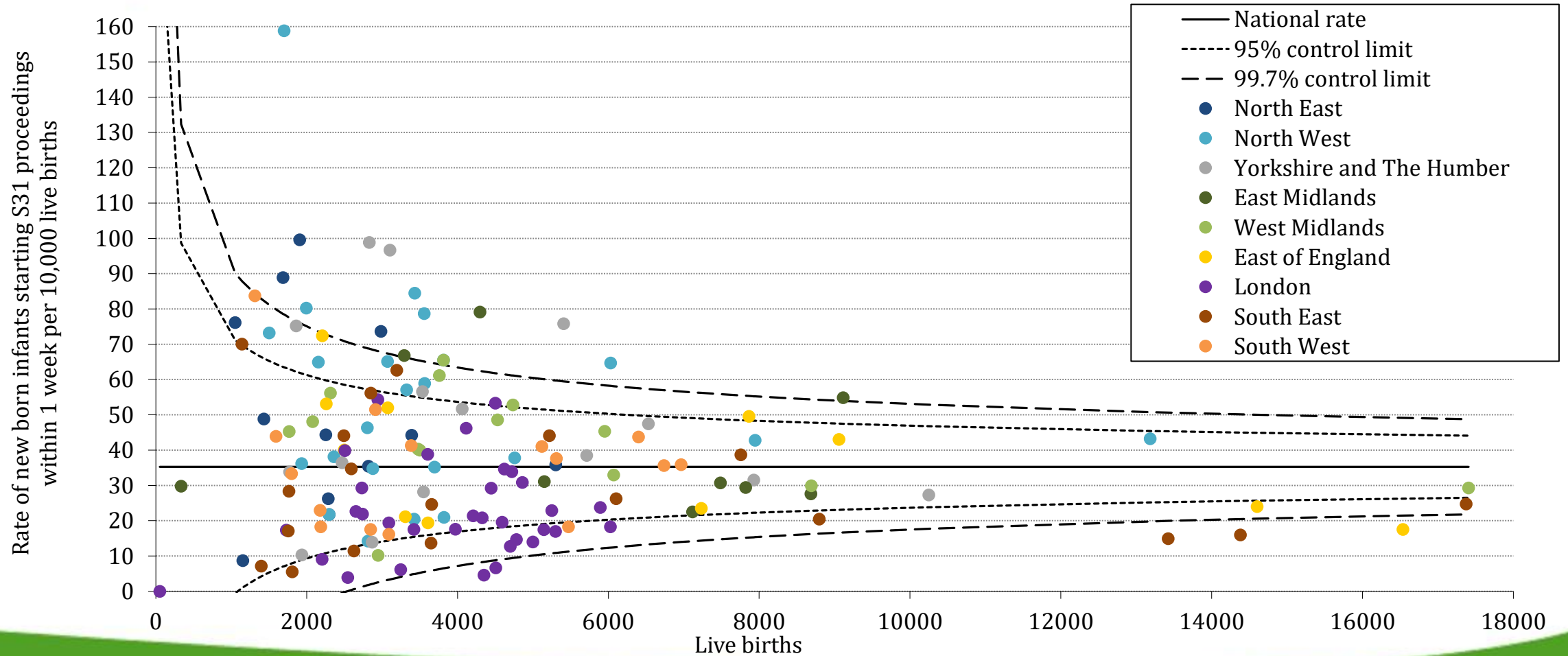
Incidence rates: regional variation [2008 to 2016]



