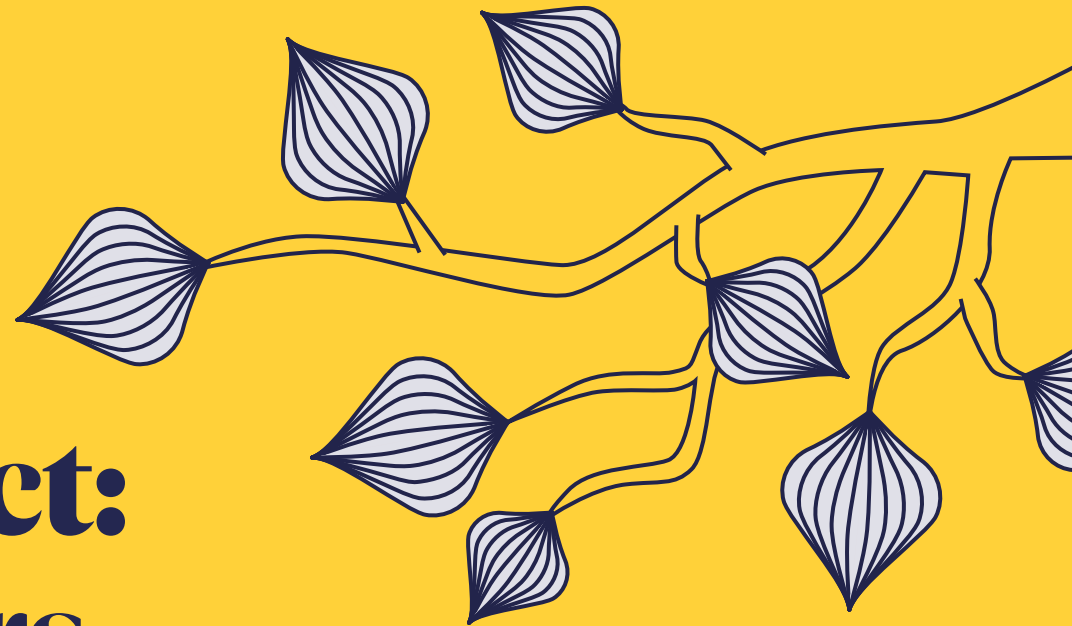


Nuffield
Family Justice
Observatory

Making an impact: Our first five years in review

July 2024



Impact report

Over the last five years, Nuffield Family Justice Observatory has become a respected and influential organisation, turning research, collaboration and new ideas into better experiences for families and children.

Introduction

Our five system goals

Goal 1

Right support, right time

First analysis of Cafcass data by Lancaster University funded by Nuffield Foundation

Goal 2

A stronger focus on problem solving

Research on experiences of teenagers entering care, co-produced with young people

First best practice guidelines for removing babies from their parents at birth

Research reveals experiences of families in private law proceedings

Principles of care for children with complex needs published

Work to support Ministry of Justice private law pathfinder pilots

Work to pilot a problem-solving baby court in Blackpool

Work to pilot care proceedings pathways which give young people a voice

Data analysis reveals children do not participate in hearings about them

Goal 3

Children, parents and families as active participants

Research into experiences of families and professionals when babies are removed at birth

Rapid consultation into parents' and professionals' experiences of remote hearings

Children's experiences of private law proceedings reviewed

National deprivation of liberty court opens

Data analysis shows disparities between the proportions of people of different ethnicities appearing in family courts

Research on parents in care proceedings cases involving babies who have learning disabilities or difficulties

Goal 4

Inequalities are recognised and responded to

Regional disparities revealed in the number of babies being removed from their parents at birth

Professionals and parents work together to develop first guidelines for baby removals

Local family justice boards mapped for the first time

President of the Family Division calls for better support of ongoing relationships with birth families after adoption

