Born into Care

Mewn gofal o’u geni

Temple of Peace, Cardiff
15th October 2019

#BornIntoCare
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The Nuffield FJO Data Partnership team

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The Nuffield FJO Data Partnership team
Introduction

➢ First picture of newborn babies and infants in care proceedings in Wales using full service population data
➢ Builds on work undertaken in England
➢ Speaks to current concerns & recommendations outlined in the Public Law Working Group (England and Wales)
➢ Some differences in available data and therefore, our methodology (England and Wales)
➢ First in a series of reports – which will used linked data in SAIL

➢ Policy emphasis on effective early intervention
➢ Little evidence of how care proceedings are conducted at, or soon after, birth
   ➢ Illuminate shortfalls
   ➢ Identify best practice
➢ Need for an understanding of trends over time and area variations
➢ Considerable practice innovation regarding ‘recurrent mothers’ (Reflect in Wales)
Background and legal framework

➢ Children Act 1989
➢ UNCRC
➢ Social Services and Wellbeing Act (Wales) 2014
➢ All Wales Child Protection Procedures and local area guidelines

➢ Council of Europe “Borzova Report” 2015
➢ Timescales for the Child
Objectives

Focus specifically on cases of newborns subject to s.31 care proceedings to:

➢ quantify the volume and proportion of newborn cases and incidence rates over time
➢ describe variation in incidence rates between Designated Family Judge (DFJ) areas and local authorities over time
➢ identify the number of newborn cases in which an older sibling had previously been subject to care proceedings (“subsequent infants”)
➢ quantify the proportions of newborns appearing in urgent/short-notice applications
➢ quantify the duration of care proceedings over time
➢ describe the pattern of legal orders made and trends over time
➢ provide a first view of the relationship between rates of care proceedings for newborns and levels of local authority deprivation
Methodology

➢ Cafcass Cymru data within SAIL databank
➢ 2011 to 2018
➢ Definitions
  ➢ Newborns – under 2 weeks
  ➢ Babies – under 4 weeks
  ➢ Infants – under 12 months
  ➢ Subsequent infants

➢ Limitations
  ➢ Administrative data
  ➢ Does not include s.76 ‘voluntary accommodation’
  ➢ Legal order data
Age of children in care proceedings in Wales [2011 to 2018]

10,959 children

- Infants: 3,266 (30%)
- Newborns: 1,399 (10,959 children)

- Less than 1 year: 30%
- 1 year: 8%
- 2 years: 7%
- 3 years: 6%
- 4 years: 6%
- 5 years: 5%
- 6 years: 5%
- 7 years: 4%
- 8 years: 4%
- 9 years: 4%
- 10 years: 3%
- 11 years: 3%
- 12 years: 3%
- 13 years: 4%
- 14 years: 3%
- 15 years: 3%
- 16 & 17 years: 1%

- Newborns:
  - 10,959 children
  - Under 2 weeks: 43%
  - 2 to 3 weeks: 10%
  - 4 to 12 weeks: 16%
  - 13 to 25 weeks: 14%
  - 26 to 38 weeks: 8%
  - 39 to 52 weeks: 8%

- Infants:
  - 3,266 children
  - Newborns: 1,399
Number of newborns/infants in care proceedings in Wales
Proportion of newborns/infants in care proceedings in Wales

- 39 to 52 weeks
- 26 to 38 weeks
- 13 to 25 weeks
- 4 to 12 weeks
- 2 to 3 weeks
- Under 2 weeks

<table>
<thead>
<tr>
<th>Year</th>
<th>39 to 52 weeks</th>
<th>26 to 38 weeks</th>
<th>13 to 25 weeks</th>
<th>4 to 12 weeks</th>
<th>2 to 3 weeks</th>
<th>Under 2 weeks</th>
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<tbody>
<tr>
<td>2011</td>
<td>40%</td>
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<td>2012</td>
<td>37%</td>
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<td>2013</td>
<td>39%</td>
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<tr>
<td>2014</td>
<td>40%</td>
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<td>2015</td>
<td>38%</td>
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<td>2016</td>
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<tr>
<td>2018</td>
<td>52%</td>
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Incidence rate – newborns in care proceedings per 10,000 births

Rates of newborns (under 2 weeks old) subject to S31 proceedings per 10,000 live births
Incidence rate – newborns in care proceedings per 10,000 live births, by DFJ area and year
Incidence rate – newborn s.31 care proceedings per 10,000 live births, by DFJ area and local authority [2011 to 2018]
Incidence rate – newborn s.31 care proceedings per 10,000 live births, by local authority [2011 to 2018] – North Wales
Incidence rate – newborn s.31 care proceedings per 10,000 live births, by local authority [2011 to 2018] – Cardiff and South East Wales

