



**Review into arrangements for the safeguarding of children conducted by
Lord Laming**

Submission by

Family Rights Group

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1. ABOUT FAMILY RIGHTS GROUP

Family Rights Group is the charity in England and Wales that advises parents and other family members whose children are involved with, or require, social care services. We run a confidential telephone and email advice service for families.

Established as a registered charity in 1974, we work to increase the voice children and families have in the services they use. We promote policies and practices that assist children to be raised safely and securely within their families, and campaign to ensure that support is available to assist grandparents and other relatives who are raising children who cannot live with their parents.

2. INTRODUCTION

The tragic death of Baby P has understandably led to a public outcry not only about the horrific circumstances of his death but also how this could have occurred under the watch of medical and social care professionals.

This submission sets out principles, based upon research evidence and our experience, which we believe should provide the foundation of our child welfare system. It considers the reasons why working with families remains essential to safeguarding children, identifies good practice and examines where improvements are needed to protect and enhance the lives of the most vulnerable children in our society and makes recommendations as to how this can be addressed.

We are disturbed that some of the reaction to the Baby P case may have the opposite effect. The vilification of social workers could put more children in danger, driving experienced social workers and managers to leave the profession or to elect to work outside the hardest areas of our inner cities. We have already noticed within the last couple of weeks an increase in social workers and children's service departments adopting defensive practices, which is not the same as safer practices or risk management. Children need to be better protected and supported but we also need to avoid the pendulum swinging too far and children being further damaged by being unnecessarily removal from their parents.

3. PRINCIPLES UNDERPINNING OUR CHILD WELFARE SYSTEM

We believe the findings from "Child Protection: Messages from Research" (DoH, 1995)¹ are still highly relevant:

- Effective working partnership between families and local authorities with sensitive and informed professional/client relationships
- A wide perspective on child abuse and support for vulnerable children and families

¹ Department of Health (1995) *Child protection: messages from research* (London, HMSO)

- Effective supervision and training for social workers
- A determination to enhance the quality of children's lives.

To this list we would also add, based upon discussion with partners and our experience from the advice line, the following:

- The requirement to be *both* child-centred *and* family-focused
- Relationships which are high in support and high in challenge, between professionals and families, and between professionals.
- Lord Laming's concept of "respectful uncertainty" in social workers' assessment and support of children's needs
- The creation of frameworks of policy and practice which support and encourage the exercise of professional judgement and inter-agency communication, dialogue and challenge. An over-focus on structures, detailed procedures, policies and processes at the expense of hands on practice can in itself become a risk factor.
- The need for sustained investment both in universal and specialist children and families' services and in the children's social care workforce.
- The opportunity and the support systems to enable children and families to escape cycles of deprivation, poverty and dependency.

4. WHY IS WORKING WITH FAMILIES ESSENTIAL?

For the majority of children, the most important influences in their lives are their parents and their extended family. A child's family is a critical part of their identity, their genetics and often their emotional wellbeing and stability. It is one of the principles of our society that children's welfare is best promoted in their family environment unless this places the child at risk of significant harm. The importance of the family applies however, not just where children are living safely at home with their families, but also where there are child protection concerns. There is a strong body of research which shows that the key to the successful protection of children identified as being at risk is a positive working partnership between the family and the local authority. The official summary of a number of research studies on child protection carried out in the 1990s stated that:

"An alliance is needed which involves parents and if possible children actively in the investigation, which takes account of their views and incorporates their goals into plans. A failure to achieve this level of co-operation helps to explain why some children remain safe at home when others do not." DoH, 1995²)

Moreover, 93%³ of those children in respect of whom there is a formal concern about their welfare by protection agencies, live with their families. The family therefore needs to understand and have some ownership of the child protection plan because they are the ones primarily responsible for its

² Department of Health (1995) *ibid*

³ DCSF, Referrals, Assessment and Children and Young People on Child Protection Registers: Year ending 31 March 2008

implementation and success. Further, 40%⁴ of children entering care system stay less than 6 months and then return home and 92% return home eventually⁵ with contact being one of the key factors in securing early discharge from care⁶. The continued engagement of families is therefore crucial for children to be kept safe and their welfare promoted throughout their childhood.

