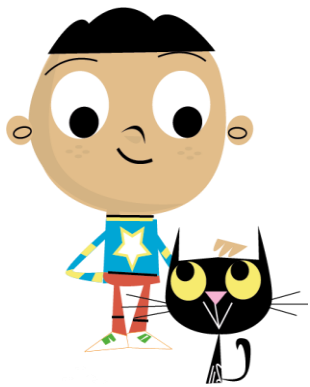




Understanding children's perspectives and experiences within family court proceedings Mediator's Conference

Sarah Parsons

Cafcass Deputy Director for Improvement and Principal Social Work



Tuesday 27th February 2024





Children and Family Court Advisory and Support Service

- Children and Family Court Advisory and Support Service (Cafcass) – a non-departmental public body sponsored by the Ministry of Justice. We are the largest employer of children’s social workers in England.
- We work with more than 140,000 children each year, and independently advise the family courts in England about the welfare of children, what is safe for them and in their best interests.
- We operate in accordance with the law set by Parliament (Criminal Justice and Court Services Act 2000) and under the rules and directions of the family court.
- We work with around 47,000 children on 16,500 applications in the public law system – where a local authority has serious concerns about the safety or welfare of a child, and their family/parents are not able to protect them and safeguard their welfare.
- Our duty is to
 - Safeguard and promote the welfare of children,
 - Provide advice to the court,
 - Make provision for children to be represented,
 - Provide information and support to children and families.



Children as 'active participants' rather than 'subjects' - what does this look like?



'Children and families feel they are understood and that their views and experiences have been heard'



How we engage children and share their wishes and feelings in the family court

More feedback from children

Screening & Safeguarding Interview

Understanding risks, asking parents if the child is aware of proceedings and preparing the child about what will happen next.

Introduction Letter

Lets the child know who we are, our role and meeting for the first time, and asking for feedback.

First Visit

Explain what is happening to children and seek their views.
Share with parents/carers about a storyboard.



Keeping in Touch Letter

To be used to let the child know any updates or to keep in touch if proceedings are delayed.



Sharing Recommendations

and explaining our reasons with a child who is of sufficient age and understanding.

Our Words for the Child and Their Response

The explanation provided to the child must be recorded in the Assessment and Child's Plan.

The Child's View of the Recommendations in Their Own Words

Report the child's views directly into any reports to court.

Goodbye Letter

What has happened in our work with the child - including why we recommended what we did to the court about their future.

Our words for the child and their response



GOOD BYE LETTER



Message for Professionals

- Every young person despite their background must be supported and should be able to understand their proceedings.
- Don't leave me to guess what's going on. My voice needs to be heard and I need to be able to express it in my first language.
- I need to understand what is being said and happening about me and my life. Think about using an interpreter for a child in court





Introduction letter For children and young people

19th September 2023



Hello Amelia
My name is Andie
My title is Children's Guardian. I will be your Guardian.

What does a Children's Guardian do?
I work for Cafcass to help children and families when you have a social worker helping you because they are worried about your safety, and they need to take some action to protect you. They have asked the family court to help.

I will write a report for the Judge. It's important that I meet with you and talk about how you are feeling and what you think so that I can help the Judge to make the best and safest decisions for you.

It is my job to make sure that your voice is heard. I may want to talk to other people about what you tell me, to make sure you are safe.

I really want to hear how you are feeling and what you think should happen. It is important that what the court decides helps you.



At the time of writing this letter you are a very tiny baby. I hope that this letter helps you to understand my role in your life and the responsibility I had the decision making for you.

- We can meet:
- at my office
 - at school
 - where you live
 - somewhere else

Please let me know if there are other ways you would like to stay in touch.

- Video call
 - Teams
 - FaceTime
 - WhatsApp video call
- Messaging
- Phone call
- Email
- Text
- Letter

Why we are meeting

I am meeting with you to talk about your family and the people that are important to you. I want to know what makes you happy and any other feelings you want to tell me about. I also want to know about you and all the things that make you who you are and I want to know what you want to happen.



Keeping in touch letter For children and young people

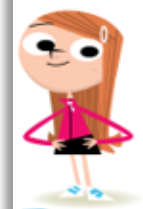


Jessica Clark
Cafcass reference: 123456



Dear Jess

Thank you for meeting with me on Friday and sharing your views with me which was to tell the Judge that you did not want to be at Acorn House, and you wanted to be back with your foster family. These have been shared with the court and I know that you are also going to talk with the Judge to tell her directly what your wishes and feelings are. At the end of my visit, you told me you did not care who told you what the outcome of the hearing was, so I thought I would write this letter to share the outcome with you.



Jess, I cannot imagine how difficult it is to know that all the adults around you are asking for you to remain in secure accommodation. I know that it is hard for you to understand why so many people are worried about you and the harm that you could do to yourself or to someone else.

Because I know a lot about you, I thought I would tell you something about me:

- My favourite colour is green. What is your favourite colour?
- I have a dog called Jett. Do you have any pets?
- If I had a superpower, it would be to be able to read minds. What would your superpower be?

Goodbye letter For children and young people



Sadie Chapman
Cafcass reference: 123456



Dear Sadie

I hope this letter finds you well? This is my final letter to you and ends my involvement with you and your family. I would like to thank you for meeting with me and helping me to understand your wishes and feelings.

I have written this letter to help you understand the decisions that have been made for you and your sisters.

As you know the social workers have been worried about both you and your family for a long time and have tried to provide support to your mum to ensure that she was able to look after you all properly. In July 2022, the social workers became very worried for the care you were receiving and decided that they needed the help of the police and the court to keep you, your sisters and your brothers safe. It was at this point that I became Children's Guardian for you, Azi and Posy whilst my colleague Jackie was Children's Guardian for Evan, Leo and Mikey.

Sadie, I know that this has been a really difficult time for you. I would like to thank you again for meeting with me and sharing your wishes and feelings. It has been an honour to have been your Guardian and I wish you all the best for the future.

Cafcass will keep the details of your family proceedings journey safe until you or the youngest child in the proceedings turns 25 years old. You can request to see the information Cafcass holds about you at any time. You can do this by asking for a Subject Access Request. The information we hold will be sent to you via the My Cafcass Journey process. You can find more information on our website at <https://www.cafcass.gov.uk/subject-access-requests-and-my-cafcass-journey/>

Below is a link and QR code for an online feedback form, this is just for you, so you can tell us how we have helped you and if there is anything we could have done better.

Our Hear to Listen service is available to children for free on 0808 175 3333. The friendly team will help you to tell us what you felt we did well and what we might be able to make even better.

Signed
Andie

Family Court Adviser

QR code for Sadie Chapman





Our Together Practice Framework

T**O****G****E****T****H****E****R** feels like
the way Cafcass does things
With Children & Families

It feels natural

We believe in it as a way of being and working

Everyone knows it's here to stay

We understand

It's about our culture, it's how we do things around here





Challenges and Dilemmas

- Balance between children's wishes and feelings and what is in their best interests
- Letting children know that they have a say and that their wishes will be respected and reported but that this does not mean the recommendation, or the court order will be exactly what they want
- Including the child's response to the recommendation in our reports
- Cafcass Positive Co-parenting programme- working with parents to listen to their children
- Building relationships between Cafcass, courts and mediators at a local level- helping all involved understand each other's perspectives

