

Regional disparity in way local authorities and family courts deal with children

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A North-South divide in the way children are dealt with by local authorities and the Family Courts has been uncovered by researchers from the Centre for Child and Family Justice Research at Lancaster University.

The findings, revealed today at a conference at Lancaster University to explore care demand and enable professionals from all over the North to hear and debate the issues, highlight regional differences.

- Children in the North East are at greater risk of being subject to Family Court proceedings than in any other area in England - in 2015/16 there were more than 4000 care and supervision proceedings in the North East compared to less than 3000 in the South West and London regions
- The North East and North West, which comprises 27% of all children living in England, have emerged as a hotspot of concern as the two regions account for more than a third (35%) of all [care proceedings](#) in England

The findings come amidst what has been described as 'a looming crisis' in care demand putting the courts and children's services under massive strain.

The research on which these findings are based come from two studies funded by the Nuffield Foundation - a study of recurrent care proceedings and a national study of supervision orders and special

guardianship.

Prompted by a call from President of the Family Division Sir James Munby, the research also shows:

- Overall demand is going up across all regions but the picture fluctuates within regions and over time creating a complex picture and making predictions difficult
- Local authority and court cultures have a marked effect on the likelihood of children returning home under a supervision order, which sees a court returning a child to the [family](#) and the local authority responsible for advising, assisting and befriending the child
- Children in the North and Midlands are less likely to return home under a supervision order than in the South meaning more children return to court in the South for fresh care proceedings because reunification under a supervision order has broken down
- A North-South split in the use of supervision orders and care orders (courts placing children in the care of Children's Services) for example: in 2015/16 9% of all orders made in the North West were supervision orders compared to 28% in London (highest of all). The North West had the lowest rate of supervision orders nationally but the highest rate of care orders (46%) and London had the highest supervision order rate but the lowest rate of care orders (25%).

Researchers add that, by contrast, all regions are behaving in a consistent and similar way when it comes to special guardianship (a court order placing a child with extended family or friends who take on parental responsibility) and placement orders leading to adoption.

Special guardianship has increased nationally whilst placement orders, which sever family ties, have gone down.

The findings, add the researchers, have important implications for policy and practice.

The Lancaster researchers have called for the north to receive priority attention with more resource allocation and preventive family support strategies to help reduce the risk of children becoming the subject of care proceedings.

The Lancaster researchers have also called for a better understanding of regional patterns and trends to help inform local decision-making beyond, what they describe, as the current narrow range of indicators.

They say the crucial question is the issue of fairness which should be at the heart of any justice system.

Centre Co-Director Professor Judith Harwin said: "The finding of a north-south divide in the use of [supervision](#) orders and care orders was unexpected.

"Deciding on whether children should return home is one of the hardest decisions a [court](#) can make and risk appears to be weighed up differently in the north and south.

"Of course we need to explore the dynamics behind these statistics but it raises questions about the fairness of the system".

Centre Co-Director Professor Karen Broadhurst added: "Courts and local authorities need to be able to share and compare practices to increase consistency and fairness for all [children](#) and families. At present there are insufficient opportunities for regions to do this."

Provided by Lancaster University

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