



Newborn babies & care proceedings

A new series of bulletins for professionals who are involved in safeguarding babies at or close to birth

Assessing whether a newborn baby is at risk of significant harm from one or both parents, and ensuring the necessary supports and services are in place so parents can keep their baby, or, where necessary, removing their baby from their care, is difficult, complex, and emotionally and ethically challenging. These regular bulletins will contain links to a range of helpful and supportive resources, from reports and papers to blogs and filmed interviews, and will highlight existing and emerging research, best practice and innovation.

It is our intention that the information and evidence provided will assist professionals working in children's social care, health services and the family justice system when they are making these potentially life-changing decisions. It will help them consider how mothers and babies – and fathers – can be better supported so they can stay together, or, if it's not safe for them to do so, how this painful, traumatic form of intervention can be carried out in a more sensitive and humane way.

The areas we will explore in the bulletins include pre-birth engagement, assessment and support, approaches to intervention in pregnancy, pre-proceedings processes before court, removal of babies at birth, recurrence and birth family contact.

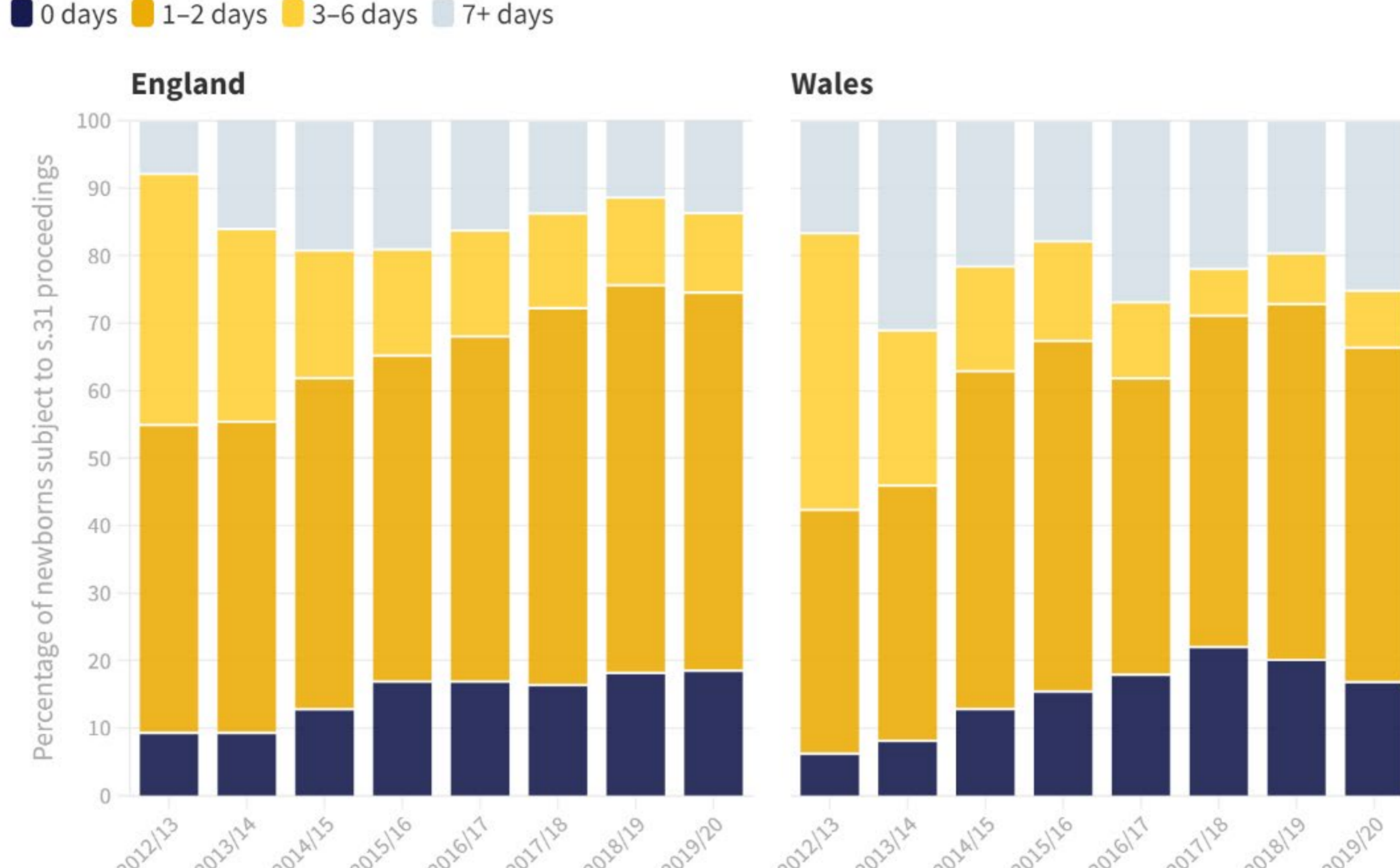
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What does data tell us?

