article 39

# ADVOCACY CLINIC

## Care-experienced parents

Wednesday 8 July 2026, 3-5pm on Zoom

For members of the Children and Young People's Advocates Network

# Care-Experienced parents in Care Proceedings

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# Part 1

- Prevalence
- The cycle

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# The statistical backdrop

- 80,850 Looked After Children in England as at 2024;
- 10,000+ young people leave care every year in England;
- 23 – Average age in population for leaving family home.
- Care experienced teenagers 2.5X more likely to become pregnant;
- 12,000+ care order applications in year/ending March 2026 (Cafcass) in E&W;
- 40% of mothers who have had more than one child removed from their care were care-experienced (Broadhurst, University of Lancaster, 2017);

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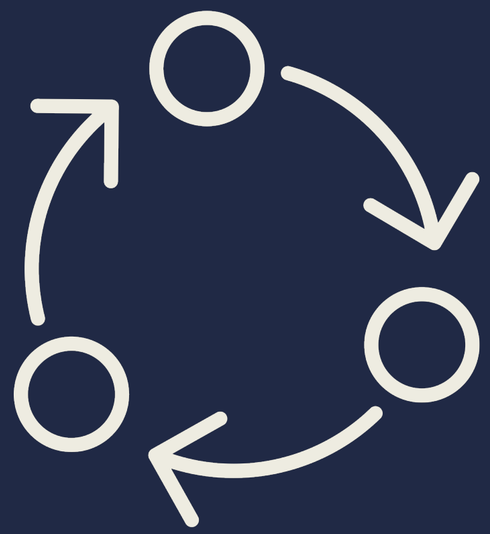
# Why the intergenerational cycle?



Vulnerabilities

Disadvantages

Perception

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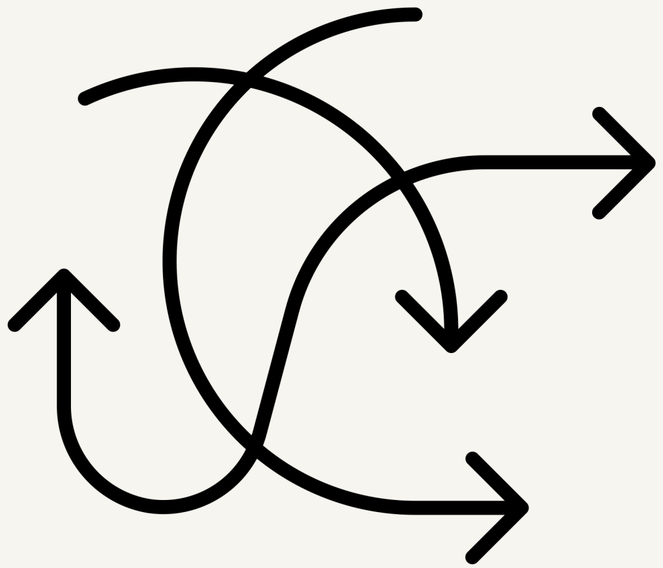

*“It was quite bad. I got moved into really inappropriate properties. My social worker just didn’t really check in on me. We didn’t really have a relationship. I was just kind of left if that makes sense. And I was fine with that at the time because I wasn’t really bothered. But looking back now, it could have been dangerous, if that makes sense. And I think I was just quite lucky that it didn’t go really bad.”*

(Barnardos Peer Research Project, 2022)

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# Findings from Barnardos Peer Research Project, 2022

- Care-experienced parents often do not get effective support during pregnancy;
- Struggle to access an informal support in community, similar to that provided by an extended family;
- Professionals supporting care-experienced parents can seem judgmental rather than supportive;
- Felt stigmatised and discriminated against because of their care status;
- Struggle to access mental health and wellbeing services.

