THE CHURCH OF ENGLAND

This blog is written by a member of the independent Commission. These views do not necessarily represent the views of the Archbishops' or the Church of England.

Professor Broadhurst is currently the Co-Director of the Centre for Child and Family Justice Research, University of Lancaster, which is an interdisciplinary Research Centre, working very closely with policy and practitioners; her particular interests are in child and family justice. In her presentation, Professor Broadhurst spoke about family vulnerability beyond the pandemic and about aligning services to enable all families to flourish and provide stable caregiving.

I have spent all my adult working life working directly with the most vulnerable families, previously as a social worker and now as a social scientist for the past 25 years, and I've been involved with several national initiatives, currently serving as an adviser to the Ministry of Justice. I was instrumental in working with my colleagues at the Nuffield Foundation to establish the Nuffield Family Justice Observatory.

What I want to address today are the current challenges in the family justice system. To echo Professor Williams, a story of the real rather than the ideal. This is also a story of huge regional inequality and regional divisions, pre-and post-pandemic.

The family justice system deals with two types of families: there are families that are really at the sharp end in terms of need, and these are the families that I know very well from my personal engagement, but also from my academic work - where the state is bringing a case against the family because of child protection concerns. But there are also families, where difficulties centre on arrangements for children, following separation and divorce. The challenges these families face is less well understood but are relevant for this Commission. These are the families who are seeking help from the courts because they are having trouble agreeing on arrangements for children; the time children should spend with parents or where children should live. These are typically non-resident men seeking to challenge arrangements for children, following separation and divorce.

Through the work of our research centre at Lancaster University, we have been uncovering both the particular needs of these families, but also uncovering commonalities between these two.

I am suggesting to you that we think broadly about family breakdown and hold both kinds of cases in mind. There is a thread here that links them both: deprivation and adversity. The past decade has been one of unprecedented demand on the justice system regarding cases where the State is seeking to safeguard children (public law cases), but also where the parents are seeking the help of the State to resolve disputes beyond separation and divorce (private law cases).

The Family Justice system has faced a marked increase in both types of cases. We have seen an additional 10,000 cases of private law cases per year, and since we began tracking records at the end of the 2000s in terms of child protection cases, we have seen more than a doubling of care applications to now unprecedented levels of 18,000 cases per year.

The family justice system is under immense strain; there are currently around 78,000 children in the care system, and the number is rising. The total number of offences flagged as domestic abuse-related has also been increasing. Prior to the pandemic, there was concern in our public services about the financial stability of children's social care services. Services were already in crisis.

The picture of regional inequality is serious and highlights rising vulnerability. If we look at the very youngest children in the family justice system – the picture is concerning. Our very youngest children are an excellent barometer of what is happening in the system because they constitute

over a third of all the cases that appear before the family courts in child protection or public law cases. What we are seeing is that in the North West, North East and Yorkshire and the Humber there are high numbers of infants and young children, and numbers are rising. London is a world apart and we see the opposite picture.

When we look at the statistics in relation to couples and family breakdown, the picture is similar and is of rising need and considerable geographic variation. When legal aid was removed, the government's child arrangement programme tried to deter couples from seeking advice at court; initially, there was a dip, followed by a steep climb. A small but increasing proportion of parents are seeking help from the courts to resolve their disputes. What is fascinating, however, from our analyses, is that whether we examine family breakdown from a public or private law perspective, we see the same patterns of vulnerability playing out. Overall, the family courts are dealing with high levels of demand, but this is not evenly spread. There is a huge regional disparity between regions of the North of England (the North West, Yorkshire, Humber, and the North East), and London.

We still do not know what is really happening as we move through the pandemic; however, evidence is that remote or reduced operation of preventative services will likely increase vulnerability further down the line. We know that there are more children in limbo in our "stock care" population because of delays in courts and reunification work, and there's considerable delay in finalising family court cases. The Department for Education has surveyed local authorities and a number of charities are also reporting elevated mental health issues for parents and children, non-accidental injury, and domestic abuse. Edge of care cases that were typically just being kept out of court are likely to tip in. I don't believe we will know the full extent of this for several months because we have been in lockdown, and schools play a major role in identifying needs and referring children to social services. My sense is there's a kind of lull before a storm, but we've seen a broader group of families moving into hardship, more families on universal credit who wouldn't have been pre-pandemic.

So, my final plea for building back better under this Commission is: In straightened times we need the absolute closest alignment between family needs and what we offer. What services offer, what the church offers. There's a huge, long-standing dissonance between what families say they need, and what they are offered. I'm reminded of an article written in 2006 by Helen Pen and David Googh, called "The price of a loaf of bread". Families want material help. They want practical support, but what they often get from our public services can mean bureaucratic responses, meetings that they can't get to, and child protection plans setting impossible standards.

It would be great to see this Commission initiating a family-led inquiry, possibly in the North East, around participation and priority setting which results directly from dialogue with families themselves so that we break this long-standing dissonance between what families say they need and what government and other organisations offer. There is very little money to waste.

I actually think the church is probably a lot better than some of our public services are at offering direct, material help, but we've got t~~o get~~closer

to families if we're going to make a difference to the lives of the increasing proportion of vulnerable families that we're dealing with.

Professor Karen Broadhurst

Source URL: *https://www.churchofengland.org/about/archbishops-commissions/families-and-households/news/professor-karen-broadhursts-presentation*