



Newhorn babies & care proceedings A bulletin for professionals involved in safeguarding

babies at or close to birth Separation at birth

In this issue of *Newborn babies and care proceedings*, we are focusing on the

separation of babies and their parents at or shortly after birth. Evidence from the Born into Care research – a collaborative, qualitative study that explored parents'

that this course of action is traumatic for birth parents and distressing for the professionals involved. The study highlighted that insufficient regard to privacy, confidentiality and choice on postnatal wards led many mothers to experience acute feelings of shame and stigma. A lack of clear planning and poor communication between social workers and midwives and other health professionals could result in parents and

professionals being unsure about what was going to happen and when. All too

often, wider family and friendship networks had not been involved in planning and

and professionals' perspectives on compulsory state intervention at birth – showed

discussions, so were not able to provide practical and emotional support. The practice of instigating care proceedings immediately after birth meant that parents had few opportunities to focus on bonding with their babies when their energies were taken up with navigating legal processes. Having to cope with these procedures, sometimes within hours or a day of giving birth, meant mothers had little capacity to take in important information or adequately instruct a solicitor or barrister. Mothers also faced the impossible choice of either attending the hearing (and missing out on crucial time with their baby) or staying with their baby and giving the

court the impression they were not taking the proceedings seriously.

believes that the baby is likely to suffer significant harm as a result of parental action or inaction (s.31 Children Act 1989). Shortfalls in planning often meant that it was not possible for parents to meet their baby's foster carers in advance, nor were they able to exercise choice in the timing and detail of how the separation itself happened.

babies and care proceedings, set out some key suggestions for compassionate and trauma-informed practice at this particularly difficult time.

The suggested best practice is drawn from examples of changes implemented in

some of the eight local authority and seven corresponding NHS Trust pilot sites

The <u>best practice guidelines</u>, discussed in detail in the <u>last edition</u> of *Newborn*

that took part in the Born into Care research and subsequently introduced the draft guidelines, as well as from other areas that have developed systems and processes designed to reduce the pain of separation at birth.

any care proceedings and afterwards.

Specialist midwives working in multi-disciplinary teams.

These changes include:

Council.

separation where possible.

The HOPE Boxes intervention

once they had returned home without their baby.

Trauma-informed practice

In this <u>16-minute film</u> on minimising trauma, social workers and specialist midwives in four of the pilot sites talk about the changes they have introduced to reduce the traumatic effect of separating a baby and their parents shortly after birth.

The introduction of specialist pre-birth social work teams, so that the same

social worker works with the family from the point of referral onwards, through

details of the work of the specialist midwife in Salford's Strengthening Families service. Earlier assessment and intervention and an earlier start to formal preproceedings activity.

See this previous edition of Newborn babies and care proceedings for

examples of this from Together for Children Sunderland and Neath Port Talbot

A revised birth arrangements form, developed jointly by health and social care

professionals with input from parents with lived experience of separation. This

form enables professionals to discuss and agree with parents and the wider

family a very detailed plan for what will happen if the parents and baby need

to be separated, including who will hand the baby over, and where and when

See also this <u>previous edition</u> of Newborn babies and care proceedings for

this will happen. Two examples of this type of form, from Together for Children Sunderland and Swansea Council/Swansea Bay University Health Board, can be found on the Born into Care: Best practice guidelines and other resources page. Offering mothers the choice to stay in hospital with their babies for a while longer, including making arrangements within the hospital and delaying

the timing of the first hearing, or delaying the timing between the order and

Specialist rooms being provided in hospitals to enable mothers to attend a

important time alone with their baby before separation takes place.

court hearing remotely, in privacy, and also giving them the privacy to spend

The Born into Care research highlighted the acute distress of parents who have to return home without their babies. Health professionals recognised that the response to mothers who had experienced a still birth was very different to the response given to mothers whose babies were removed through the court. Health professionals worked together with parents with lived experience to develop HOPE (Hold On Pain Eases) Boxes. You can listen to mothers and midwives talking

about the HOPE Boxes in this <u>film</u>. Midwives also talk about the development of