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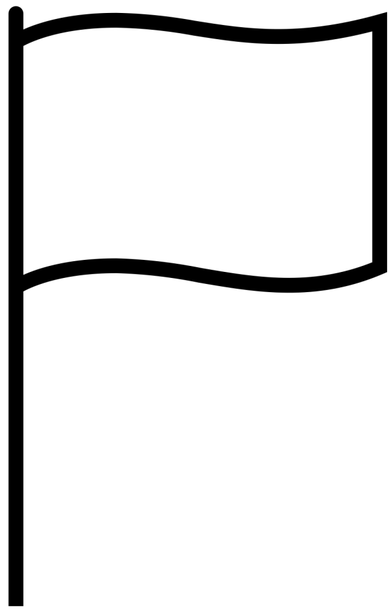

# Discussion point

From your experience, how adequately are local authorities assisting care-experienced parents in the pre-birth and pregnancy stage?

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# Part 2

## An overview of care proceedings

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| | |
|---|---|
| | • PLO – public law outline, pre-birth assessments, legal advice |
| Birth | • LA issues application for Care Order |
| 1-3 | • First hearing – ICO (Interim Care Order) and/or CMH (Case Management) |
| 4-16 | • Evidence gathering phase: statements, assessments, disclosure of records |
| 16-20 | • Issues Resolution Hearing/Early Final Hearing |
| 21-26 | • Final Contested Hearing |

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# Threshold – S.31(2) Children Act 1989

A court may only make a care order or supervision order if it is satisfied—
(a)that the child concerned is suffering, or is likely to suffer, significant harm; and
(b)that the harm, or likelihood of harm, is attributable to—
(i)the care given to the child, or likely to be given to him if the order were not made, not being what it would be reasonable to expect a parent to give to him;
or
(ii)the child's being beyond parental control.

S.38 threshold for interim orders "reasonable grounds to believe"

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# Interim Removal

- If the child's safety demands immediate separation. (*Re L A (Children)* [2010] 1 FLR 80;
- "Into the balance must come not only the harm that befall the children in their home, but also the harm that may be occasioned to them by removal from home." (Black LJ in *L (A Child)* [2013] EWCA Civ 489, (paras 38-42));
- The local authority is required "to inform the court of all available resources that might remove the need for separation" (as Per Jackson LJ in *Re C* [2019] EWCA Civ 1998*);*
- A considered decision about interim removal may require an adjournment to ensure sufficient time to gather evidence and undertake a considered analysis (Re B (Children) (Remote Hearing: ICO) [2020] EWCA Civ 584.

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# Interim Removal – practicalities, planning, support

- Options of residential assessment units or mother & baby foster placements? – Geographical disparity in availability;
- Point of greatest vulnerability for parent – emotionally and in terms of long-term outcomes: likelihood of reunification post-removal is slim;
- Significant support needed at very short notice;
- If removal inevitable: focus on contact arrangements, practicalities and support being in place for this to be sustainable.

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# FDAC (Family Drug and Alcohol Court)

- Independent multi-disciplinary team;
- Lawyer and non-lawyer reviews;
- Judicial consistency;
- Outcomes:
    - Children are four times more likely to stay with their parents
    - Half as many are taken into care
    - Parents are far more likely to achieve and sustain recovery
    - Family reunifications are more likely to last

- Domestic Abuse cases.

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# Part 3

## Identifying vulnerabilities: maximising participation and fairness

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# Discussion point

What disadvantages might you expect care experienced parents to face coming into care proceedings?

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# Vulnerability, PD3AA FPR

- 3A.4 (1) The court must consider whether a party's participation in the proceedings is likely to be diminished by reason of vulnerability and, if so, whether it is necessary to make one or more participation directions.
- When deciding whether to make participation directions, court must have regard in particular to –
    - Impact of actual or perceived intimidation;
    - Whether party/witness suffers from mental disorder or impairment of intelligence or social functioning;
    - Physical disability or undergoing medical treatment;
    - Age, maturity and understanding of the party/witness;
    - Domestic circumstances and religious beliefs of party/witness;
    - Any characteristic of the party/witness relevant to participation direction which may be made.

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# The assessments stage

- Cognitive assessment?
- Psychological/psychiatric assessment?
- Intermediary assessment?
- Who is undertaking the parenting assessment?
- Advocating for support/opportunities for learning within proceedings (eg. VIG, parenting courses, the Freedom Programme….. SOME cases where an argument for therapy to be provided by the LA.

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# Independent Social Work assessment?

