Decision-making within a child’s timeframe

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In this presentation

> To what extent is there a mismatch between child development timeframes in the early years and timeframes for decision making in children’s services?

> How does this mismatch arise?

> How might it be addressed?
Children under the age of one

> Nearly three times as likely as others to be subjects of child protection plans due to physical abuse

> More than twice as likely to be subjects of child protection plans due to neglect

> Subjects of 45% of serious case reviews (into child death or serious injury)

> Eight times the average risk of child homicide
Key aspects of early development

Very young children are dependent on parents for survival. In the first three years their interactions with caregivers play a major role in shaping the development of the brain and central nervous system and consequently:

- children’s cognitive development

- children’s ability to negotiate the key developmental tasks of impulse control, trust and attachment – the basis of emotional, behavioural and social development
Child development timescales

> Brain develops particularly rapidly in **first two years** but majority of neurons formed **pre-birth**

> Relationships are key features of environment and process of attachment begins at least at birth

> Quality and sensitivity of mother-child interaction at **6-15 weeks** correlates with attachment relationship at eighteen months (Lewis *et al.*, 1984)

> Babies placed for adoption **before first birthdays** are more likely to become securely attached to adoptive carers than those placed later (Van den Dries *et al.*, 2009)
Child development timescales

> Babies regulate emotions through attachment

> Stress response system begins to stabilise around six months

> Foundations for language comprehension, reasoning and impulse control develop within first two years

> Dramatic development of executive function between three and five: working memory, inhibitory control and cognitive and mental flexibility
Impact of abuse and neglect on early childhood development

- Severe global neglect in the first three years stunts the growth of the brain
- Brain adapts as readily to a negative as a positive environment
- Persistent maltreatment may lead to poor emotional regulation and a maladaptive response to stress
- Frightened or frightening parental behaviour associated with disorganised attachment at 12-18 months
- Up to 80% neglected/abused children develop disorganised attachments
Safeguarding Babies and Very Young Children from Abuse and Neglect:

- Prospective longitudinal study of 57 babies identified as suffering or likely to suffer significant harm

- All identified before first birthdays; almost two thirds (65%) before birth

- 43 followed until age three; 37 until age five so far

- Data from case papers; annual interviews with birth parents/carers; Strengths and Difficulties Questionnaires
Safeguarding Babies and Very Young Children from Abuse and Neglect: At age three

37% adequately safeguarded, living with birth parent(s) who had sustained positive change
35% permanently separated
28% inadequately safeguarded, with parents who had not shown capacity to change
At age three

had experienced abuse or neglect: 53%
maltreated while open cases: 37%
displayed emotional problems or substantial behavioural difficulties: 57%
At age five

> Over a third at continuing risk of harm
> Half the sample displaying abnormal/borderline abnormal emotional and behavioural patterns
> One in three sufficient to warrant referral for clinical support - three times expected prevalence
> Behavioural issues: extreme aggression; self-harming; constant need for reassurance
> Almost all emotional and behavioural difficulties at age five had been evident from at least age three
> Emotional and behavioural problems more prevalent amongst late separated children and those living with birth parents but inadequately safeguarded
Timeframes for decision making

- On average it took:
  > Fourteen months for a definitive decision resulting in a viable permanence plan
  > Six more months for this to be completed
  > Five months minimum to find suitable adoptive home

- No new permanence decisions between ages three and five
Why the mismatch between timeframes for child development and timeframes for decision making?

• There is delay right throughout the system

• We need to look at this systematically

• See handouts on delays in recognition and taking action
Delays in involving the family justice system

- Least intrusive action preferred throughout the process
- Written agreements with parents rarely have time limits or incur consequences
- Local authority legal departments reluctant to act in neglect and emotional abuse cases
Delays within the family justice system

- Practical issues
- Repeated assessments of parenting capacity
- Assessments of kinship carers
Assessments of parenting capacity

- Specialist parenting assessments made by psychologists, psychiatrists or independent social workers a major cause of delay (Masson et al, 2008; Ward et al, 2012; Ofsted, 2012)
- Repeated assessments often undertaken within months of assessments for an older child
- Two thirds advised that children should remain with birth parents, but over half of these children eventually had to be removed
- No paediatric assessments of impact of maltreatment
Evidence that might inform decisions: timeframes

• Proactive social work case management may start to diminish when children are as young as **six**

• Very young children left too long in abusive or neglected families may experience double jeopardy – maltreatment followed by disrupted attachments
Evidence that might inform decisions
(Farmer and Lutman study)

- 62% of care plans made by the court are not carried out
- 62% of supervision orders ineffective
- 87% court mandated placements with own parents break down
- About two thirds of maltreated children who return home from care or accommodation are subsequently readmitted
More evidence

- Maltreated children placed away from home through adoption, special guardianship or long-term foster care do better than those who remain with abusive or neglectful parents.

- The majority of maltreated children in care do better in terms of stability and wellbeing than those who are returned home.

- 87% court mandated placements with own parents break down.

- Delayed decisions are intricately related to instability – 54% of moves are initiated by local authority.
Specific implications for family justice professionals

• More feedback to courts and to expert assessors concerning outcomes of decisions
• Clearer understanding of delays within the family justice system – and why they occur
• Understanding of impact of delay should inform decisions concerning the welfare of the child
Policy Implications: Speeding up adoption process as a way forward

• Faster decision-making
• More children placed for adoption
• New targets and benchmarking

BUT:
• May lead to more children being unnecessarily separated
• Only suitable for very small number of children
• Adoptive parents may need long term support
Possible ways forward: more effective and more timely services

- Better, more timely assessment (pre-birth assessment is rare)
- More use of evidence based programmes (e.g. Parents Under Pressure; MST-CAN; Family Drug and Alcohol Courts (FDAC))
- Better development and integration of school based interventions
- Better development of processes for stepping down (and stepping up)
Possible ways forward: addressing the underlying factors

- Primary risk factors for maltreatment include: substance misuse, domestic and community violence; mental health problems; experience of abuse in childhood, especially in combination
- Secondary stressors include: poverty, unemployment, poor housing; social exclusion; inequality
- Addressing the factors that underlie maltreatment is a necessary step towards reducing the prevalence
References


Wade, J., Biehal, N., Farelly, N. and Sinclair, I. Caring for Abused and Neglected Children: Making the right decisions for reunification or long-term care, London: Jessica Kingsley Publishers


Childhood Wellbeing Research Centre:
www.cwrc.ac.uk

Safeguarding Children Research Initiative:
www.education.gov.uk/researchandstatistics/research/scr

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Evidence Matters in Family Justice

www.rip.org.uk/evidencematters
Family Justice Train the Trainer two-part modules

- Leeds, 13 June & 16 July
- Manchester, 20 June & 11 September
- Newcastle, 25 June & 10th September

Contact: events@rip.org.uk