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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Acknowledgements

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

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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
Methodology

- **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

Infants 47,172

Less than 1 year 27%
1 year 8%
2 years 7%
3 years 7%
4 years 6%
5 years 5%
6 years 5%
7 years 5%
8 years 4%
9 years 4%
10 years 4%
11 years 4%
12 years 3%
13 years 3%
14 years 3%
15 years 3%
16 years 1%
17 years 0%
39 to 52 weeks 9%
26 to 38 weeks 10%
13 to 25 weeks 14%
4 to 12 weeks 16%
1 to 3 weeks 15%
Less than 1 week 36%

Newborns 16,849
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]

Rate of children subject to S31 proceedings (per 10,000 child population estimate)

Year

Rate of children subject to S31 proceedings (per 10,000 child population estimate)
Incidence Rates: Newborns
[2008 to 2016]
Incidence rates: regional variation
[2008 to 2016]

Rate of infants starting S31 proceedings within 1 week of birth per 10,000 live births

Year


North East
North West
Yorkshire and The Humber
East Midlands
West Midlands
East of England
London
South East
South West
Incidence rates: regional variation [2016]

Rate of new born infants starting s.31 proceedings within 1 week per 10,000 live births

- North East
- Yorkshire and The Humber
- East Midlands
- West Midlands
- South West
- East of England
- South East
- London

National rate
95% control limit
99.7% control limit
Incidence rates: local authority variation

[England 2016]

Rate of new born infants starting S31 proceedings within 1 week per 10,000 live births

Live births

National rate
95% control limit
99.7% control limit
North East
North West
Yorkshire and The Humber
East Midlands
West Midlands
East of England
London
South East
South West
Incidence rates: local authority variation [North West 2016]

Rate of new born infants starting S31 proceedings within 1 week per 10,000 live births

- Regional rate
- 95% control limit
- 99.7% control limit

Live births vs Rate of new born infants starting S31 proceedings within 1 week per 10,000 live births
“Subsequent infants” [2012/13 to 2016/17]

Subsequent infants as a proportion of all infants in the age group.
Case duration
[2010/11 to 2016/17]

Infants completing proceedings within 26 weeks as a proportion of all infants in the age band

- Less than 1 week
- 1 to 3 weeks
- 4 to 12 weeks
- 13 to 25 weeks
- 26 to 38 weeks
- 39 to 51 weeks
Legal orders: placed for adoption [2010/11 to 2016/17]

Infants subject to placement/adoption orders as a proportion of all infants in the age band


- Less than 1 week
- 1 to 3 weeks
- 4 to 12 weeks
- 13 to 25 weeks
- 26 to 38 weeks
- 39 to 52 weeks

Bars indicate the percentage of infants subject to placement/adoption orders within each age band for each year.
Legal orders: with parents
[2010/11 to 2016/17]

Infants subject to supervision or family assistance orders as a proportion of all infants in the age group.

Year
- 2010/11
- 2011/12
- 2012/13
- 2013/14
- 2014/15
- 2015/16
- 2016/17

Less than 1 week
1 to 3 weeks
4 to 12 weeks
13 to 25 weeks
26 to 38 weeks
39 to 52 weeks
Summary

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 there sufficient policy and practice guidance?
CLOSING SUMMARY
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