- Must be necessary to fairly resolve proceedings– Part 25 FPR

- HHJ Bellamy sitting as a High Court Judge in *Re Z (A child: independent social work assessment)* [2014] EWHC 729 at [para 130]:

  *"In any case in which a local authority applies to the court for a care order, the assessment of a parent is of critical importance. That assessment will be a key piece of the evidential jigsaw which informs the local authority's decision-making, in particular with respect to the formulation of its final care plan. If the assessment is deficient then that is likely to undermine the reliability of the decision-making process. It follows, therefore, that any assessment of a parent must be, and must be seen to be, fair, robust and thorough."*

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# Learning disabled parents

- Need for bespoke parenting assessment: opportunities for modelling, implementing learned skills practically;
- Intermediary for court hearings and conferences?
- Principle of Parenting with support (not substituted parenting) ***- A Local Authority v G (Parent with Learning Disability) [2017] EWFC B94***
- Capacity issues – Capacity presumed, Capacity assessment might be advisable in some cases – if no capacity ability to challenge the decision, appointment of Official Solicitor.

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# Five features of good practice

*The Working Together with Parents Network 2021 update*

1. Accessible information and communication;
2. Clear and co-ordinated referral and assessment procedures and processes, eligibility criteria and care pathways;
3. Support designed to meet the needs of parents and children based on assessments of their needs and strengths;
4. Long-term support where necessary;
5. Access to independent advocacy.

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- ✓ Timely referrals to adult social care? “Meaningful work?”
- ✓ Parents to have their own advocates?
- ✓ Support available to parents distilled into a simple document?

*Nottinghamshire v XX, YY, Child H [2022] EWFC 10*

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# Other things to consider:

- Family Group Conference?
- Extended family support?
- Alternative family carers?
- What was in the parent's own care plan as a child?
- Pathway plan?

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# Discussion point

What sort of support might you advocate for in respect of a pregnant care leaver?

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# RESOURCES

- *Peer researchers project "Care-Experienced Parents Unite for Change", Barnardos, 2022 – link.*
- *"Vulnerable Birth mothers and Recurrent Care Proceedings", Broadhurst et al, Lancaster Univeristy, 2017 - link*
- *"Family and its protective effect", Children's Commissioner independent family review, 2022 – link*
- *"Recurrent Care Proceedings: five key areas for reflection from the research, Nuffield Family Justice Observatory" 2025 - link*
- *"Born Into Care, international perspectives on the removal of babies at birth" BUP, May 2026 – link*

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# Questions

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# FURTHER QUESTIONS?

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SEMINARS 2026

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# Together in Unity: Supporting care-experienced young mothers across England & Wales

# About Project Unity

Project Unity provides one-to-one emotional and practical support to care-experienced girls and young women as they try to navigate care and child protection proceedings in relation to their baby or children. The service enables and empowers girls and young women to create and sustain a loving family for themselves and their babies.

UNITY | UNDOD

EMPOWERING YOUNG WOMEN
AND PROMOTING EQUALITY

GRYMUSO MENYWOD IFANC
A HYRWYDDO CYDRADDOLDEB

**Care-experienced mothers are more likely to have their children taken into care, often because of their own care experience. Project Unity aims to break this cycle.**

# About Project Unity

Since 2020, Project Unity have supported

**over 700**

women and young girls across Wales.