There are regional differences in the rates of newborns in care proceedings – with a particularly stark difference between London and areas in the North of England. London has the lowest incidence rates – at the opposite end of the spectrum are the North West and North East of England and Yorkshire and the Humber, and Wales.

In addition, in 2019/20, 86.3% and 74.8% of cases involving newborn babies in England and Wales respectively were heard at short notice (under seven days) – the majority of which were on an emergency basis, with between just one and two days' notice. In a sizeable and growing proportion of newborn cases in both England and Wales, the application is issued and the first hearing scheduled for the same day, with zero days' notice. In 2019/20, approximately one in every six newborn babies in care proceedings was the subject of a same-day hearing.

Figure 2: The proportion of short-notice, emergency, and same-day hearings for newborn babies in s.31 care proceedings



Furthermore, a proportion of birth mothers, and also fathers, experience more than one set of care proceedings. This cycle of returning to court and having subsequent children removed is referred to as 'recurrent care proceedings'. Studies have established that one in four mothers is at risk of reappearing in care proceedings following an initial set of proceedings within seven years in England and within eight years in Wales, although the likelihood of a mother experiencing repeat proceedings is greatest within the first three years. Fathers are also likely to experience recurrent care proceedings, although at nearly half the rate of mothers.

Read [Newborn babies in urgent care proceedings in England and Wales](#)

Read [Recurrent care proceedings: five key areas for reflection from the research](#)

About our work

Newborn babies and care proceedings is a collaboration between [Nuffield Family Justice Observatory](#), the [Centre for Child & Family Justice Research](#) at Lancaster University, the [Rees Centre](#) at Oxford University and [Research in Practice](#).

Together, our organisations are [delivering new data](#) on the number of newborn babies appearing in care proceedings, as well as the circumstances of the mothers and fathers involved – including the issues and difficulties they face – and the impact that having a child, or children, removed has on them. We are also highlighting and [mapping the services](#) that are available to support families at risk of care proceedings. Importantly, we are all committed to sharing families' experiences and views, and insights from professionals.

We have also published [draft guidelines](#) to help improve practice and make processes and procedures more consistent when the state intervenes at birth. Currently being tested for feasibility across England and Wales, they were developed through a collaborative research study involving professionals and parents in eight local authorities and seven corresponding NHS trusts in England and Wales. The study explored compulsory state intervention at birth from the perspectives of parents and professionals, and aimed to identify key challenges, good practice examples and innovative approaches from different stages of parents' journeys (pre-birth, maternity settings and the return home).



Rees Centre

research in practice

Separating a parent and baby within hours or days of the child's birth is a very severe form of intervention in family life, fraught with ethical, legal and procedural challenges. **Newborn babies and care proceedings** will provide access to information, evidence, advice and innovation that we hope will help professionals to better face the difficulties and dilemmas that are inherent in this area of work, and, most importantly, to improve practice and support for families.

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