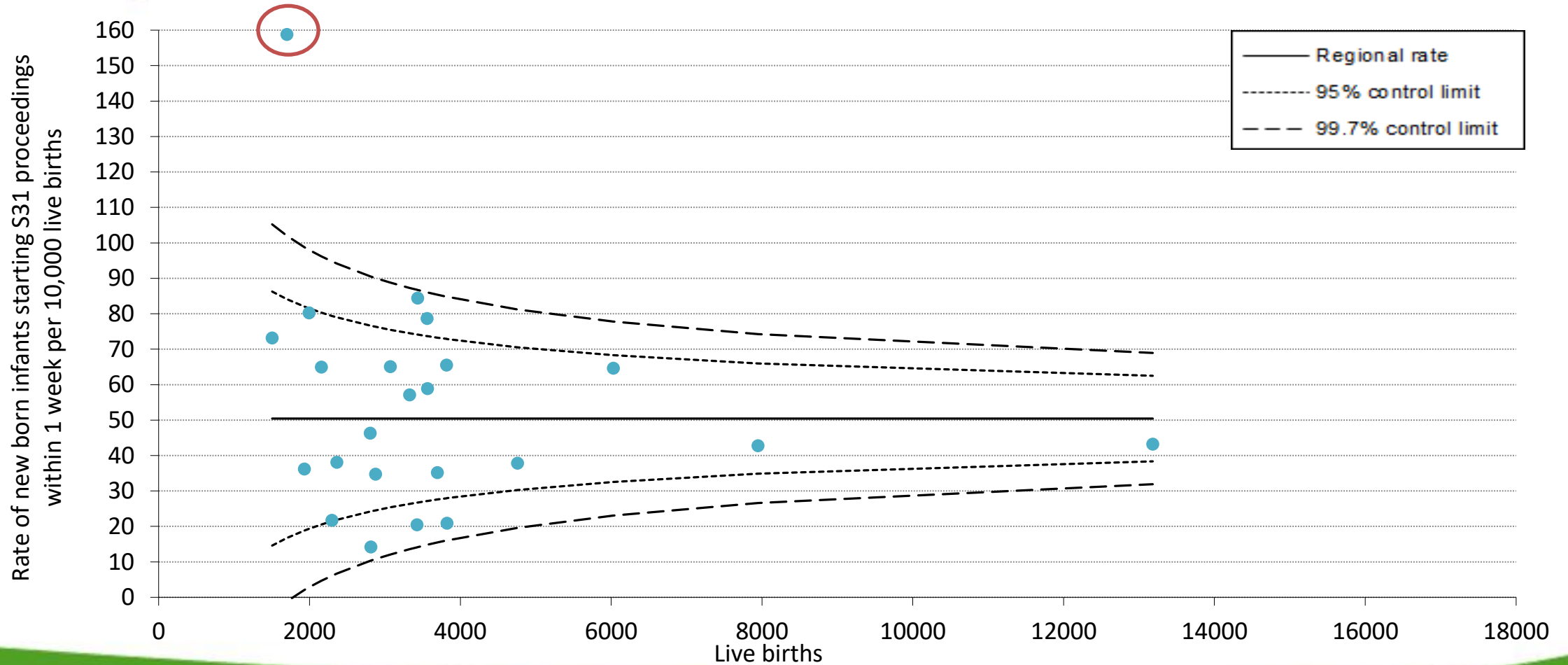
Incidence rates: regional variation [2016]



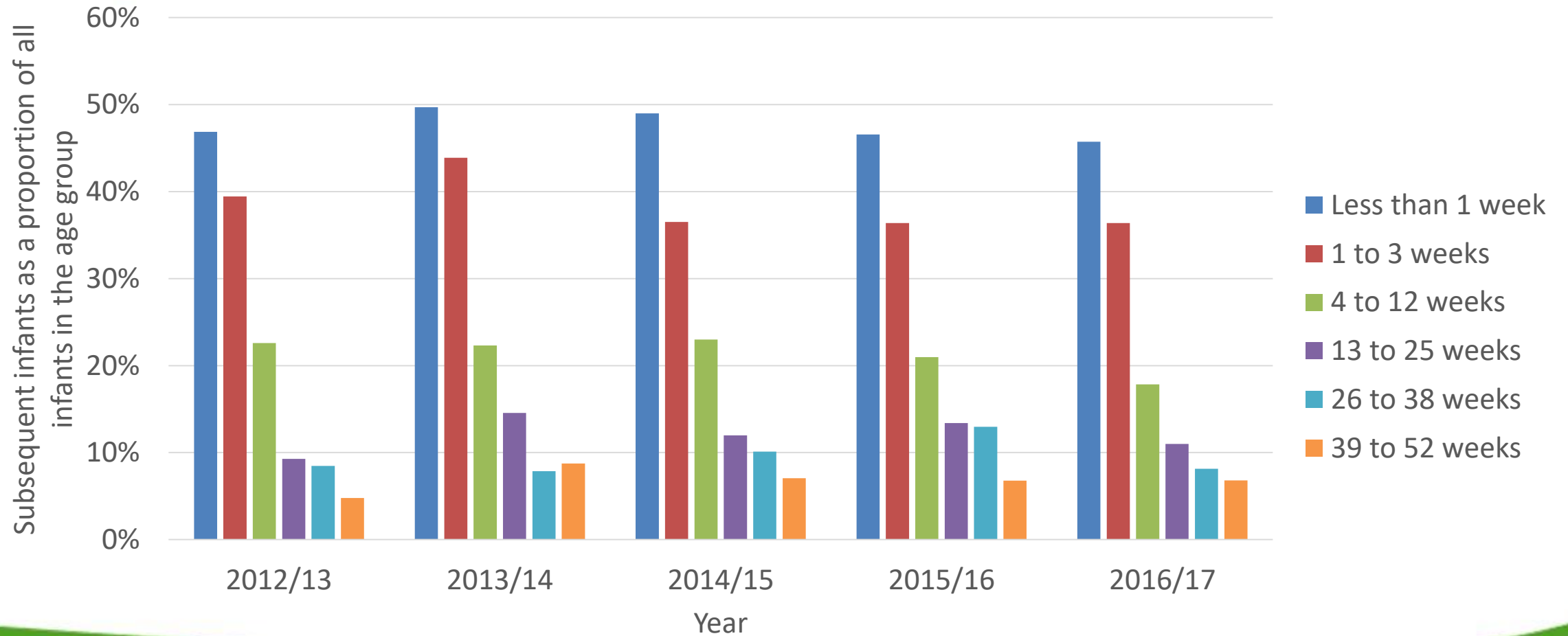
Incidence rates: local authority variation [England 2016]