**Rights-based advocacy model**

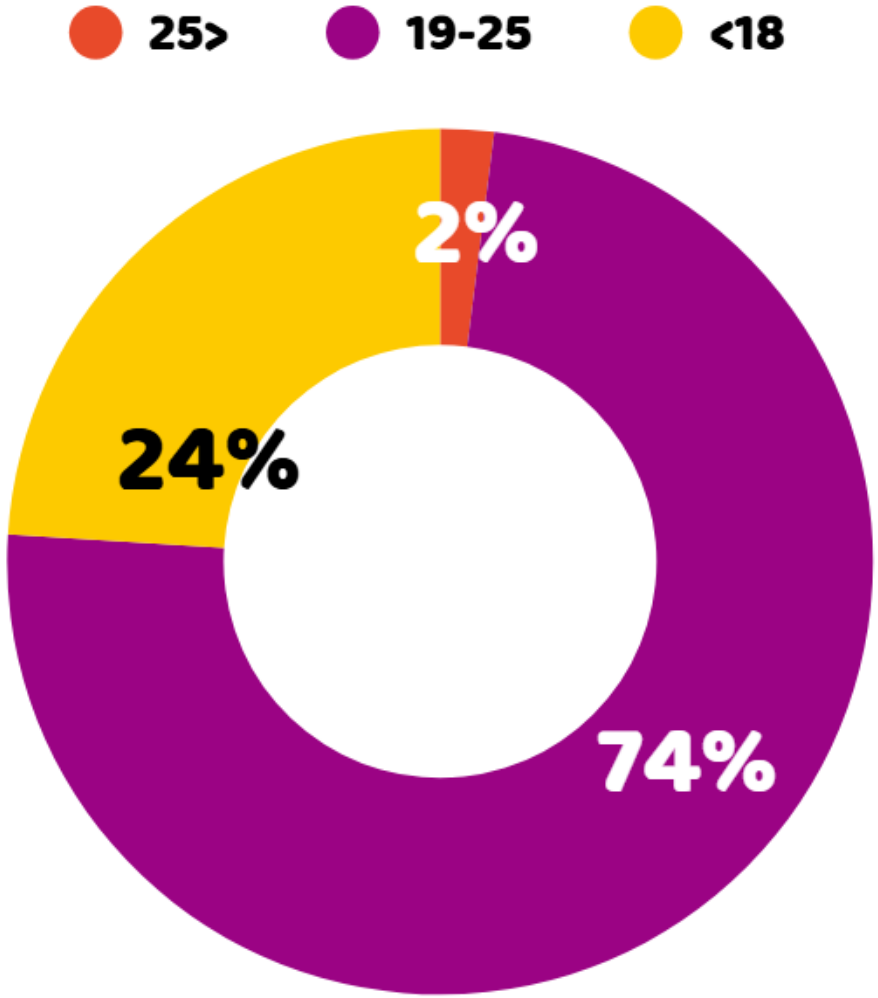
for care-experienced young women and girls.

- Formal advocacy and representation when trying to navigate systems, housing providers, processes and interactions with other professionals
- 1:1 mentoring, advice and support
- Advice on healthy relationships
- Access to training, education and employment opportunities
- Information about rights and entitlements

# Peer Led Evaluation

**Between September-November 2024**

- Survey questions sent out to **70** young women
- **50** young women responded from **16** local authorities across Wales
- **Six** focus groups held in Cardiff, Swansea, Neath Port Talbot, Cwmbran, Caerphilly, Wrexham, and Gwynedd.
- **86%** of focus group participants aged 17-24.




*Age of survey participants*

# Pregnancy and Finding Project Unity

**Referral into Project Unity**

- **Just under 1 in 10** by a young person's advisor.
- **Over a third** from social workers.
- **Nearly a fifth** by a midwife or health visitor.

The high number of referrals from outside agencies tells us that Project Unity is **well-known and well-regarded** by outside agencies.