Convening cross-sector collaboration around domestic abuse screening

Goal 5

Greater collaboration

Family courts move online as COVID-19 lockdowns start

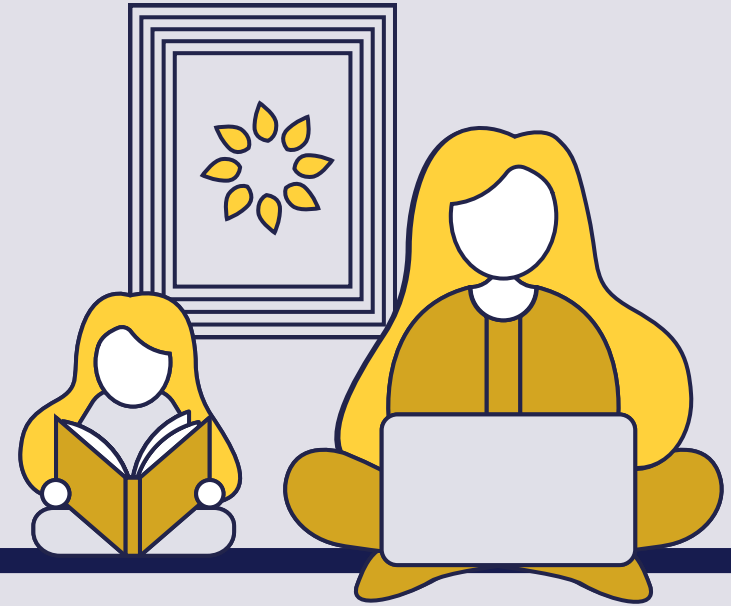
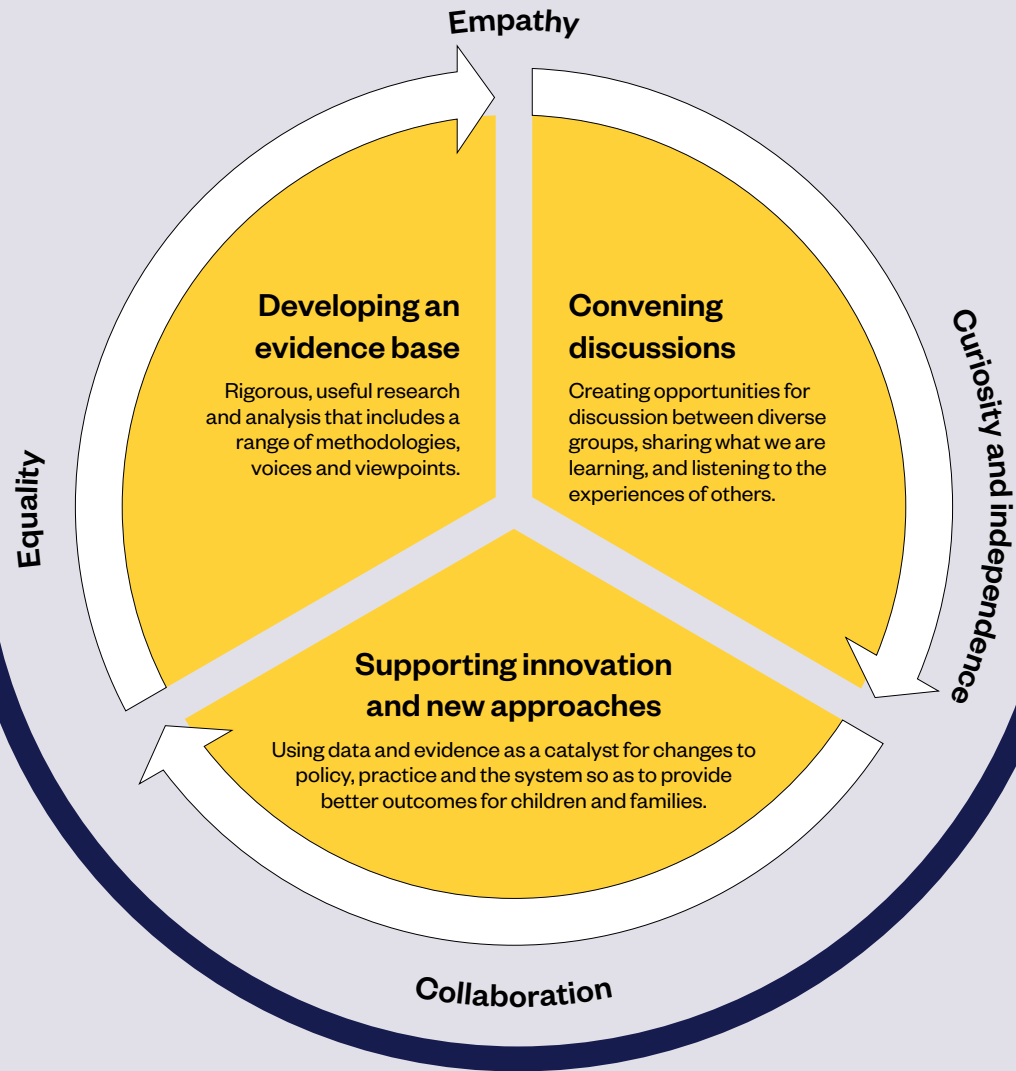
First family courts pilot pathfinder to put children's voices at centre of private law proceedings