The boxes allow mothers to pass on items to their babies, and to keep items

themselves to take home. At the point of initial separation, the court has not made a

final decision, and so the baby may be reunited with his or her parents. The HOPE

Boxes provide important memories for parents, but are also important in helping to

keep the connection between parents and their babies developing and growing over

HOPE Boxes in the minimising trauma film above (at 09:13 minutes).

time. Further information on the HOPE Boxes can be found here.

Supporting parents after separation In the minimising trauma film above, social care professionals talk about the

importance of providing support to parents post-separation, and how in the past that

has often been overlooked. The pain of separation can lead parents to give up hope

Having a clear plan for what support should be provided post-separation.

Another example of support offered around and after separation is contained in this

short film featuring Laura Bibey, Senior Social Worker in the Baby and Me team in

Newport, Wales, which is run by Barnardo's Cymru. The service works in the pre-

Supporting parents to make the best use of family time with their baby.

Helping parents to continue to access treatment services.

Being available to talk to parents about their concerns.

Helping parents to access counselling services.

of regaining care of their babies, and they may suffer mental health problems or relapse into using alcohol or drugs to cope with the situation.

Examples of changes in practice include:

Supporting parents in court

<u>support – models and approaches</u>.

birth period with parents who have had previous children removed through care proceedings. In a previous edition of Newborn babies and care proceedings, Laura talks about how the staff engage parents at the start of the process.

Attending court during care proceedings is often a traumatic experience for parents, particularly if a hearing takes place immediately after the birth of the child. In this <u>film</u>, retired family court judge Lesley Newton talks about a multi-disciplinary approach taken in Greater Manchester to address the issue of the increasing number of care proceedings that began with urgent hearings (within seven days). Other problems for parents in care proceedings include a lack of understanding of the processes, particularly the legal jargon used and feelings of frustration if expert reports recommend types of therapy which are not available or accessible for parents. In this film, these points are made by Joe Garraway, GMCA Recurrent Care Proceedings Lead at Strengthening Families in Salford. You can find out more about

Strengthening Families in previous issues of Newborn babies and care proceedings,

in issue two on pre-birth engagement and in issue four on pre-birth intervention and