# Pregnancy and Finding Project Unity

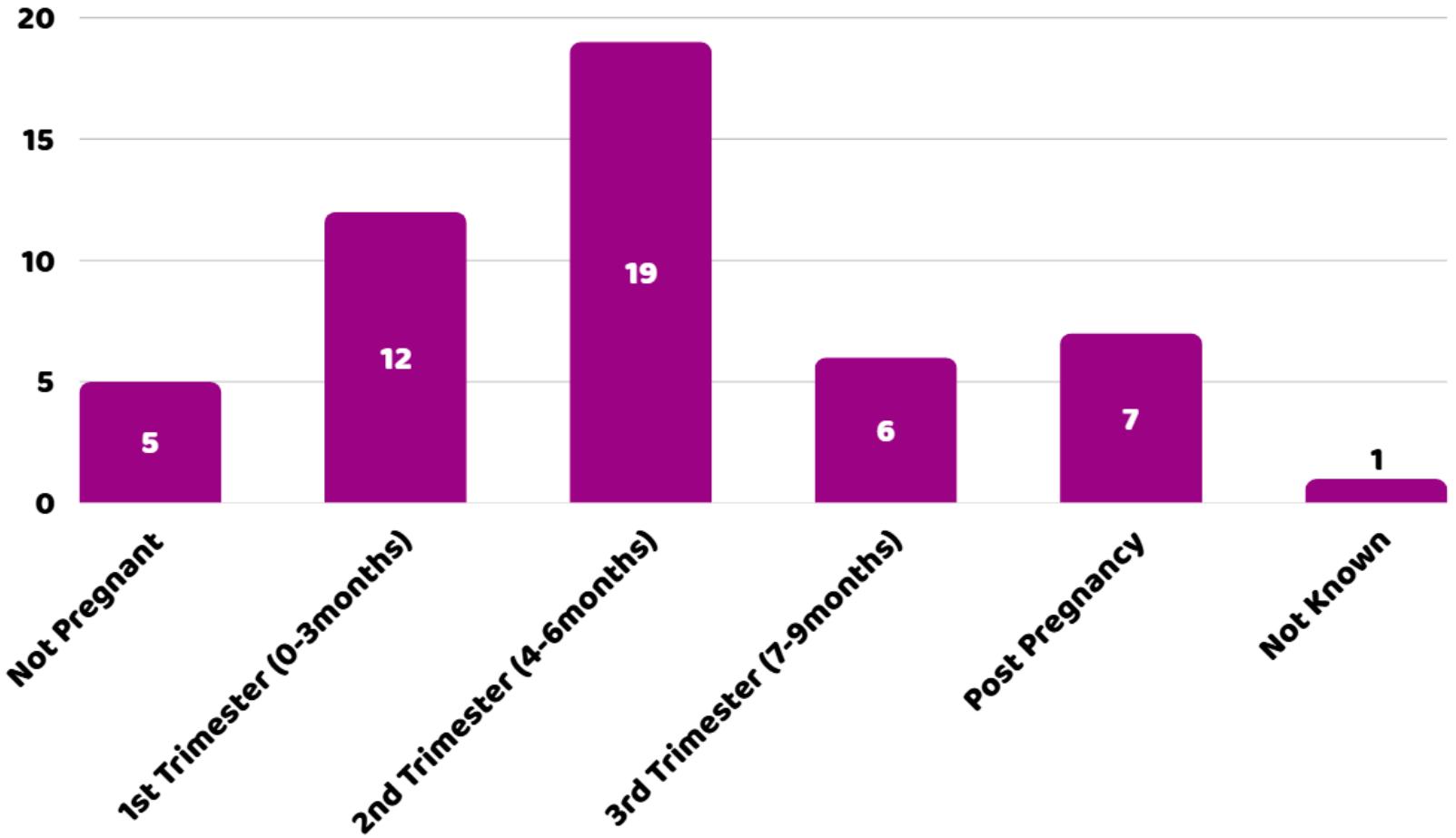



**Figure one: How far into pregnancy young women were when first referred to Project Unity**

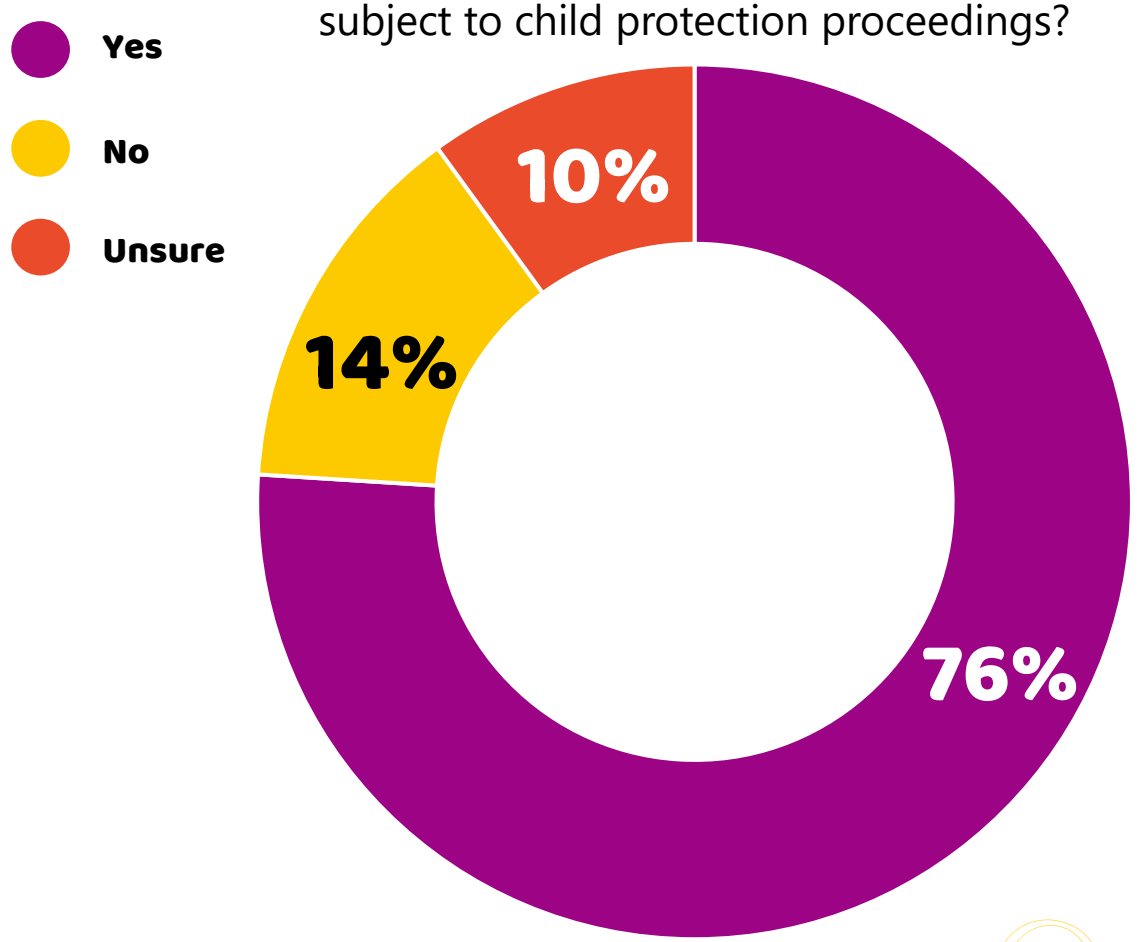