President convenes working group to improve private law proceedings for non-parent cases

Ministry of Justice announces reforms for support of separating families

Better family justice system

How we work



Goal 1: Right support, right time

We have reflected current practice and the experiences of families and professionals to identify better ways of making sure that families receive the right support at the right time.

Goal 1: Right support, right time

There are now good practice guidelines to care for mothers and their new babies when it is not safe or possible for them to stay together

Parents, judges, lawyers, social workers, midwives and Cafcass staff shared the trauma experienced when decisions are made to take a child into care at birth or shortly afterwards. Running sessions and pilots in conjunction with local authorities and NHS trusts, our research partners – Lancaster University and the Rees Centre at the University of Oxford – documented these experiences and developed the first set of national good practice guidelines, founded on the principles of humane and sensitive care.

We have also made sure that the data on recurrent proceedings – where parents return to court on multiple occasions, potentially losing multiple children to public, kinship care or adoption – remains as up to date as possible and in the public eye, working with an online community of practice to map services for this group of mothers and fathers.

Our five principles of care aim to inspire a change in practice to better support vulnerable older children

In 2022, our work with young people started to uncover the needs and circumstances of teenagers entering (or already in) the care system – including a relatively small but growing number of whom were being deprived of their liberty, some in unregulated settings because there was nowhere else for them to go.

With a panel of leading academics and clinicians from Anna Freud, University of Cambridge, University of Sussex, University of Exeter, University of Glasgow and University College London, we developed five principles of care for children with complex needs.

2,447 babies

The number of babies entering care in England in 2017 – double the number in 2007. This finding led to a period of

5yrs

unpacking and sharing data and findings, including an 18-month project to develop and pilot guidelines based on humane and sensitive care.

1,389

The number of applications to deprive children of their liberty in 2023 – a twofold increase since 2021.

5 principles

1. Stable, trusted relationships
2. Holistic assessment
3. Long-term, tailored support
4. Experienced, multi-disciplinary teams
5. Agency and respect

Goal 2: A stronger focus on problem solving

We have shared evidence on the value of problem-solving approaches – and the power of combining the authority of the court with multiagency support.

Goal 2: A stronger focus on problem solving

Pathfinder pilots are starting to offer problem-solving approaches to cases for separating families

Our evidence helped to shape Ministry of Justice ‘pathfinder’ pilots of problem-solving approaches to private law cases, and the 2024 announcement of reforms for separating families.

Lancaster University and Swansea University analysed data and the University of Bristol interviewed parents and children about their experiences around parental separation and court. Our findings challenged assumptions, painting a picture of a group of vulnerable – not vexed – people, not always parents, often struggling with deprivation, poor health and domestic abuse issues, and who see court as a last resort.

>50%

Over half the mothers and fathers making a private law application in 2019/20 lived in the two most deprived quintiles in England and Wales.

**More than
three quarters**

of all cases in the family courts involve children in private cases between family members.

Initiatives are under way to hear and consider the specific needs of individual children and families in proceedings involving newborn babies and young people

With the Centre for Justice Innovation, we are exploring how the problem-solving approach pioneered by family drug and alcohol courts could be applied system-wide. We are working with parent groups, children’s services, the family court and local specialist services to develop a potential ‘baby court’ in Blackpool.

In north-east and north-west England, we are working with local family justice boards to pilot care proceedings pathways that give young people the opportunity to have their voices heard through direct meetings with their family judge.

