

HOW DO I PREPARE FOR CAFCASS SAFEGUARDING?



part of the Affordable Family Law Group CIC

What is CAFCASS Safeguarding Conversation?

Whenever an application is made to the Court about a child, the Court will direct the Children and Family Court Advisory and Support Service (CAFCASS) to do safeguarding checks. The CAFCASS safeguarding telephone conversation is part of those checks. It will normally take place in the 4 weeks prior to the first hearing with all parties to the case (normally both parents).

What will CAFCASS know already?

CAFCASS receives a copy of the court application so it will know who has applied for what. Depending on the detail contained within the application (normally a C100 form) CAFCASS will have an outline of the issues between the parties and an idea of who is in the child's close family. It is always a good idea to check that the court application gives correct contact information about you, otherwise CAFCASS will be unable to contact you to have its safeguarding conversation.

After CAFCASS has received the application, it checks the police database to find out if either of the parents have ever been convicted of a criminal offence. CAFCASS also checks Children's Services records in the area where the child is living to check if there has ever been a social work investigation about the child or the family. CAFCASS will also check its own records so it should also be aware if there have been previous court proceedings about the child.

What do CAFCASS want to know?

CAFCASS want to find out whether you think the child is at risk of any form of harm. This could be physical harm arising from abuse or domestic violence. Or it could be emotional harm arising from the behaviour of the adults. CAFCASS will also want to discuss any allegations or background checks that suggest you pose a risk to the child.

Together We Are Strong

What should I tell CAFASS in the Safeguarding Conversation?

Make a list of the issues that you think are relevant and keep it next to the phone. Relevant issues to raise would be:

- Whether there was domestic violence within the parents' relationship before the separation and if this was reported or investigated by anyone.
- Whether either parent has a history of mental illness or suffers from any disability or other impairment which may affect the care given to the child;
- Whether there has been any social work involvement or a court case involving another family member of the child (don't assume that CAFASS will know - they can do extended checks with other local authorities or courts if you ask them to)
- Whether any family member has ever made an allegation or been convicted of abuse against another.
- Whether anyone is living in the property with the child or coming into contact with the child who you believe to pose a risk (CAFASS can be asked to undertake criminal records checks on other individuals after the first hearing);
- Whether the child is demonstrating any concerning behaviours – being violent, bedwetting, sexualised behaviour, poor performance at school, being clingy etc.
- Whether the child has reported any abuse to you and what you did about it;
- What you believe to be the child's wishes and feelings in respect of the application and how you know.
- Whether there are any other children affected by the court application who are not mentioned in it (e.g. half siblings,
- What you believe to be the fundamental reason why you have ended up in court.

If you know that the CAFCASS safeguarding checks will have revealed either a criminal history or social work history of your own, be prepared to answer questions about that history. Have an explanation for past offences without minimising them. Be honest.

If you know that the other party will have raised issues about you in their CAFCASS safeguarding conversation, consider how you will respond to those allegations. Remain calm. Be cautious about raising allegations about the other party. It is important to focus on the child's best interests and the issues which affect the child rather than badmouthing the other parent for the sake of it.

What happens after the CAFCASS Safeguarding Conversation?

CAFCASS will draft a safeguarding letter which summarises the outcome of its safeguarding checks. This will include a summary of the issues raised by the parties. You may receive this letter before the hearing, or it may be handed to you at the first hearing. The letter will include CAFCASS' recommendations for how the case should be dealt with so you should read it carefully.



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