# Child Protection

**86%**

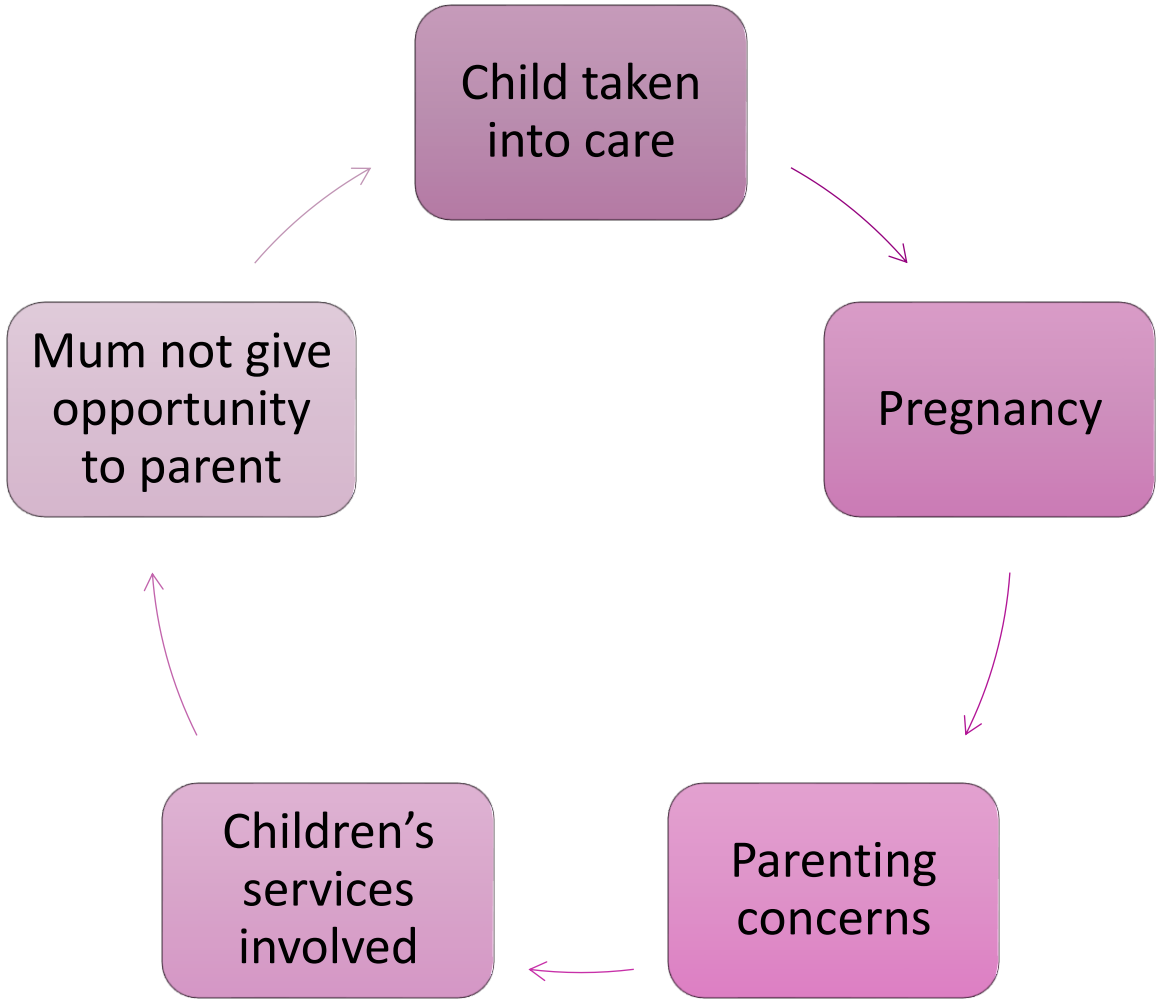
of young women said they were subject to child protection proceedings during their pregnancy or just after the baby was born.

