Northumbria University NEWCASTLE

Feb 03, 2015 00:00 GMT

Research reveals court support can shorten children's care cases

Hearings for children facing care proceedings would be shortened if detailed assessments were made before the cases went to court, according to new research from Northumbria University.

Although the Children and Families Act 2014 stipulates that the majority of care cases should be completed within 26 weeks, delays often occur due to requests for assessments being made after the court proceedings have begun. This has led to some cases lasting from 53 to 88 weeks, placing significant stress on both the children and families involved, as well as strain on their

relationship with social workers.

Working with Liverpool City Council's Children's Services team and the Children and Family Court Advisory and Support Service (Cafcass), researchers assessed the impact that Family Court Advisers have on the duration of court cases for care and adoption proceedings.

When Family Court Advisers worked with children and the local authority before proceedings begun, the researchers found that court cases were shortened by almost three weeks in duration, reducing unnecessary delays for children in need of care.

Dr Kim Holt, Head of the Department of Social Work and Communities at Northumbria University, was approached to lead a review in Liverpool, following concerns from the Designated Family Judge, HHJ De Haas QC, regarding delays for children in court cases.

Working with colleagues from Bradford and Manchester Universities, Dr Holt analysed 26 cases in which children who had experienced long-term neglect were facing court proceedings on their future care.

All cases had previous social services involvement for parental issues including alcohol and drug misuse, domestic violence, crime, mental health and learning difficulties. Most of the children involved had been or were currently subject to child protection plans and some of their siblings had previously been removed from the family.

Eleven of the 26 cases had the support of a Family Court Adviser before the case went to court. The researchers found that when the Adviser was involved the case lasted an average of 23.5 weeks. For those in the comparator group who did not have the service of an Adviser, the average timescale was 26.1 weeks.

Dr Holt explained: "It is essential that the focus remains on the child in cases relating to their future care, rather than the competing agendas of the adults involved who are already individually represented. The Family Court Adviser ensures that the child has an independent voice within child protection practice at the pre-proceedings stage.

“We have found a direct link to the early involvement of Advisers to shorter care proceedings in some of the cases reviewed. This means that the timeline for the resolution of care proceedings for children who are awaiting decisions about permanency would be significantly reduced if there is a robust mechanism for the completion of detailed assessments of the child and their family prior to a case proceeding to court.”

Dr Holt added: “Social workers in Liverpool have confirmed that increased time spent with families within the pre-proceedings stage meant they felt more confident when presenting evidence in court. They also reported that the Advisers were pivotal in cases where there was a high level of risk.

“There is unequivocal support that the Advisers were able to provide a head start, with fewer requests for additional reports and more emphasis placed on the social work assessment. Given these positive findings the Ministry of Justice may wish to debate the potential value of further involvement of Family Court Advisors in the pre-proceedings stage.”

Bernie Brown, Assistant Director for Children’s Services at Liverpool City Council, said: “We are keen to do all we can to minimise the time taken to bring cases to court at what is often a distressing time for the child. We have been pleased to take part in this study and would support its findings that Family Court Advisers, in conjunction with the Merseyside and Cheshire pre-proceedings protocol, can have a positive impact on reducing the length of the court process.”

Anthony Douglas CBE, Chief Executive of Cafcass added: "The Liverpool evaluation has similar findings to that in our other pre-proceedings pilots like Lincolnshire. We can clearly make a difference either to help prevent unnecessary sets of proceedings or for applications to be more thought through. Now is the time for us to take stock of these pilots and to decide whether and in what way this work can become a mainstream service in Cafcass. Working with 152 local authorities in England, each with different issues, makes this a complex service to roll out. It is likely we will continue to customise our service to the local situation.”

Northumbria University’s research in the areas of Social Work and Social Policy recently received praise in the national Research Excellence Framework, which analyses the quality of research undertaken in UK universities. Northumbria is now ranked in the UK top 20 for research power

in Social Work and Social Policy, with over half of its research being rated as world leading or internationally excellent.

Northumbria is a research-rich, business-focussed, professional university with a global reputation for academic excellence. To find out more about our courses go towww.northumbria.ac.uk

If you have a media enquiry please contact our Media and Communications team at media.communications@northumbria.ac.uk or call 0191 227 4571.

Contacts

Rik Kendall
Press Contact
PR and Media Manager
Business and Law / Arts, Design & Social Sciences
rik.kendall@northumbria.ac.uk
07923 382339