However, clearly, there are instances, as in the Baby P case where the parent appears to have misled professionals by appearing to co-operate with agencies. Seeming co-operation isn't sufficient on its own for children social care services to be confident that a child is safe. However, working with families is an essential part of child protection work:

- It is often wider family members who raise concerns and may be *the* constant source of support in the child's life
- The child protection plan needs to build upon the strengths of, and address the risks posed by all those in the child's life, including non-resident fathers. Currently the focus is too often exclusively centred upon the mother's ability to protect the child.
- The absence of partnership working between the family and social care agency is an important indicator of potential concern, not least because, if the child is living at home, it makes it very difficult for the agency to know if the protection plan is being implemented and the child is safe.

Finally there is no focused research and understanding about the difference between the majority of child protection work which is with parents who can be supported and helped to offer safe care and the small minority of parents/carers who wilfully harm their child. There needs to be a national discussion and research undertaken about the difference between poor and inadequate parenting and parents/carers who deliberately harm their children.

ADDRESSING WHAT WORKS AND WHAT DOESN'T

Assessment and management of risk by social care workforce:

In terms of competent assessment and management of risk by social workers, the shortcomings appear to be in the skills and time management of the social care workforce. Social workers involved in child protection cases may be newly qualified without having had the opportunity to develop the analytical and relationship skills to effectively engage with families and identify the seriousness of the risk to the child. Often their student placement will be in a universal service, so they may be unprepared for the complex, child protection cases that they are subsequently required to confront. More investment is also required to ensure that the significant number of social workers recruited from abroad are familiar with the legal framework as well culture and practice.

⁴ DCSF (2006) *Care Matters: transforming the lives of children and young people in care*

⁵ DCSF (2006) *Care Matters: transforming the lives of children and young people in care*

⁶ Bullock R, Gooch D and Little M (1996) *Children Going Home: The Reunification of Families* (Aldershot, Ashgate)

The quality and management of social work personnel is crucial to effective child protection. Whatever new systems and procedures are introduced, they will always break down unless they are operated by well-educated, well-supported social workers who carry a manageable case load. Yet social workers are holding larger caseloads in many places that are appropriate to support best practice. We welcome the move by authorities, such as Oxfordshire, to have smaller social work units, where managers manage 5-6 social workers, and are trained and supported to provide high quality, critical, challenging, supportive and reflective supervision.

We are aware that the Children's Workforce Development Council (DCSF and DH) are developing projects for social work training, recruitment and retention, alongside reforms in the delivery of services. We view such reforms as long overdue and urge government to commit the necessary resources as soon as possible, and to involve service users in such training in order to enhance social care professionals' understanding of *what works* for those on the receiving end of services.

Whilst the Integrated Children's System has clearly brought benefits in terms of ensuring information relating to a child held by Children's Services is recorded electronically in one system, it is well known that it is an unwieldy system which is very time consuming, with social workers reporting spending 60-80% of their time at the computer screen⁷ and can inhibit analysis of risk in the case as a whole because the system does not lend itself to stepping back and reflecting. The fact it is so time consuming means that social workers' contact time with children and families providing support and monitoring risk is vastly reduced. These time pressures will be exacerbated when Contact Point is introduced adding a further layer of electronic form filling with the added danger that professionals who record information on it may have a false sense of security that other professionals are in contact with the family and therefore their responsibility for ensuring the well-being of the child concerned is shared/diminished.

Further, the continuing gap between children's services and those focussed on adults needs to be addressed. Many children at risk are living with parents who are involved with adult services due to their mental health, substance misuse, learning difficulties and/or domestic violence etc. Yet too often the adult's need for support to be a 'good enough' parent is overlooked and there is insufficient focus upon ensuring their children's welfare is paramount. Consideration should be given to ensuring that professionals working with vulnerable adults who are also parents receive child protection training. The 'Think Families' agenda needs a higher profile in both adult and children's services and we welcome the recent announcement from government to assist local authorities to take the agenda forward.

⁷ Article by Professor Sue White et al, Guardian 19th November 2008

Effective engagement of families: What do families need to keep their children safe and well cared for?

a) Access to specialist support, when children and families are most in need (s.17)

There has been welcome investment, expansion and improvements in the availability and quality of universal services. However, specialist services for vulnerable children and families still remain highly rationed, possibly in part because the number of children and families identified as having difficulties has increased. Moreover, although the introduction of the Common Assessment Framework is a welcome mechanism, those that fall below the thresholds exercised by social care are not always well attended to by other agencies or other initiatives.

