

Children with Disability in the Northern Irish Child Protection System:

**What do we know and where do we
go from here?**

15 November 2013

Kieran McShane



Health and Social
Care Board



Definition DDA 1995 NI

The Disability Discrimination Act (DDA) defines a person with disabilities as someone who has a physical or mental impairment that has a substantial and long-term adverse effect on the ability to carry out normal day-to-day activities.

Definition

General consensus that the definition as cited by the UN Convention on Rights of Persons with Disabilities as ratified by both UK and European Governments is agreed in NI. For children, this is reflected in the definition used by CYPSP.

The Rise of the Social Model of Disability – underpinned by Key Legislative and Strategic Drivers

- Section 75
- UN Conventions on Rights of Child and Rights of Persons with Disabilities
- DDA
- The Human Rights Agenda
- Judicial Reviews – Domestic and National
- Various Disability Strategies
- The Political Agenda around the area of Disability and particularly Children with Disability



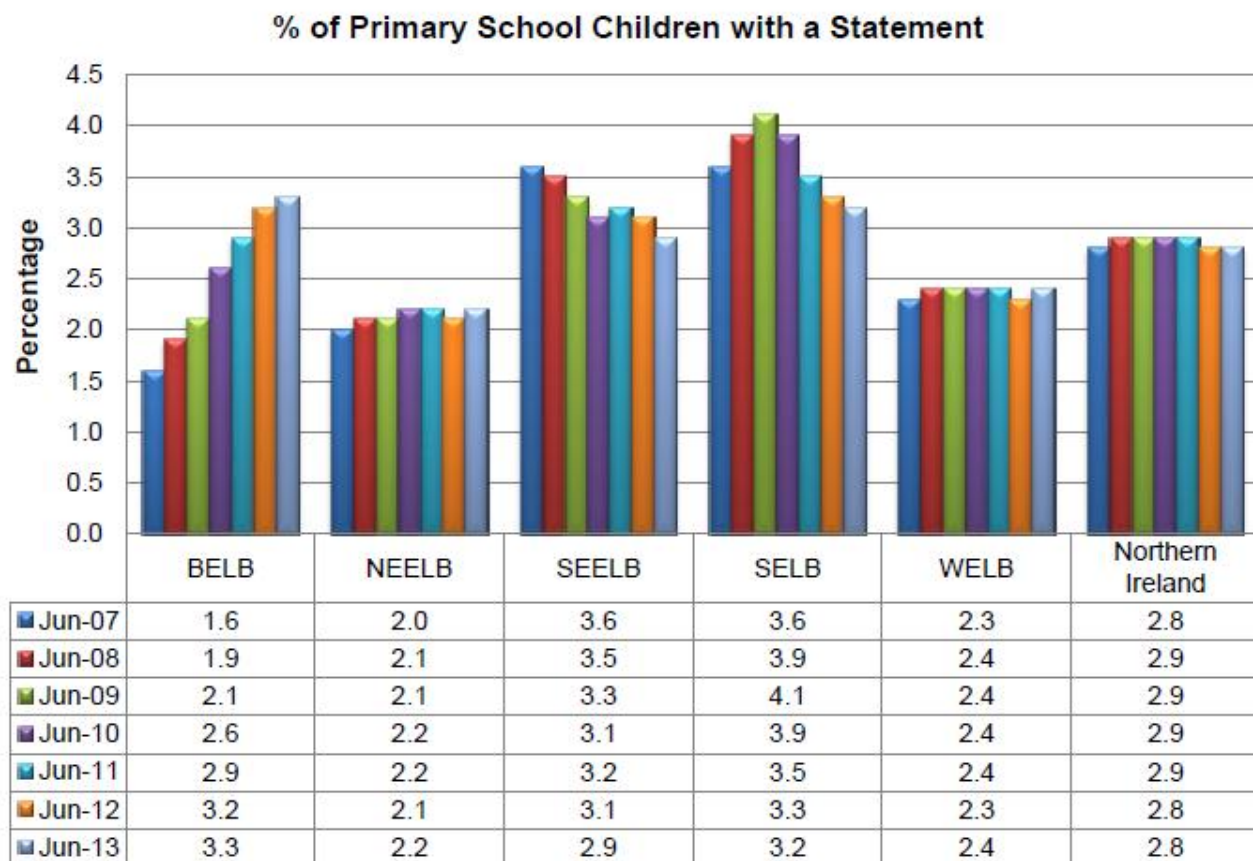
So what do we know

NISRA

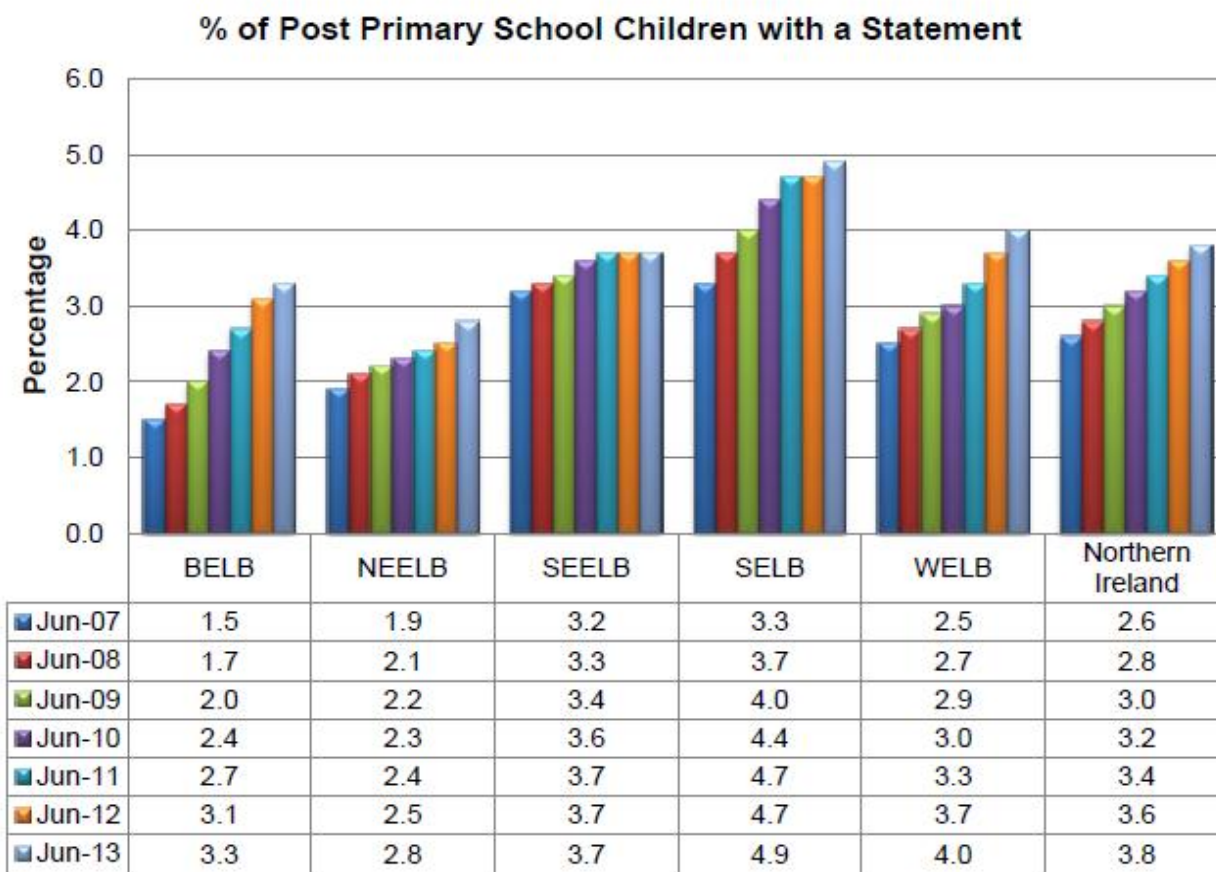
- Limitations among adults and children living in private households in NI 2007*
- 18% of population in NI are limited in daily activities for reasons associated with disability
- 2 out of every 5 households include at least one person with disability (21% adult and 6% children)
- 8% of boys age 15 and under were found to have a disability (intellectual/social/behavioural more prevalent among boys)
- ASD prevalence rates – varies 1/1000 to 1/100