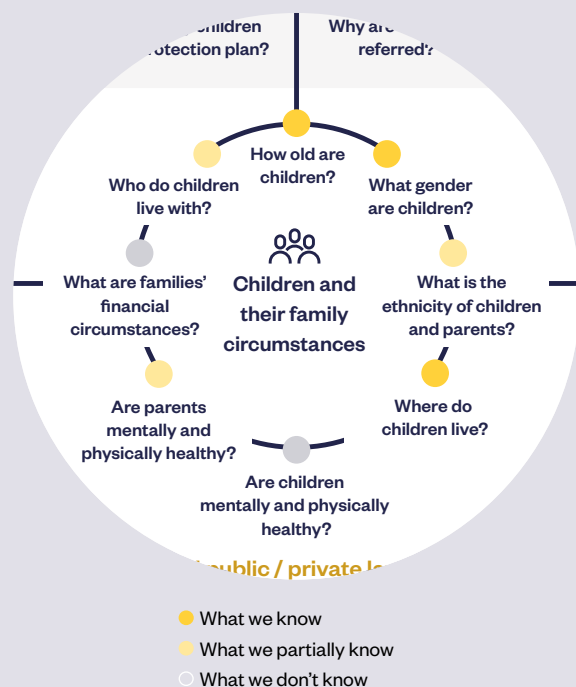
1 in 6

The number of newborn babies in care proceedings whose parents were required to attend court within hours of birth in 2019/20, prompting concerns that some care cases are being issued on an urgent basis because of insufficient planning and preparation in the pre-birth period.

Better data to inform practice and perspectives ...

1 Mapping data gaps

We have been mapping what the national administrative data tells us about children and families in the family justice system since 2020, highlighting gaps in what we know about their circumstances and the support they receive.



2 Working with others to fill the gaps

New research

Working with leading academics and institutions, we have published data findings and methodologies in over 50 research reports in the last 5 years.

Improved data infrastructure, recording and transparency

We have worked with ADR UK, Cafcass, Cafcass Cymru, Centre for Longitudinal Studies, His Majesty's Courts and Tribunals Service, Judicial Office, Ministry of Justice, Royal Courts of Justice, Transparency Implementation Group, UK Research and Innovation and Understanding Society.

Linking existing data

The Family Justice Data Partnership has anonymously linked Cafcass Cymru records to the GP and hospital admissions data of the same people to provide a fuller picture of their circumstances through the secure environment provided by SAIL databank.