We have many years' experience of advising parents and relatives who are involved with the local authority about the care and protection of their children. Many of them have multiple problems at home and have been crying out for help, but aren't even able to get an assessment for a child in need, and have been turned down for specialist services because thresholds are pitched so high and are more closely associated with s.47 child protection intervention. Too often it's only when a crisis escalates, that the authority responds but by that stage, distrust has developed

Recent research by Elaine Farmer⁸ into the reunification of looked after children with their parents, found that whilst assessment was linked to service provision and to return stability, two fifths of the children returned to a parent without any in-depth assessment. Returns were significantly more stable when specialist help for the parent or child was provided, when reunification work by the social worker was proactive and purposeful and when other services, such as day care, were provided. Support from schools was also seen as important. Unfortunately there were many gaps in the services to support return, most notably insufficient assistance with behaviour management (especially in dealing with behaviourally challenging adolescents) and a lack of help for parents with substance misuse problems. As a result, some parents were caring for very disruptive or emotionally troubled children without any assistance.

Recommendations

- Ring fenced investment in specialist children's social care services focused on 'vulnerable' children is required if we are to bridge the gap between universal services and social care and other Tier 3 and 4 services.
- There should be a statutory assessment for support services if a father, mother, carer or agency with which the child is involved

⁸ Farmer E, Sturgess W & O'Neill T (2008), *Executive Summary* The Reunification of Looked After Children with their Parents: patterns, interventions and outcomes

believes the child is 'in need' as defined in Section 17 Children Act 1989. The assessment process needs to be clear and informed by the views of parents and those looking after the child if s/he is being raised away from home.

- Reunification needs to be given greater priority on the policy agenda of government and local authorities and more focus in social work education and practice. More focus is needed on preparation for return. There are likely to be benefits if foster carers and residential workers could be more involved in preparing children and in providing follow-up support to them and to their parents after reunification.

b) Access to independent advice and advocacy in the child protection process (s.47)

When child protection enquiries are commenced under s.47 CA, families need to feel well informed about the reason for the local authority's interventions and understand what may happen if they do not co-operate. Changes introduced by the Public Law Outline and the associated guidance require the local authority sends parents a letter before care proceedings outlining their concerns and the changes they need to make in order to avoid care proceedings being issued. Upon receipt of this letter parents can get publicly funded advice from a solicitor about these issues (funded by the Legal Services Commission, level 2).

Whilst this requirement for local authority to communicate their concerns more clearly to families is very welcome there are still shortcomings in the system: the information contained in the letter before proceedings and the passport to legal advice that this brings comes far too late in the process. If the letter before proceedings is issued at the 11th hour just before proceedings, typically, the partnership by this stage has become under strain, the parents/carers and local authority have often adopted adversarial positions and communication has broken down, which places the child at greater risk of harm because monitoring in the parents' home is more difficult in a hostile atmosphere where there is no shared understanding of the issues.

Family Rights Group is the national organisation which provides specialised advice and advocacy for parents/carers and other family members when their children are involved in child protection processes. Our independent advocacy service supports parents whose children are subject to s.47 enquiries in the London area. The original rationale and framework our advocacy service was drawn from the Protocol on Advice and Advocacy for Parents (Child Protection)⁹. This Protocol drew together examples of best practice in family advocacy identified by research. All the advocates working for the Charity are qualified lawyers, or social workers with three years post qualification experience of public law/children and families work, or they have work experience which would provide a comparable level of expertise. Advocates

⁹ Lindley, B and Richards, M (2002) available from www.frg.org.uk/advice

are trained and continually updated on all aspects of law and practice in relation to children's social care.

"I could [trust the advocate] because they train for many years and have years of experience. I put my life in their hands and they gave me strength and made me work as a better mother, which is what I hope to be with the right advice...they have put me on the right track so I can do the right thing for my children" – Mother whose child was subject to child protection enquiries¹⁰

Our advocacy service helps parents to understand and participate in the child protection process by:

- advising them of the importance of engaging in partnership with the local authority
- attending child protection conferences with them and supporting them to have a voice at child protection reviews and related meetings and thus to influence the plan for the child.
- helping them to formulate questions for the local authority which will clarify what they need to address in their own lives to make sure their children are safe and
- helping to reduce their fear of engaging with statutory authorities by advising them of the local authorities' powers and duties in relation to safeguarding children and on their best course of action in their particular circumstances.

Families whose children are subject to child protection enquiries can often feel overwhelmed and powerless at statutory child protection meetings/reviews. Parents value the independence of our advice and the voluntary nature of the service. Parents can hear from us, what they can't hear from a social worker who they may regard with fear and even hostility because of the latter's power to potentially remove their child.