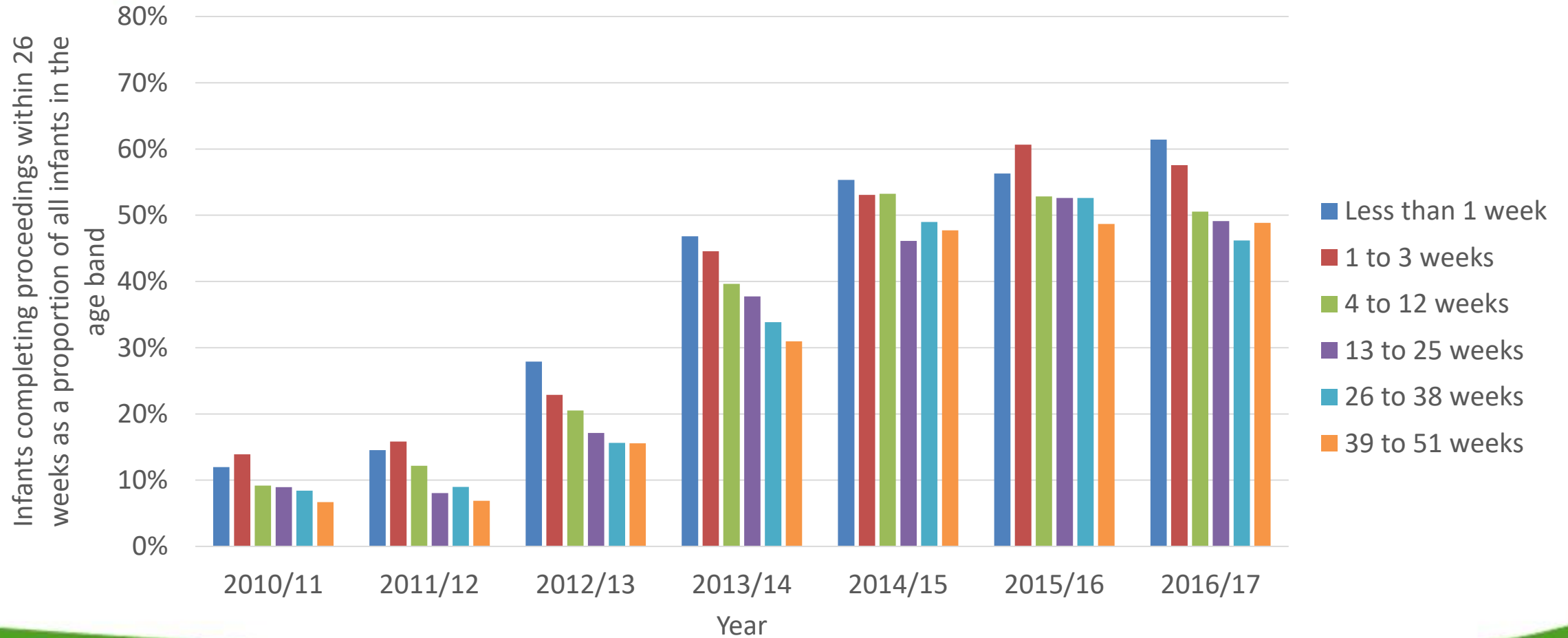
Incidence rates: local authority variation [North West 2016]