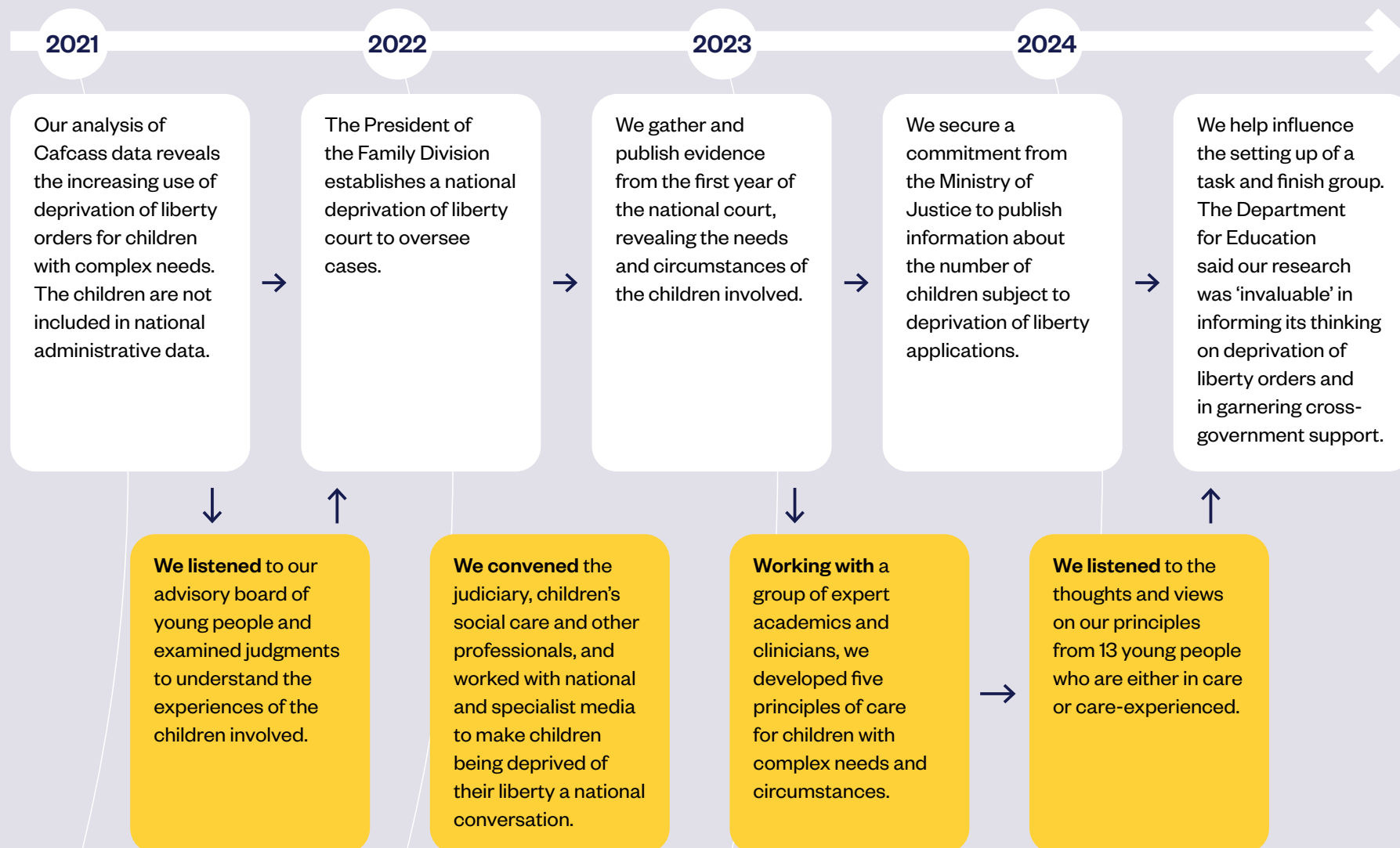
3 Encouraging data uptake

Our data has been cited in media and research articles, helping to inform opinion and practice. We have helped local family justice boards to access and use data, contributed to the evidence board of the Independent Review of Children's Social Care and working groups initiated by the President of the Family Division, and supported training at the Judicial College.

“Big data will help family court judges to make better decisions.”

Sir James Munby, *The Times*, 4 November 2021

... shining a light on issues such as young people being deprived of their liberty



Goal 3: Children, parents and families as active participants

We have brought the perspectives of both children and parents to the foreground.

Goal 3: Children, parents and families as active participants

“I think the assessments and care plans are more about my risks, instead of my needs and the type of support I need.”

Young person, 17, *This is what we think* (2024)

“I feel like a lot of young people don’t really understand what’s going on [in proceedings] but I made a point to kind of be clued up about what’s going on.”

Young person, 24, *The care files: Exploring the experiences of teenagers entering the care system* (2022)

“We came into care at the same time and like I didn’t know my younger brother was going up for adoption ‘til a month before the court hearing. Considering he’s our baby brother, that really messed with my mental health.”

Young person, 14, *The care files* (2022)

“They made me sit in a room with him [dad], even though I’d said I didn’t want to see him.”

Young person, 16, *Separating families: Experiences of separation and support* (2022)

“It just felt a bit pompous and a bit alien, like a lot of language and a lot of the stuff you go through ... a bit out of date almost.”

Parent, *Separating families* (2022)



Goal 3: Children, parents and families as active participants

Interest in how families experience court has endured beyond the remote hearings of COVID-19

The first lockdown in 2020 prompted an abrupt change in practice for the family courts, with hearings conducted remotely by video or phone. There was no sense of how children, families or professionals were experiencing these unprecedented changes. The President of the Family Division asked us to run a rapid consultation into this, which revealed the views of over 1,000 families and professionals. As in-person hearings returned, curiosity about how families themselves might be experiencing court has endured.

“I cannot see how we could have [accessed] anything of the sort in anything like a timescale to meet the urgent need [for] information ... to steer the ship in this very stormy and uncharted ocean.”