Research evidence demonstrates that early independent advice and advocacy for parents can enable families to understand the concerns of statutory services and assist them to work effectively in partnership¹¹. The referral arrangements we have with four London boroughs, means that we are able to offer advice and support from the moment an s.47 investigation begins, and thus can help to establish an effective working partnership from the moment concerns are identified. This is much earlier than the availability of publicly funded legal advice under Level 2 from solicitors associated with the letter before proceedings. However, regrettably our service is small scale due to our limited resources.

¹⁰ Interim independent evaluation (2008, unpublished) by Professor Featherstone from the University of Bradford of Family Rights Group's advocacy service. The findings of this evaluation will be presented at the Advocacy Conference in June 2009

¹¹ B. Lindley, M. Richards & P. Freeman, 'Advice and advocacy for parents in child protection cases – what's happening in current practice?' [2001] *Child and Family Law Quarterly* 13:2 at p.167; and B. Lindley, M. Richards and P. Freeman, 'Advice and Advocacy for parents in Child Protection Cases: an exploration of conceptual and policy issues, ethical dilemmas and future directions', *Child and Family Law Quarterly*, 13:3, p1

Recommendation:

Independent professional family advocacy should be made available to all families whose children are subject to s.47 enquiries

c) Involvement of fathers:

We note that Baby P had an identified father. We do not know to what extent, if at all, he formed part of any child protection strategy. We observe that there are often barriers to the involvement of fathers in local authority processes and that all too frequently non-resident fathers are marginalised, routinely neither being engaged and assessed as a risk and/or a potential resource to the child. Our research has found that less than half of the fathers who were in touch with their child were invited to a meeting when Children's Services were undertaking the core assessment. Yet when fathers were invited to meetings, three quarters of them took up this opportunity.¹²

Recommendations from Fathers Matter research

The report Fathers Matter Vol 2¹³ spells out recommendations arising from the research including that local authority children's services departments review whether the way their services are structured supports fathers to be involved in their children's lives including:

- timing and venue of meetings
- that social workers are allowed sufficient time when carrying out an assessment, in particular core assessment to engage with non-resident fathers and paternal family members
- that workers' fears and concerns when working with violent or threatening men, should be acknowledged and effective supervisory structures and support be in place

d) Family Group Conferences:

A Family Group Conference (FGC) is a family-led planning meeting convened by an independent coordinator, which addresses concerns which have been identified by the referring agency, normally the local authority, about a child's safety and well-being. The meeting involves the whole family including wider family members and friends meeting with professionals involved to make a safe plan which will meet the child's needs. During the meeting, the social worker and other professionals involved with the child provide detailed information about the child's needs, informed by an in-depth assessment, and about any bottom line i.e. what would not be acceptable in terms of future care or the child, to the whole family who then has an opportunity to ask questions for clarification. The family then have private time to draw up a plan, which will meet those identified needs, drawing upon all the resources in the family and also setting out any support needs to be met by the local authority

¹² Roskill C et al (2007) Fathers Matter Vol 2, Further Findings on fathers and their involvement with social care services (Family Rights Group)

¹³ Ibid

or other agency service provision. The plan will be agreed by the local authority as long as it is safe and takes account of any stipulated bottom 'line'.

FGC research on outcomes

There is a higher rate of attendance by fathers and father figures at FGCs than at statutory meetings, such as child protection conferences (Ryan, 2000¹⁴; Marsh and Crow, 1997¹⁵).

- Most adult family members are very positive about the process (Smith and Hennessy, 1999¹⁶; Wilson and Bell, 2001¹⁷).
- The FGC process helps involve the extended family early on in a family's involvement with children's social services (Gill et al, 2003¹⁸).
- FGCs make more use of family and community resources than plans made at meetings which are dominated by agencies (Lupton et al, 1995¹⁹).
- Families produce plans that agencies, usually local authorities, agree to support in the great majority (over 90%) of situations (Marsh and Crow, 1997²⁰; Lupton and Stevens, 1997²¹).
- Families make safe plans for children (Marsh and Crow, 1997) with a number of studies reporting reductions in re-abuse rates for children who have attended an FGC, compared with those who have not (Judge et al, 2000²²; Lupton and Stevens, 1997²³; Marsh and Crow, 1998²⁴).
- FGCs reunite children with their families more securely (Marsh and Crow, 1997²⁵).
- FGCs increase the likelihood of placement with the extended family when a child cannot remain with birth parents (Merkel-Holguin et al, 2003²⁶).
- FGCs produced plans which were assessed by social workers as having prevented children going into public care in 32% of cases and prevented court proceedings in 47%; and made no difference in 21% of cases (Smith and Hennessy, 1999²⁷).