The Family Drug and Alcohol Court (FDAC) is a good example of how care

proceedings can be much more trauma informed. In areas with an FDAC court,

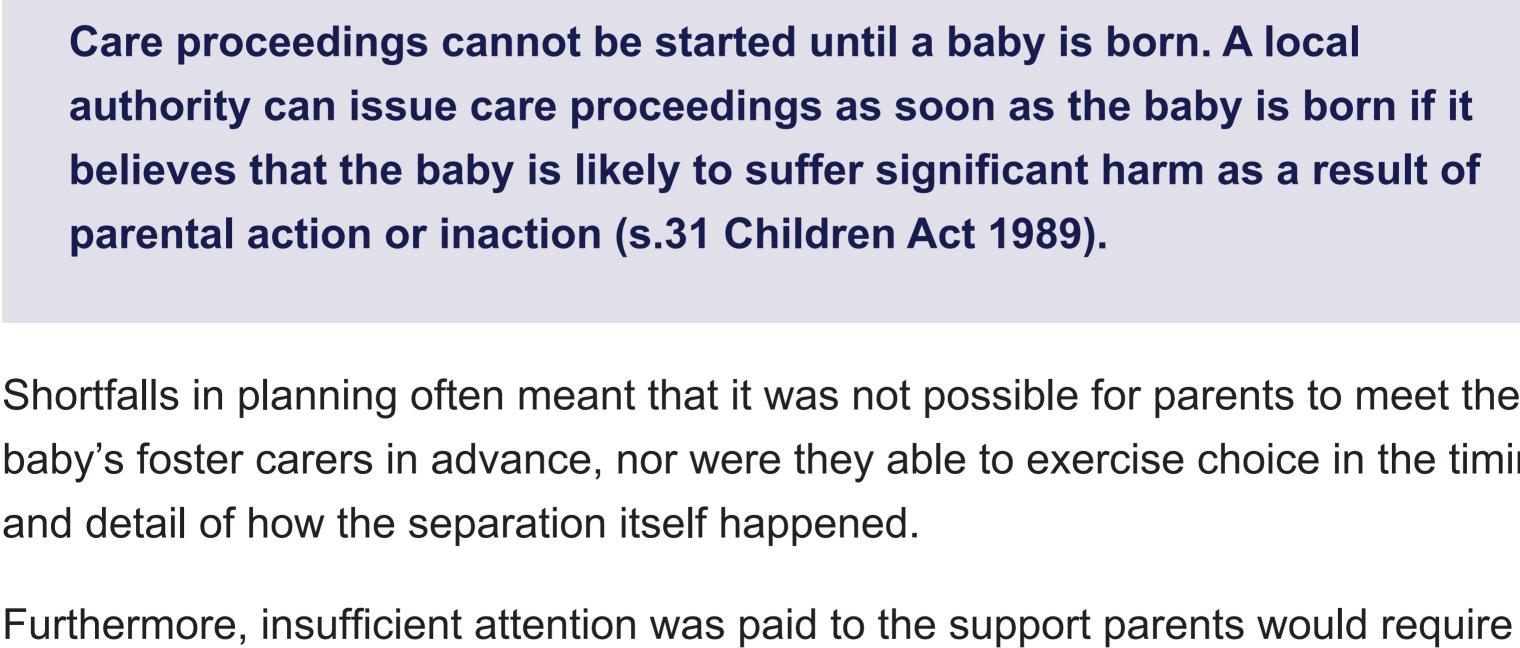
parents who are referred into, and who accept their case being heard in, FDAC,

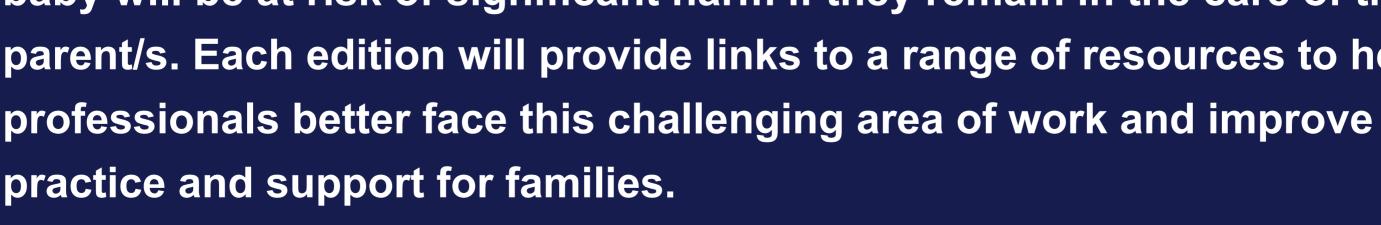
basis at fortnightly non-lawyer reviews. Parents receive support from a multi-

have the opportunity to speak directly to the judge hearing their case on a regular

disciplinary specialist team, who agree a trial for change with the parents, so the court can see first-hand how parents are engaging with and responding to relevant services. The specialist team also acts as an expert witness to the court. More information on FDAC is available here. You can also listen to Her Honour Judge Carole Burgher, lead FDAC Judge at Birmingham and Solihull FDAC, talking about the approach with Nuffield Family Justice Observatory's Director Lisa Harker <u>here</u>.

Newborn babies and care proceedings aims to support professionals who have the difficult and complex task of assessing whether a newborn baby will be at risk of significant harm if they remain in the care of their parent/s. Each edition will provide links to a range of resources to help









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