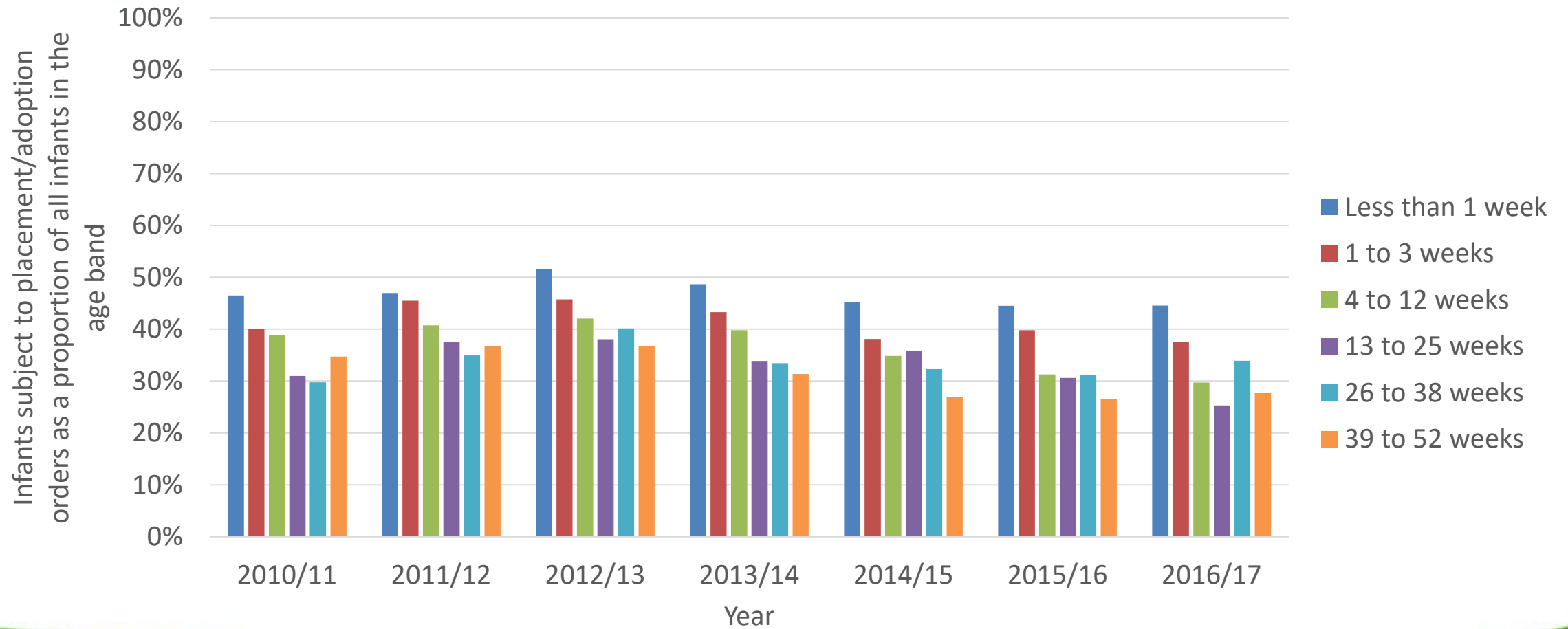
“Subsequent infants” [2012/13 to 2016/17]