The young women frequently said that they thought it was **'routine'** for care-experienced young mothers to be referred to children's services.

Do you think your own care-experience influenced the decision for your unborn child or children to be subject to child protection proceedings?



# Intergenerational Care Cycle




**It's the same system that parented mum as a child, now viewing that childhood as a risk factor for parenthood...**

**What does that tell us about the system?**

# Child Protection

*“Social knew me from my past - they said that they would help, but they judged me and took my babies.”*

*“I have been in care since I was 12 and when I found out I was pregnant they told me because I am care-experienced my baby will go on the child protection register.”*

*“The midwife informed me that all care-experienced mothers have to be referred to social services.”*

# Second Pregnancies

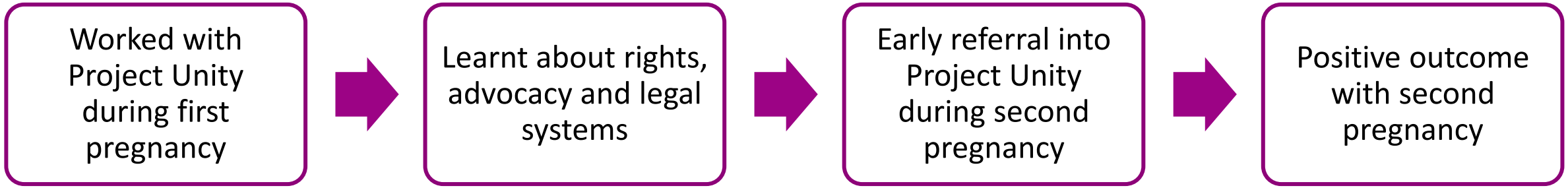
In the focus groups, **a third** of young women had given birth to a **second child** since they had become engaged with Project Unity on a first pregnancy.

**Two** young women who participated in the focus groups stated that they **had chosen not to have another baby** because they did not want to go through the trauma of losing their child to social services.

**One** said she **had a termination** rather than proceed with her second pregnancy because she was so terrified they would take her baby.

# Early Referrals into Project Unity

- **Two** young women who had lost their first children to adoption, had their **babies remain in their care** during their second pregnancy.
- **Two** young women said their most recent pregnancy were **not subjected to child protection.**
- **One** young woman said child protection concerns were raised but **dismissed** within the assessment.
- **One** young woman believed a Public Law Outline was **not initiated** for her second pregnancy, because of **early involvement** from Project Unity.