* Prior to UNCRPD being ratified UK

Children recorded as having Special Educational Needs

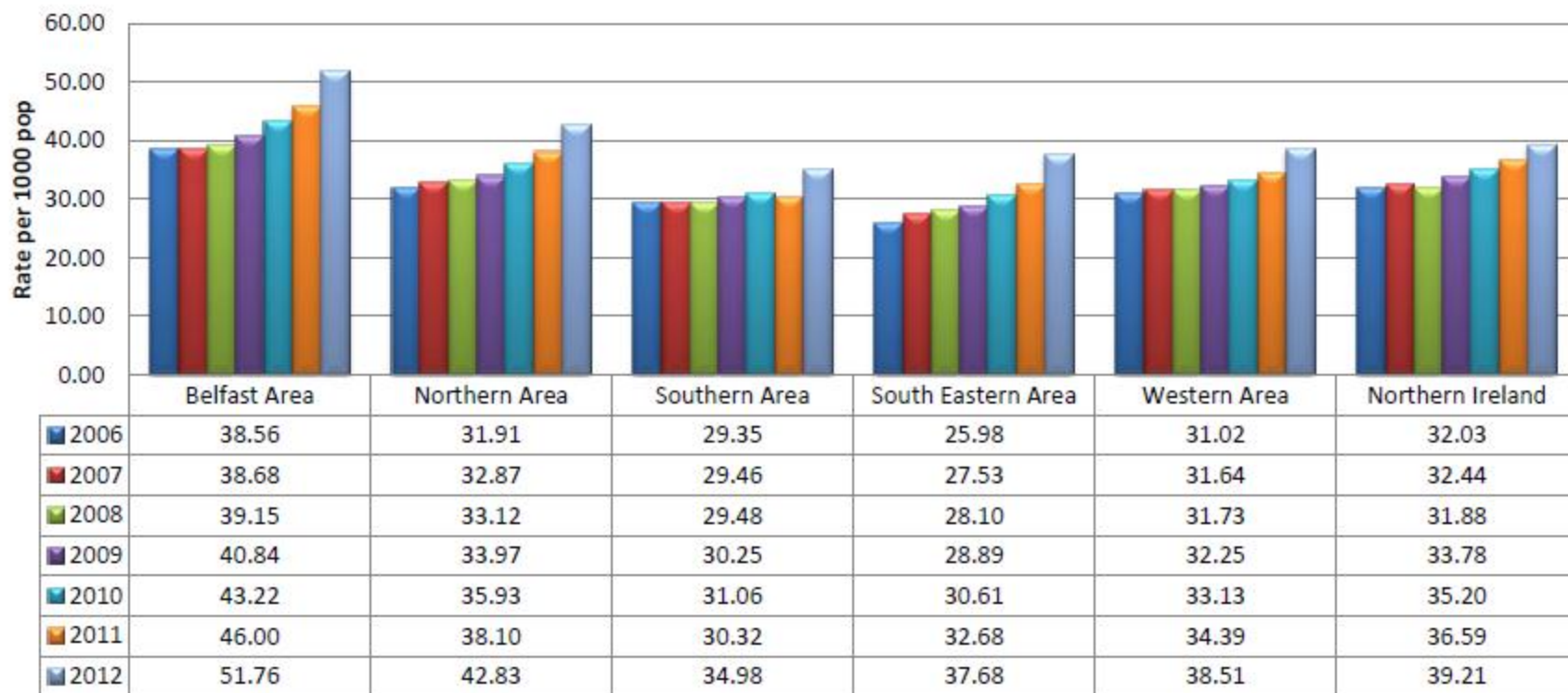


Children recorded as having Special Educational Needs



Children 0-15 recorded as in receipt of DLA

Children with a Disability (in receipt of DLA 0 – 15 years)



Counting the Costs

Key Findings, based on responses from 106 parent carers¹ across Northern Ireland, (4.6% of the total respondents across the UK):

- 72% are working families – only 14% use paid childcare
- 24% care for more than one disabled child
- 23% are lone parents

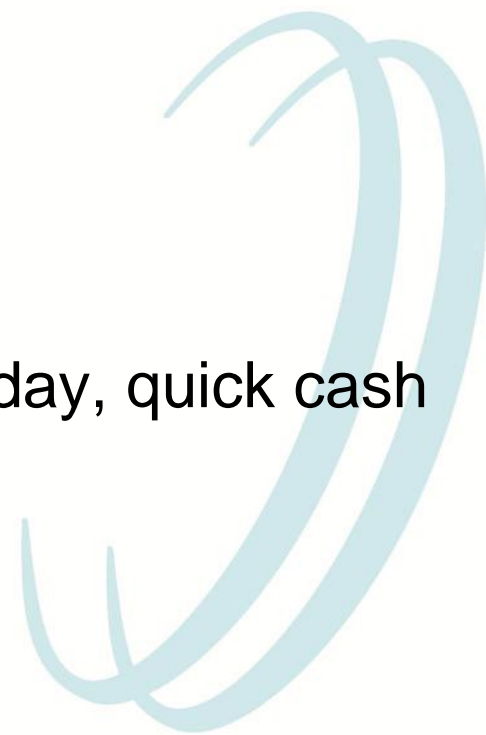
Counting the Costs (cont'd)

Overall, 85% have gone without something because of a lack of money, including:

- food – 21%*
- heating - 42% (substantially higher than the overall UK figure of 21%)*
- clothes - 61%
- days out/leisure – 85%
- specialist equipment/adaptations – 25%.