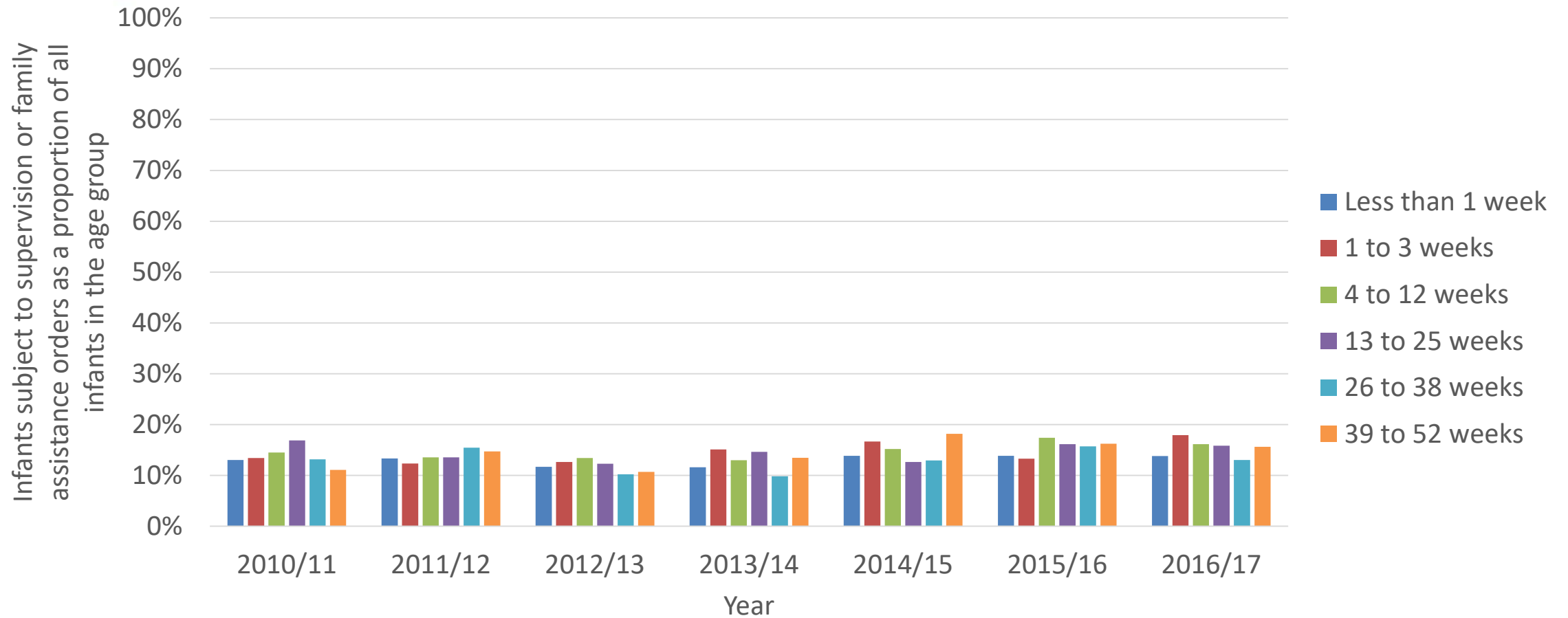
Case duration [2010/11 to 2016/17]



Legal orders: placed for adoption [2010/11 to 2016/17]



Legal orders: with parents [2010/11 to 2016/17]



- 1) Upward trend against all measures
nationally: 42% of infant cases were issued for newborns
- 2) Marked regional differences regarding incidence rates
North West is above the national expected average
- 3) Shorter care proceedings over time
but 39% do not complete within 26 weeks
- 4) Fewer subsequent infants than we might have expected
54% of newborns are NOT subsequent infants
- 5) High rates of adoption – but divergent legal outcomes

Stakeholder response

What questions do these findings raise for:

- Policy?
- Practice?
- New knowledge/knowledge synthesis?

Some of our thoughts

- A greater focus is needed on newborns in policy and practice – given the proportion of infant cases that are issued for newborns
- In particular, we need to develop best practice guidance regarding separation of mothers and babies at birth
- Differences both between and within regions warrant further analysis – infants appear to have an unequal chance of being born into care – we need to understand what accounts for outliers above and below an expected rate range
- Given more than 50% of infants are NOT "subsequent infants" – we need to better understand the basis of claims of likely (future) significant harm .
- New knowledge is needed about the longer-term outcomes of newborn cases, given divergent pathways



Discussion Groups

- Move to allocated groups
- Group 1 G4
- Group 4 F11
- Group 7 G3
- All other groups in main hall (tables are numbered)

Questions

- What are your thoughts on the analysis presented this morning?
- Should we be concerned about regional variation?
- What further questions do you have regarding this data?
- What are the practice issues regarding infant removal at birth and is their sufficient policy and practice guidance ?

CLOSING SUMMARY



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