# Impact on Young Women and Girls

- **Many** of the young women that we have worked with who still have their babies living with them, have all said it is because they had worked with Project Unity.
- **94%** of young women said Project Unity was **'very helpful'** to them.
- **A third** of young woman said they felt more **empowered to use their voice** during their second pregnancy.
- **100%** of young women said they would recommend Project Unity to another care-experienced mother needing support.

# Impact on Young Women and Girls

**75%**

improved wellbeing.

**87%**

increased in knowledge of rights and entitlements.

**95%**

increased having their voice heard and cited the importance of Project Unity in their journey to this point.

**90%**

of young people experiencing mental health issues stated they felt supported and listened to.

**80%**

increased in involvement in planning and delivery of service.

**20%**

improved employability and access to education.

# Impact on Young Women and Girls

*"Project Unity has helped me immensely; without them I probably would have not gotten my children."*

*"I realised I could play a part in society and my voice mattered. Without Project Unity I would never have known that."*

*"Project Unity gave me a voice and an opportunity to have my say while making sure I was OK."*

# Next phase of Project Unity

Through funding from the National Lottery Wales, our work will focus on achieving gender equality, tackling discrimination and providing dedicated wellbeing support for care-experienced mothers, based on priorities identified by young women themselves.

HER Story research outcomes → TogetHER Programme

# Project Unity in England

Alongside this, we also want to help strengthen the wider ecosystem around the sector. This means investing in learning and evidence-building so that we can better understand what effective services look like. It also means supporting convening, knowledge-sharing and influencing work that challenges stigma, and contributes to improving policy and practice nationally.

We will be working closely with Birth Companions and NYAS' new national parliamentary inquiry into the intergenerational cycle of care involvement in England.

We also want to support promising models to grow and spread – and earlier this year, we made our first grant under the new programme to support NYAS' Project Unity, which aims to bring its rights-based advocacy model for care experienced mothers from Wales, into England.

nyas
national youth
advocacy service

The birth companions Institute

# Breaking the intergenerational cycles of care involvement in England:
# A national inquiry

# What do we already know?

- Strong emerging evidence base that indicates care experienced young women are more likely to experience state intervention and/or separation from their children.
- Kings College London – women who had been in care themselves as a child were 17 times more likely to be in contact with children's social care during their pregnancy than women who grew up with their parents.
- Many care-experienced young people feel unsupported and stigmatised when it comes to parenting their children.
- In some parts of the country, care-experienced women can face automatic referrals to children's social care, regardless of circumstances or concerns.

# What do we want to do?

- Hear about what is working, what is not working, and where we should be focussing our efforts for meaningful change.
- Establish a strong, cross-governmental and multi-agency focus on the scale and nature of intergenerational cycles of care proceedings in England.
- Collate and highlight research priorities to fill gaps and motivate strong action to break this cycle through coordinated, early and preventative models of support.
- Publish a final report with recommendations, making the case for an ‘in all policies’ approach so care-experienced girls and young women can be supported to give their own babies the very best possible start in life.

# How will we collect evidence?

- Call for written evidence to open June-September 2026, one portal for professionals and one for women with lived-experience.
- We want to hear from professionals working in or with the social care system – health practitioners, social workers, family support professionals, family lawyers, housing advisors, academics, system leaders and more.
- Focus on the key challenges and key changes needed to break intergenerational care cycles.
- Option to submit research papers, data, practice models and other online evidence to inform the inquiry.

# How will we collect evidence?

- Oral evidence sessions to run November 2026 to February 2027.

- Seven thematic sessions focusing on:
  1. Legal proceedings and family court systems
  2. Maternity care and wider health care
  3. Children's social care
  4. Mental health
  5. Learning disabilities
  6. VAWG
  7. Housing and Criminal justice.

- Three sessions dedicated to hearing from women with lived experience:
  - Women aged 18-25
  - Women aged 25+ (with lived-experienced within the last five years)
  - Women of colour.

# How to get involved!

Call for evidence: Care-experienced Young Women

Call for evidence: Professionals and Organisations

**Evidence submission closes September 4th 2026.**

**For more information, contact phoebe.white@nyas.net / Katherine@birthcompanions.org.uk**