41% have taken out a loan, (12% from a pay day, quick cash or loan shark) of which:

- 41% for food



National and Local Context - Ofsted

Learning Lessons from Serious Case Reviews 2008/09:

- 173 serious case reviews evaluated
- One of the key lessons identified is in regard to where disability issues were a factor

2009/10

- 147 reviews again disability highlighted
- Thematic Review Report 2012



Stats 08-09

19 of the SCR concerned either a disabled parent, disabled child, disabled sibling

Context in same period, 17 SCR reviewed concerned LAC, one of which was disabled

2009/10

23 disability

21 LAC

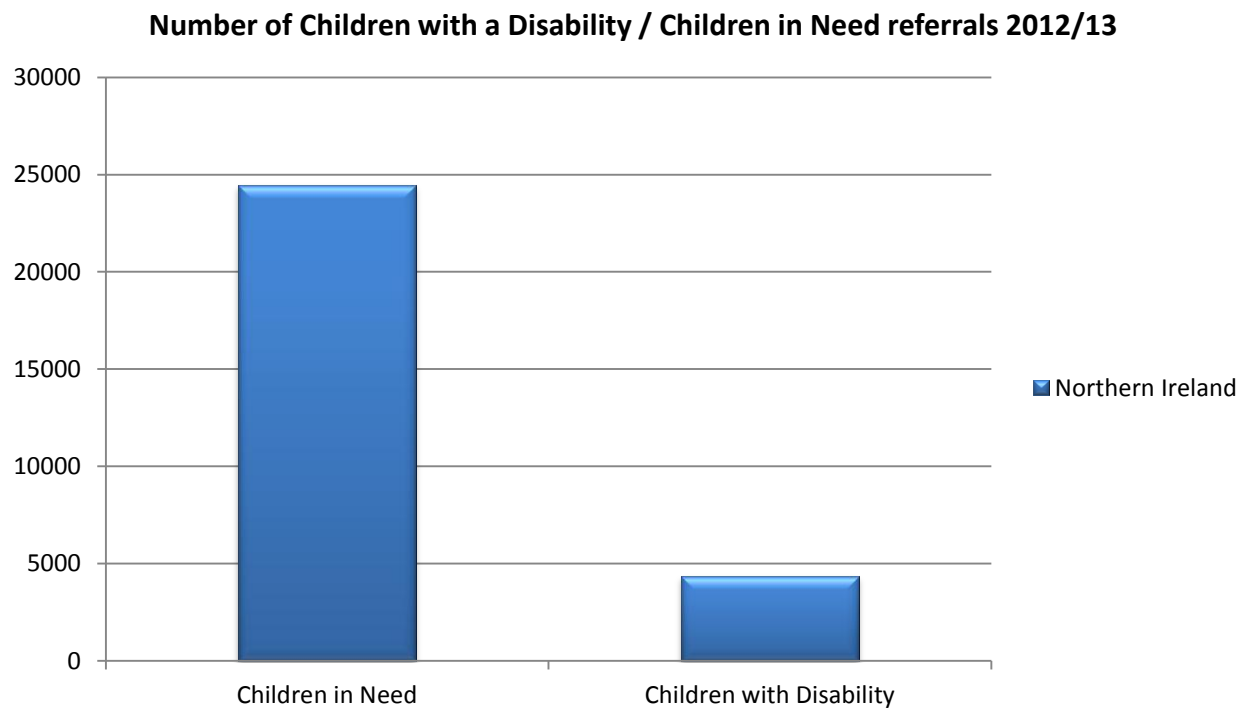


Key Lessons

- 2008-9 Ofsted undertook an in-depth analysis of the 19 cases and findings were as follows, under 4 main themes:
- Inadequate recognition of the children as children in need under Section 17 of the Children Act.
- Failure to address the impact on the family of either a disabled child/disabled parent.
- Issue of disability masking the child protection concerns.
- Poor communication between services.