Sir Andrew McFarlane, President of the Family Division

Children’s opportunities to be heard and participate in ways that are right for them should increase with the recently extended pathfinder court pilot

Our work has shown that, in spite of being enshrined in guidance and law, children’s voices have often gone unheard in private law cases.

Around half

In recent studies, researchers were unable to identify any evidence of child participation in 46% of private law cases in England or 52.5% of cases in Wales.

Our conversations with young people have centred not only on their care experience but also on early help and support, the court process and leaving care



Goal 4: Inequalities are recognised and responded to

We have exposed deep inequalities in families' experiences of the family court and helped to galvanise action.

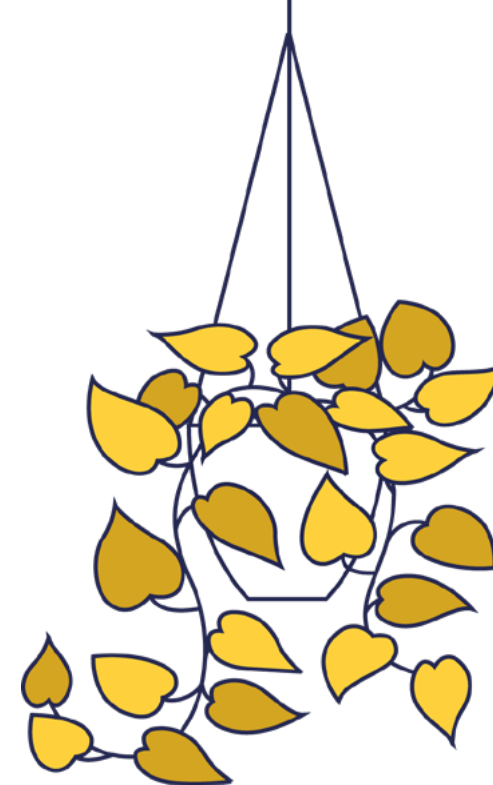
Goal 4: Inequalities are recognised and responded to

We have documented substantial gaps in our knowledge of the experiences of people of different ethnicities within the system

As data about the ethnicity of children and families has improved we have been able to look at the family justice system through an ethnicity lens for the first time – before court, in court proceedings, and after court – finding that disparities exist across the spectrum.

Through our exploration we have highlighted substantial and important gaps in evidence to inspire curiosity and reflection as well as stimulate further research, shining a spotlight more fully on the experiences of children and families.

We convene the Anti Racist Family Justice Network to promote anti-racist initiatives across the family justice system. This will soon be spearheaded by CoramBAAF.



We have helped bring attention to the needs and experiences of parents with learning disabilities

We funded the Institute of Public Care at Oxford Brookes University to examine hundreds of care proceedings cases for babies. The team found that a high proportion of cases involved parents with learning disabilities or difficulties and, more worryingly, that the needs of this particularly vulnerable group of people were often not being fairly met.

We are taking the research to organisations within the family justice system and beyond, including national and local learning disabilities organisations, in a long-term plan to listen to the insights of parents with lived experience and identify ways to improve professional training and practice.

1 in 3

The number of parents with a learning difficulty or disability in care proceedings cases involving babies.

75%

The proportion of cases that reached care proceedings before parents' learning difficulties and disabilities were identified.

Goal 5: Greater collaboration

We have facilitated dialogue across practice areas to share challenges, insights and innovation, often bringing professionals together for the first time.

Goal 5: Greater collaboration

We brought together a group of young adoptees, adoptive parents, birth parents, adoption agencies and local authorities to create and test a digital prototype for managing children's contact in adoption.

Our groundbreaking 2020 international review on the risks and protective factors around contact between children and their birth families by the National Centre for Social Research and the University of Sussex re-energised conversations between professionals about how, when, if and what contact should take place. Two digital pilots designed to help local authorities and other organisations more effectively manage post-adoption contact are now being tested by Adoption North East, and nationally by Link Maker and the National Adoption Team.

We have been joined by leading thinkers, experts, practitioners and people with lived experience at a series of 'In Conversation With' events.

Hundreds of people have joined our webinars, where we launch and discuss new research in a live panel discussion.



[Visit our YouTube channel](#)

"I have watched many of the videos already and I think they are a really fantastic resource for social workers."