¹⁴ Ryan M (2000) *Working with fathers* (Radcliffe Medical Press Ltd and Department of Health)

¹⁵ Marsh P and Crow G (1997) *Family Group Conferences in Child Welfare* (Oxford: Blackwells)

¹⁶ Smith L and Hennessy J (1999) *Making a Difference: Essex Family Group Conference Project* (Chelmsford: Essex County Council)

¹⁷ Wilson K and Bell M (2001) *Evaluating FGCs: a report on the Hull and Barnardo's 348 FGC Project* (York: University of York)

¹⁸ Gill H, Higginson L and Napier H (2003) FGCs in Permanency Planning, *Adoption and Fostering*, vol. 27, No 2 (summer) pp53-63

¹⁹ Lupton C (1995) *Family Planning? An evaluation of the FGC model, Portsmouth* (SSRUI, University of Portsmouth)

²⁰ Ibid

²¹ Lupton C and Stevens M (1997) *Family outcomes: Following through on FGCs, SSRUI report No34* (SSRUI, University of Portsmouth)

²² Judge N, Mutter R and Marks D (2000) FGC - Care and Protection: Ongoing Evaluations of Outcomes (Chelmsford: Essex County Council)

²³ Ibid

²⁴ Marsh P and Crow G (1998) *Family Group Conferences in Child Welfare* (Oxford: Blackwells)

²⁵ Ibid

²⁶ Merkel-Holguin L, Nixon P and Burford G (2003) Learning with Families: A synopsis of FGDM Research and Evaluation in Child Welfare in Protecting Children Vol 18

www.americanhumane.org

²⁷ Ibid

Recent developments

New government guidance encourages local authorities to use FGCs as an effective tool for working with families to address concerns about a child's care prior to the issuing of care proceedings.²⁸ The government is committed to expanding the capacity of local authorities to develop local family group conference services by rolling out a national training programme on developing the use of FGC in 2009-11.

Such developments are very welcome. However, we know because of feedback from members of the national FGC Network, which we run and from families, that are some identified shortcomings, namely:

- That currently around 50% of local authorities in England have no FGC service
- Some authorities with an FGC service are taking short cuts to the detriment of the child, for example by cutting down on preparation or not offering the child a support/er advocate to have their voice heard
- Even within authorities that have an FGC service, referrals are sometimes not being made consistently, because social workers are unaware of the service and/or referral policies lack clarity and/or defensive practices by individuals means some families who could benefit are not referred
- Families are sometimes not receiving the information they need to make an informed plan, such as the legal options and resulting support available if they are to take on the care of a child who cannot live with his/her parents
- Some local authorities/public agencies are failing to provide the support identified as necessary in the family plan.

Such poor practices are less likely to produce the positive outcomes for children that the research shows are achievable and indeed may even be damaging.

Recommendations

That the above concerns are addressed at national and local level, in order that families are not only offered an family group conference prior to a child becoming looked after, but families are supported in making safe plans for children, which if feasible enables the child to live within their family network and supports their optimal development

e) Support for Family and friends carers:

An estimated 250,000 children live with relatives or friends because their parents cannot care for them. Such children seem to do as well if not better than children in unrelated foster or adoptive care and appear to be happier and feel well loved²⁹. And this is what children want: children in care voted the most important promise that a local authority could make to a child would be to explore if there were relatives who could look after the child to prevent

²⁸ DCSF 2008 Children Act 1989 Regulations and Guidance Vol 1 Court Orders

²⁹ Wilson research quoted in Berrick, 1998

them going into care - 6 out of 10 children voted this idea to be "brilliant"³⁰. Yet a recent study found that only 4%³¹ of such placements were initiated by the social worker, the very majority being initiated by relatives/family friends.

We are however, concerned that pressures on local authorities to reduce the numbers of looked after children and save money have encouraged some social work managers to make such placements of children, who are subject to a child protection plan, with family and friends and then deem such placements, unlawfully, to be private arrangements³², as an alternative to accommodation, thereby seeking to minimise local authority responsibility for assessing and supporting the placement. This can lead to drift and uncertainty. Moreover, typically such placements are not inspected under the Private Fostering Regulations even when they should be.