What do we actually know about Children with Disability in NI

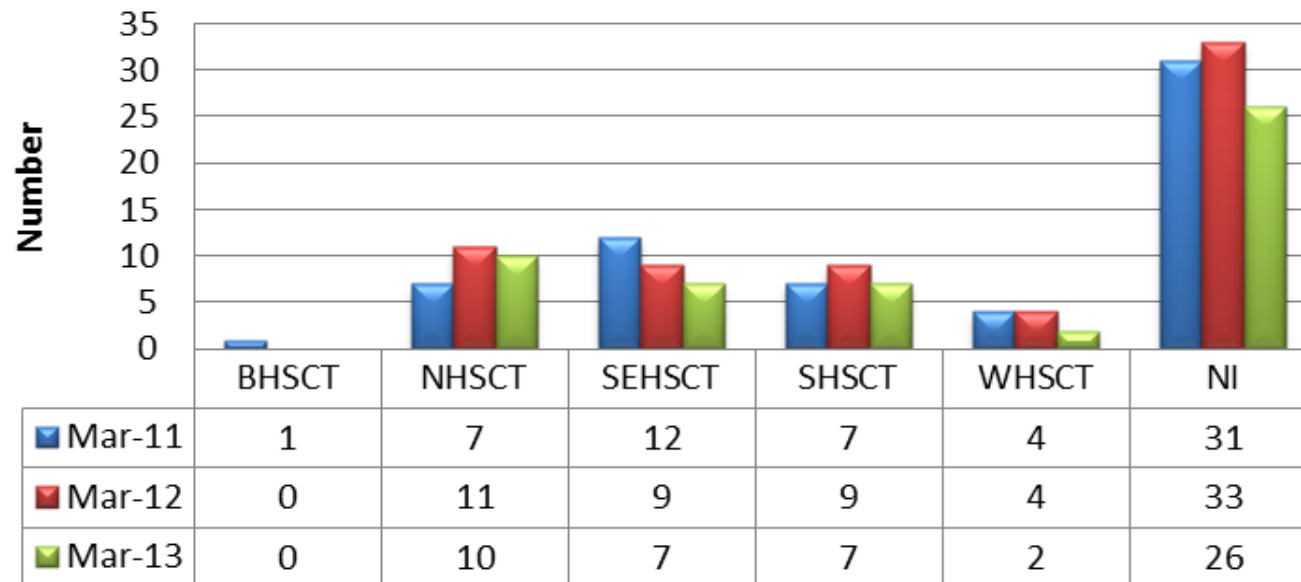
- First question is how do we define a child as a Child with Disability – implications for definition
- For a significant period of time, CWD services were in essence determined not by assessment of need but by determination of IQ
- Legislative v Policy definitions (Pathway overload)



Children with disabilities equates to 17.8% CiN referrals

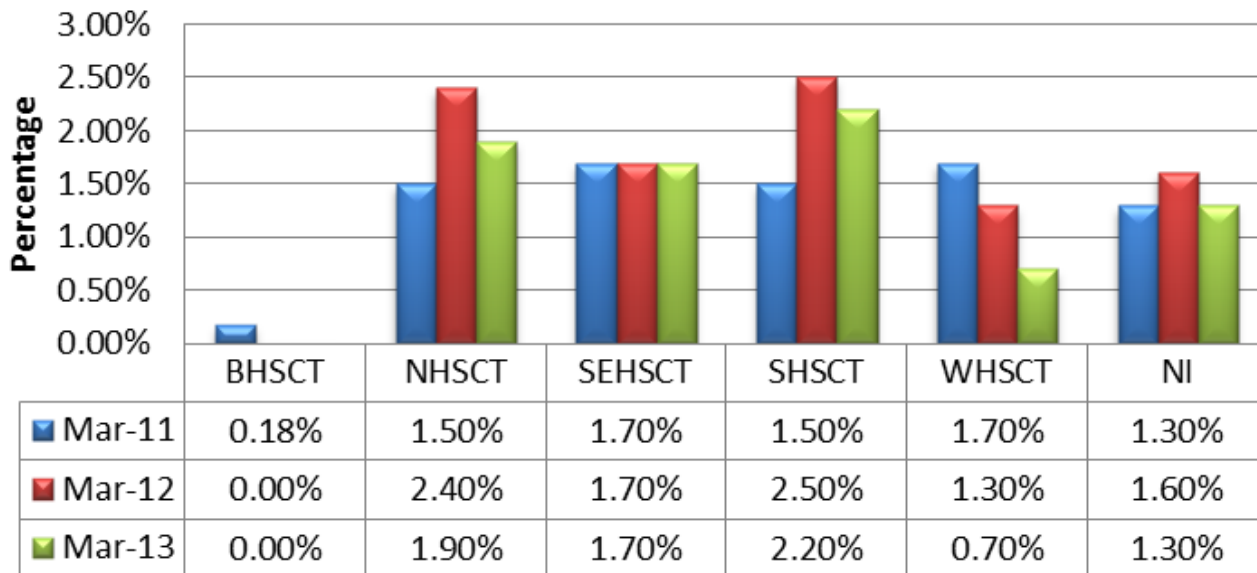
Children recorded on CPR with Disability