- Cardiff
- Merthyr Tydfil
- Blaenau Gwent
- Monmouthshire
- Torfaen
- Vale of Glamorgan
- Caerphilly
- Rhondda Cynon Taf
- Newport

Rate of newborn infants starting S31 proceedings within 2 weeks per 10,000 live births

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

Live births

0 5000 10000 15000 20000 25000 30000 35000 40000

Rate of new born infants starting S31 proceedings within 2 weeks per 10,000 live births

0 10 20 30 40 50 60 70 80 90 100 110

Cardiff

Regional rate

95% control limit

99.7% control limit
Incidence rate – newborn s.31 care proceedings per 10,000 live births, by local authority [2011 to 2018] – Swansea and South West Wales

- Ceredigion
- Powys
- Pembrokeshire
- Neath Port Talbot
- Bridgend
- Swansea
Proportions of “subsequent infants”, by age-band

- Under 2 weeks
- 2 to 3 weeks
- 4 to 12 weeks
- 13 to 52 weeks

<table>
<thead>
<tr>
<th>Year</th>
<th>Under 2 weeks</th>
<th>2 to 3 weeks</th>
<th>4 to 12 weeks</th>
<th>13 to 52 weeks</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>40%</td>
<td>30%</td>
<td>20%</td>
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<td>2017</td>
<td>50%</td>
<td>35%</td>
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<tr>
<td>2018</td>
<td>60%</td>
<td>40%</td>
<td>30%</td>
<td>20%</td>
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Population Data Science at Swansea University
Urgent / non-standard hearings [2015-2018]

Newborns (under 2 weeks)
- 39%
- 52%
- 9%

Older Infants (2 to 52 weeks)
- 63%
- 14%
- 23%

Older Children (1 to 17 years)
- 64%
- 14%
- 22%
Proportions of cases completing within 26 weeks, by age-band

Proportion of cases completing within 26 weeks

- Under 2 weeks
- 2 to 3 weeks
- 4 to 12 weeks
- 13 to 52 weeks

Legal order outcomes, by age-band [cases that completed 2012 to 2018]
Legal order outcomes – all infants [cases that completed 2012 to 2018]
Legal order outcomes – newborns [cases that completed 2012 to 2018]
Incidence rates - babies (under 4 weeks) in care proceedings per 10,000 live births [Wales & England]
Legal order outcomes – all infants [Wales & England]

With parents/family members

In care

Placed for adoption

0% 10% 20% 30% 40% 50% 60% 70% 80% 90% 100%

0% 10% 20% 30% 40% 50% 60% 70% 80% 90% 100%

0% 10% 20% 30% 40% 50% 60% 70% 80% 90% 100%


Wales
England

Population Data Science at Swansea University
Policy and practice implications

Volumes, timing and urgency of newborn cases

➢ A greater focus is needed on pre-birth assessment and planning – if 30% of all children appearing in care proceedings are infants

➢ The practice of issuing care proceedings at birth also warrants closer scrutiny – given the high and increasing proportion of infant cases issued within 2 weeks of birth & the proportion of urgent/non-standard ICO hearings that feature newborns

“Subsequent infants”

➢ Firm endorsement of Reflect programme – given 49% of newborns are “subsequent infants”

➢ Query assessment of ‘new cases’ – particularly given shorter timeframe for proceedings
Policy and Practice Implications

DFJ and local authority variation

➢ Infants have an ‘unequal’ chance of being born into care – we know that a proportion of variance is attributed to deprivation based on published research – but other factors are at play

➢ To effectively inform policy and practice, further analysis needed of the interplay of geography, deprivation, need and service responses

Legal order usage

➢ Given the changing pattern of legal order usage over time in Wales and high number of newborns and infants recording care orders at close of proceedings, priority needs to be placed on understanding reasons for changing practice and implications for services and families

➢ Revisions to the Cafcass dataset are underway to improve accuracy of future analyses
Discussion questions

➢ What are your thoughts on the analysis presented this afternoon?

➢ Should we be concerned about family court or local authority variation?

➢ Can you comment on the challenges of issuing care proceedings at birth and the management of urgent/non-standard proceedings?

➢ Why do you think the family courts in Wales are making so many care orders for both newborns and infants at the close of care proceedings?

➢ What would you add to our analysis of the policy and practice implications?
Looking Ahead

➢ What is top of your wish list, regarding services or policies that might reduce the current volume of infants in care proceedings?

➢ What questions do you want this research team – or other research teams to answer next?

➢ How do you want to be involved in the Nuffield Family Justice Observatory and Data Partnership going forward?