Family and friends placements can have very positive outcomes for vulnerable children: the evidence is that, notwithstanding that children living in such arrangements have experienced as many pre-placement adversities as children living with unrelated foster carers; and that their carers are likely to be significantly more impoverished, living in overcrowded accommodation, in worse health and older than unrelated foster carers, these family and friends care placements have the potential to meet these children's needs, as well as or even better than the alternatives the care system provides³³. However many receive neither financial nor practical support, potentially to the detriment of the child³⁴.

Recommendations:

That a clear practice and support framework is urgently required in respect of those family and friends carers who are raising children who cannot live with their parents. This could be incorporated into the forthcoming Family and Friends Care framework which is due to form part of the revised Children Act 1989 guidance on care planning due out in 2009. Such a framework should include:

1. Family and friends raising a child who cannot live with their parents for more than 28 days being entitled to a national allowance to cover the core financial costs of caring for such children.

³⁰ Roger Morgan, Children's Rights Director, CSCI

³¹ Farmer and Moyers (2008) *Children Placed with Family and Friends Placement Patterns and Outcomes* (Jessica Kingsley);

³² The case of *Southwark LBC –v- D* [2007] 1 FLR 2181 confirms that where local authorities are involved in placing children with relatives or friends under Regulation 38 FSR, the child will be considered to be looked after unless there has been an explicit agreement with the carer at the time of placement that this is not the case and that this is a private placement instead³². The consent of the person with PR would need to be forthcoming in either situation for this to be lawful. Where the child is accommodated a plan drawn up and agreed with the person with PR/young person aged 16 or 17, accordingly (Reg 3 APCR 1991).

³³ Farmer and Moyers (2008) *ibid*; Hunt, Waterhouse and Lutman (2008) forthcoming) *Keeping them in the Family: Outcomes for abused and neglected children placed with family or friends carers through care proceedings* (BAAF)

³⁴ Farmer and Moyers 2008, *ibid*

2. Relatives and friends being entitled to receive public funding for legal proceedings which secure the child's future with them on a non-means and non-merits tested basis

f) Other models of working with families to safeguard children

It is critical that considered discussion relating to child protection doesn't focus solely upon whether or not a child should be removed from its parents, but considers models which provide children with stability and security and is focused upon their needs. The following ways of working are currently small scale in this country, but we believe have the potential to be extended and support many more children and families in the future.

i. Family mediation

Family mediation has traditionally been regarded as a useful intervention in private law cases to help separating parents make arrangements for their children and develop positive co-parenting relationships. The government is committed to encouraging the use of mediation in children's cases. But what is often overlooked is the potential to use mediation in public law cases where there are disputes between individuals about the arrangements for a child, such as conflict over contact arrangements between the parents and the carer be it a family and friends carer or a foster carer. This is a cost effective intervention which could usefully be used by local authorities to unlock entrenched problems over contact.

ii. Strengths based CP conferences illustration

Some Children's Services authorities, for example in West Berkshire and Oxfordshire are developing a framework for use in child protection conferences, based upon the Signs of Safety approach, to engage practitioners and the child's family members in considering all safety and protective factors, and strengths for the child, whilst also fully exploring the dangers, harms and risks.

iii. Concurrent planning

Concurrent Planning is an innovative approach to adoption and fostering. Its main goal is to reunite a baby with its birth family, while, at the same time, placing them with a foster family who will go on to adopt the child if it becomes necessary because reunification is not feasible. The scheme aims to reduce the amount of disruption to a baby who might otherwise be moved through different foster families before either being returned home or put up for adoption. It provides the parent with support to turn their life around, but not at the expense of the child – in other words the risks are born by the adults not the child.

iv. Specialist courts

Based on a US model, the first Family Drug and Alcohol Court opened in London in January 2007. It provides intensive support and assessment to

parents whose children might be taken into care because of the parents' drug and alcohol abuse.

DOES THE LAW NEED TO BE CHANGED?

The question is posed whether the law strikes the right balance between protecting children art risk of harm and protecting children and families against unwarranted state intervention. We would argue strongly that it does and it would be potentially deeply damaging to make any changes to the thresholds for state intervention to protect children. The core problem lies in implementation of the legal framework by the local authority as outlined above and the need for greater investment in work with families from the outset.

08/12/2008