Number of Children on the Child Protection Register with a Disability



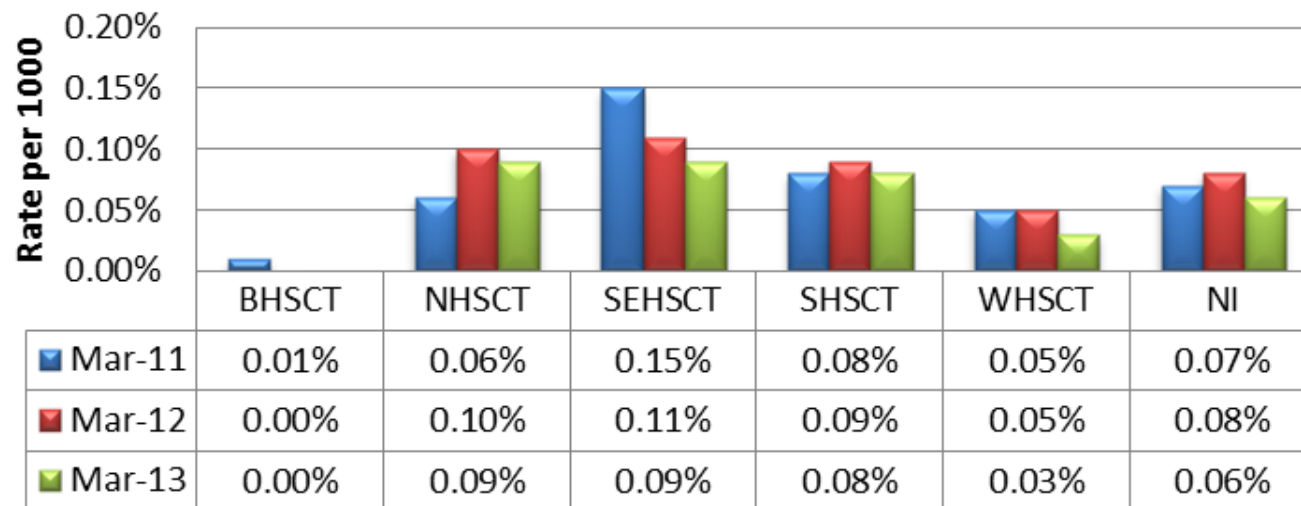
Children recorded on CPR with Disability

