

The Suspected Inflicted Head Injury Service (SIHIS) for children pilot

Information for Legal Practitioners

Overview

This document is to provide information to the legal sector of the new Suspected Inflicted Head Injury Service (SIHIS) pilot, for children.

Summary

The family justice system is one of the most complex and cross-system policy areas in Children's Services, which covers all vulnerable children in England who require local authority intervention.

Delays in the family courts have been a long-standing issue for over 10 years. Despite the practice direction of 26 weeks for cases to conclude, the average case duration (for cases when a social worker determines that a child is at significant risk and so applies for an order) frequently exceeds 40 weeks, with some cases taking more than two years to conclude.

We know that delays result in poorer outcomes for children and huge additional costs both to local authorities and the taxpayer. The estimated cost of the family justice system is £1.2bn¹, which equates to over 10% of all direct expenditure on the children's social care (CSC) system (2019/20). Recent research¹ gathered evidence on the root causes of delays and the overarching message is that to achieve substantial reduction in unnecessary court delays, a whole-system approach is needed. The SIHIS is aiming to solve one of the drivers of delay which is the time taken by the instruction of multiple expert assessments.

To address this, funding was awarded to 3 NHS Trusts (Manchester University NHS Foundation Trust; Birmingham Women and Children's Hospital and Sheffield Children's NHS Foundation Trust) to implement pilots and test the impact of a new Suspected Inflicted Head Injury Service. The aim of the pilot is to create sustainable cross-system changes that bring down family court delays through testing the impact of this approach in a trial.

The SIHIS will focus on improving the clarity, quality and timeliness of medical assessments that are presented to family courts to support the judiciary in making decisions with regards to suspected abusive head/spine trauma. The pilot is limited to head/spine trauma as this pilot is to act as proof-of- concept, to establish the value of such a system.

¹ [Impact on Court Delays in Children's Services: Financial Impact Modelling Support, Mutual Ventures Ltd, May 2022](#)

The SIHIS comprises of experienced clinicians from different specialist disciplines within paediatrics. They will complete a template document to produce a high-quality, uniform report that the SIHIS will submit to the court, where there is suspected inflicted head injury. This report will not replace the current court report nor impact any statutory process but will bolster the information the court receives.

Background

The overriding message from recent research² on the root causes of court delays is that, to achieve substantial reduction in delays, a whole-system approach is needed.

To create the sustainable cross-system changes needed, changes are being tested to create efficiencies in the family justice system to enable quicker decisions, and ensuring the right children enter the system, at the right time.

Work has been carried out to understand key drivers of delay, and these have informed development of 3 pilots, one of which is the SIHIS pilot. The main drivers are:

- ordering of additional assessments and/or changes to care plans throughout the case;
- lack of availability of experts to complete reports and assessments;
- disparity between local reports and test results and interpretation by court appointed experts;
- complex fact-finding exercises being required;
- lack of judge availability; and,
- lack of court space and inconsistencies with court listings practice.

The SIHIS will create a formalised referral pathway to aid in the assessment of a child with a suspected abusive head injury. It will bring together expert clinicians from all key disciplines involved in the assessment of such a head injury, to produce a single comprehensive report, that will be presented to court, regarding the child's presentation, investigations and opinion. This comprehensive document will bring together all relevant medical expertise into a cohesive opinion that will be readily accessible by the court in a timely manner. This aims to reduce the need for additional multiple court instructed experts by distilling down, on an individual case basis, the complex issues pertinent to each child where additional expertise is required. This will in turn allow for more timely decision-making and a reduction in unnecessary delays.

This pilot will cover children aged between 0 to 8 years old presenting with a head injury thought possibly to have been inflicted in nature.

² [Impact on Court Delays in Children's Services: Financial Impact Modelling Support, Mutual Ventures Ltd, May 2022](#)

Benefits

In addition to reducing delays in the family court process, it is envisaged that the SIHIS pilot will also have the following benefits:

Benefits for the Court

- Improve family court experiences in cases relating to suspected inflicted head injury in children, keeping children and families at the forefront and facilitate cases (where inflicted injury is not thought likely), being separated from the court process at an early stage.
- Reduce the number of court-appointed expert assessments required to support a judge's decision, by early identification of the issues where additional expertise is needed on a case-by-case basis.
- Potentially increase the number of expert witnesses available to the family court by expanding the pool of clinicians working in the field within the NHS and providing them with appropriate support, training, expertise and peer review.
- Reduce the number of clarification questions from legal teams/court.
- Further widen the pool of experts who provide quality assessments to the court, by not only developing clinician's greater expertise (as above), but also generating additional familiarity with children's social care, and court processes.

Benefits for clinicians

- Share best practice and shared peer review.
- Provide a supportive environment for colleagues to bring forward cases to discuss.
- Ensure sufficient training to provide confidence and competency within the SIHIS.
- Create a seamless referral pathway comprised of a multi-disciplinary team for the assessment of children under the age of 8 with suspected inflicted head injury.
- Develop a comprehensive timely clinical report to inform the legal processes and reduce the need for further expert reporting later in proceedings.
- Provide evidence that the wellbeing of the SIHIS team is prioritised, with access to wellbeing support.

In addition, the SIHIS pilot will:

- work with an independent evaluator to provide quantitative and qualitative data; and,
- have clear governance structures and processes, to ensure sufficient accountability for the pilot.

The pilot will end on 31 March 2025. If you have any questions, please contact the DfE team at FamilyJustice.TEAM@education.gov.uk