We have been invited to speak at numerous events and workshops, including at: Resolution; British Association of Social Workers; Today's Family Lawyer; Association of Lawyers for Children; President's Conference; Children in Care Conference 2024: Improving Outcomes for Looked-After Children; Family Justice Council Conference: Children and Young People in the Family Justice System; Family Law Bar Association Annual Conference; Magistrates' Association; Bristol Local Family Justice Board; Judicial College (public and private law course); UK Trauma Council; Anna Freud; Quality Circle; Sussex University's Centre for Innovation and Research in Children and Youth; Birmingham and Cardiff private law pathfinder training; Midlands private law conference; Ministry of Justice roundtable on critically ill children; West and Central Hertfordshire Magistrates Bench; Liverpool Family Court webinar; and the Start with Children Summit in Bratislava.

We are indebted to everyone who has reflected on their experiences and entrusted us with their personal stories – and to our research partners and others who, like us, are committed to making positive change.

Taking things forward

Our partners

• 39 Essex Chambers • Action for Children • Adoption UK • AFA Cymru • All Wales Heads of Children's Services (AWHOCS) • Anna Freud National Centre for Children and Families • Article 39 • Association for the Directors of Children's Services (ADOS) • Association of Directors of Social Services (ADSS) Cymru • Association of Lawyers for Children • ATD 4th World • Baby and Me • Barnardo's • Become Charity • Birmingham and Solihull Family Drug and Alcohol Court • Birmingham Social and Emotional Health Pathfinder • Birth Companions • Black Barristers' Network • Blackburn with Darwen Borough Council • Blackpool Better Start • Boardman, Hawkins & Osborne LLP • British Association of Social Workers (BASW) • Cafcass • Cafcass Cymru • Calderdale Metropolitan Borough Council • CASCADE (Cardiff University) • Centre for Data Ethics and Innovation • Centre for Justice Innovation • Centre for Mental Health • Centre of Expertise on Child Sexual Abuse • Childline • Children and Young People's Centre for Justice (CYCJ) • Children's and Young People's Commissioner Scotland • Children's Commissioner for England • Children's Commissioner for Wales • Children's Legal Centre Wales • Clan Childlaw • CLOCK • Comma Project • Commission on Young Lives • Coram Chambers • Coram Voice • CoramBAF • Council of His Majesty's Circuit Judges • CVAA • CYP First • Dads Unlimited • Danish Judiciary • Darlington Borough Council • Domestic Abuse Safety Unity North Wales (DASU) • Dawson Cornwell LLP • Department for Education • Department for Work and Pensions • Department of Health and Social Care • Domestic Abuse Commissioner • Durham County Council • Durham University • Economic and Social Research Council • Equality and Human Rights Commission • Escape2Make • Exeter University • Families Need Fathers • Family Advisory Board (Camden) • Family Justice Council • Family Justice Network • Family Justice Young People's Board • Family Law Bar Association • Family Law in Partnership • Family Psychology Services Limited • Family Rights Group • Family Solutions Group • For Baby's Sake • Foundations • FrameWorks Institute • Frontline • Garden Court Chambers • Glasgow University • Goodman Ray • Greater Manchester Police • Gwent Magistrates Family Panel • Hartlepool Borough Council • HM Courts & Tribunals Service • Howard League for Penal Reform • Impact Law for Social Justice • Institute of Public Care (Oxford Brookes University) • Jig-So • Jonah's Project • Judicial College • Just Equality • JUSTICE • Kinship • Lancaster University • Law for Life • Legal Education Foundation • Leicestershire Cares • London Innovation and Improvement Alliance • Magistrates Association • Manchester City Council • Mencap • Michael Sieff Foundation • Middlesbrough Council • Mind • Ministry of Justice • Nagalro • National Adoption Service (Wales) • National Adoption Team • National Association of Independent Reviewing Officers (NAIRO) • National Centre for Social Research (NatGen) • National Children's Bureau • National Youth Advocacy Service (NYAS) • Neath Port Talbot Council • New Beginnings • Newcastle University • Newport City Council • NHS England • NIROMP • No5 Barristers' Chambers • Northumbria University • Nottingham University Hospitals NHS Trust • NSPCC • NWG Network • Office for National Statistics • Ofsted • OnePlusOne • Parent Zone • Pause • Pearson Solicitors and Financial Advisers • Pennine Care NHS Foundation Trust • People Dialogue and Change • Positive Step • President's Working Group on Non-Parent Applications • Principal Social Worker (PSW) Network • Public Law Working Group • Quality Circle (Sussex Family Justice Board) • Redcar & Cleveland Borough Council • Reducing the Risk • Rees Centre (University of Oxford) • Reflect Cymru • Regional adoption agencies • Research in Practice • Resolution • Rights of Women • Safelives • Save the Children • Secure Welfare Coordination Unit • SHiFT • Single Parent Rights • Social Care Wales • Somerset Council • South London and Maudsley NHS Foundation Trust • Staffordshire County Council • Stockton-on-Tees Borough Council • Stoke Council • Strengthening Families • Supporting Separated Families Alliance Kent • Swansea University • The Angelou Centre • The Caldecott Foundation • The Care Leavers Association • The Divorce Surgery • The Elfrida Society • The Kempe Center (University of Colorado) • The Law Society • The Parenting Apart Programme • The Point of Care Foundation • The Transparency Project • Thriveat5 • Together for Children • Turning Point (Walsall Council) • UK Research and Innovation • University College London • University of Bedfordshire • University of Bristol • University of Cambridge • University of East Anglia • University of Glasgow • University of Lincoln • University of Liverpool • University of Sussex • Walsall Council • Welsh Government • West Midlands Police and Crime Commissioner • WhatWorks for Children's Social Care • Working Together with Parents Network • YoungMinds