Percentage of Children on the Child Protection Register with a Disability

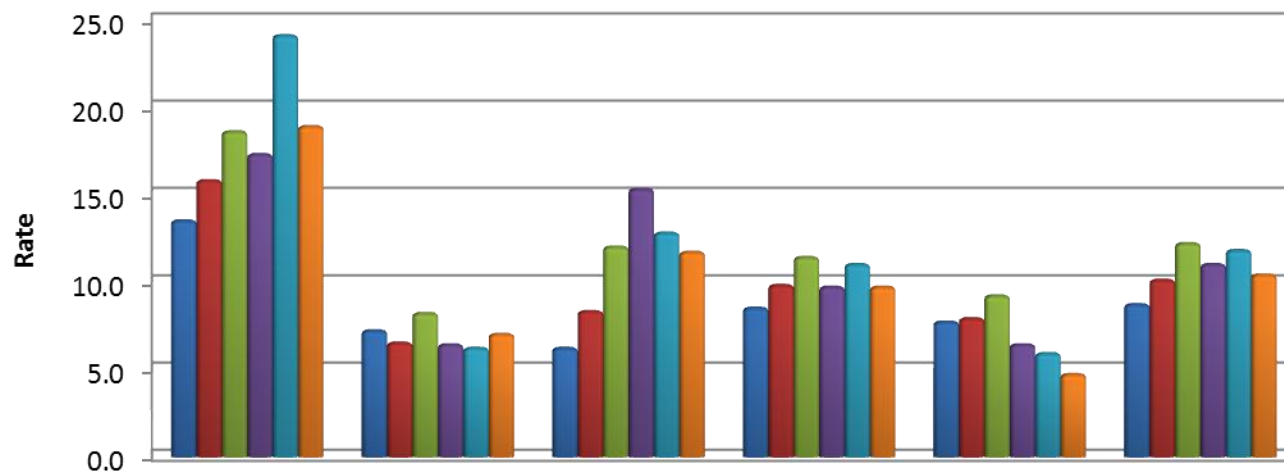


Children recorded on CPR with Disability

**Rate per 1000 of Children aged 0-17
who are on the Child Protection
Register and have a Disability**

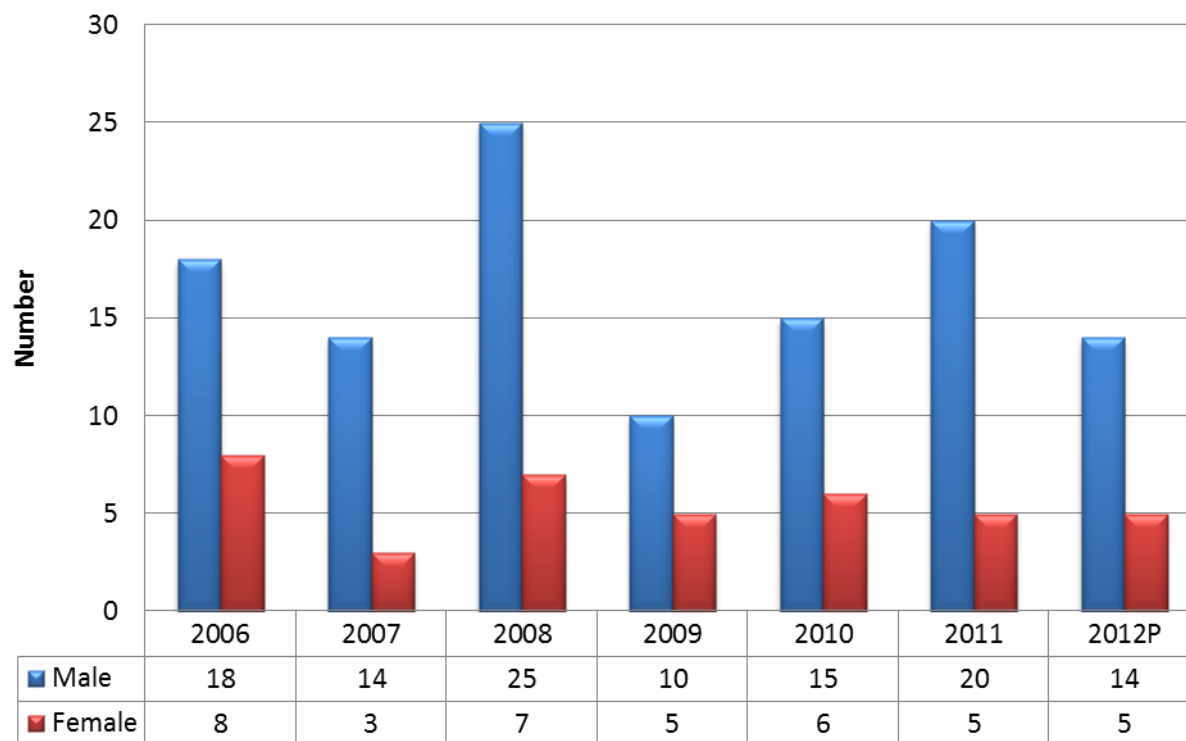


**Rate /10,000 0 -17 year olds admitted to hospital with Self Harm
diagnoses**



	Belfast Area	Northern Area	South Eastern Area	Southern Area	Western Area	Northern Ireland
2006	13.5	7.2	6.2	8.5	8	8.7
2007	15.8	6.5	8.3	9.8	7.9	10.1
2008	18.6	8.2	12.0	11.4	9.2	12.2
2009	17.3	6.4	15.3	9.7	6.4	11.0
2010	24.1	6.2	12.8	11.0	5.9	11.8
2011	18.9	7.0	11.7	9.7	4.7	10.4

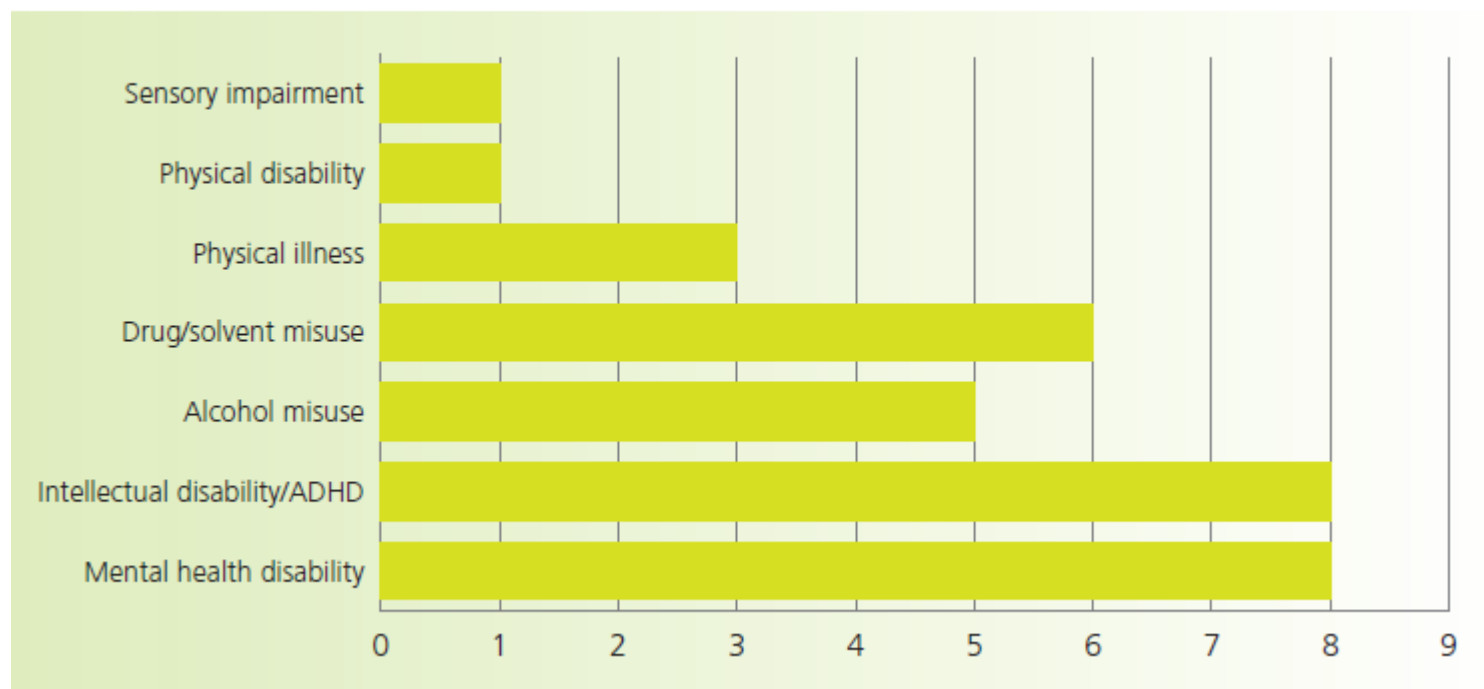
Number of 0-19 Year Old Deaths by Suicide* in Northern Ireland



Translating Learning into Action

Overview of CMR in NI 2003-08

Figure 5: Illness or disability of index child (n=24)



Story behind the figures

- Numbers
- Are there too few Children with Disability being identified as being at risk of significant harm
- Is there a fundamental recording issue
- Does the data indicate a positive early intervention process ongoing in children's services
- What is the skill set required to support CWD in ensuring their safety

Ofsted Thematic Review 2012

Important to note the initial comment from the Ofsted Report that “most disabled children were recorded to be living with parents or carers who are well motivated to provide good care for them”



Areas to ponder

- Do definitions actually assist in the safeguarding process in terms of shaping practice – key examples communication and shaping intervention
- Is there a key understanding of the impacts of caring for a Child/Children with Disability in terms of practical, emotional and financial
- Disability as a consequence of abuse
- The generational aspect of disability/special needs in terms of parental capacity in the parents themselves and on their ability to provide a safe environment and care
- The importance of multiagency working in this area in terms of identification, support and delivery across the level of need

Recommendations from 2012 Review – Key Themes

- Thresholds and CWD – need to be understood and defined appropriately
- Quality assurance mechanisms are in place and findings reported including rates/prevalence activity and if over or underreporting
- Ensure that assessments and decisions relating to CWD are informed, up-to-date and multidisciplinary – including analysis of risk and need
- Ensure that careful consideration is given to how best to obtain children's views – taking into account nature of disability