Goal 5: Greater collaboration

We have encouraged conversation ...

**The
Guardian**

“Our first few years
as a child can
determine the rest
of our lives.”

B B C

“More support
needed to keep
babies out of care.”

CommunityCare
The heart of your social care career

“Ethnic disparities
in care proceedings:
what the data says.”

 **TODAY'S
FAMILY LAWYER**

“Strikingly few
children have
their wishes and
feelings heard.”

1,321
media articles

3,500
followers on X

2,713
subscribers to our
newsletters and
bulletins



Goal 5: Greater collaboration

... and shared research

We have produced over **80** newsletters and **60** publications, including reports, briefings and special spotlight papers – our ‘quick read’ series of evidence informed papers aimed at professional audiences.

In the last 12 months

108,000
page views

Most downloaded:

695

*Uncovering private family law:
How often do we hear the voice
of the child?*

613

*Babies in care proceedings: What
do we know about parents with
learning disabilities or difficulties?*

504

*Children subject to deprivation
of liberty orders*



“It is instructive that it is a body outside of social care that initiated the research. This makes the report stronger as it is independent of the subject it is researching.”

“This is the most important research report regarding children in care for decades – it is required reading.”

Jonathan Stanley, National Centre of Excellence for Residential Child Care (NCERCC)

“Once again the FJO has hit the target by identifying a topic that requires focus and profile as an issue. This is going to be a very useful report.”

President of the Family Division

“These principles of care are what every child subject to a DoLs needs, and against which any proposed provision for these children should, in my view, be tested.”

Mrs Justice Lieven

“This isn’t just about social workers, key workers, foster carers, or care homes. This is about everyone involved in the system and beyond.

Somewhere along the line, somebody is going to have to say ‘enough is enough’ and make some serious changes. Because at the end of the day, it’s not just this generation’s lives that can be impacted by the system, it’s the generations after.”

Young person, 19

Nuffield Family Justice Observatory

Nuffield Family Justice Observatory aims to support the best possible decisions for children by improving the use of data and research evidence in the family justice system in England and Wales. Covering both public and private law, Nuffield Family Justice Observatory provides accessible analysis and research for professionals working in the family courts.

Nuffield Family Justice Observatory is in its pilot phase, incubated and funded by the Nuffield Foundation.

The Nuffield Foundation is an independent charitable trust with a mission to advance social well-being. The Foundation funds research that informs social policy, primarily in education, welfare, and justice. It also funds student programmes for young people to develop skills and confidence in quantitative and scientific methods. The Nuffield Foundation is the founder and co-funder of the Ada Lovelace Institute and the Nuffield Council on Bioethics.

For further information or to get involved, please get in touch:
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