

CAFCASS PATHWAY IN PRIVATE LAW PROCEEDINGS

STAGE 1 Early Intervention

Cafcass receives from the court copies of all s8 applications, including the C1 application, C1a additional information and the C7 response forms when available.

Cafcass screens all applications for risks for the child or family members.
See pages 18 to 20 of the Safeguarding Framework.

Before the First Hearing Dispute Resolution Appointment (FHDRA), Cafcass will:

- meet both parties separately
- send appropriate information to children
- enable child participation where information indicates ability and willingness to be involved
- meet the child and make relevant enquiries where information raises safeguarding concerns.

Produce a Cafcass Initial Analysis and Recommendation for the FHDRA and, when available, a Needs, Wishes and Feelings statement. The summary will outline the case plan and recommend one of five options:

**Option 1:
Further information is needed**
The Cafcass Initial Analysis and Recommendation will identify the need for more information, eg a Fact Finding Hearing, an adjournment to try out an interim agreement or the gathering of other specialist information such as medical information.

**Option 2:
No further action for Cafcass**
Where there are no identified safeguarding issues as a result of checks and initial interviews the case will be referred back to court with no suggestion of further Cafcass involvement. The Initial Analysis and Recommendation will be presented to court, showing the results of screening checks and identifying issues for the court to consider (eg mediation).

**Option 3:
Cafcass referral to local authority children's social care**
Where a significant level of risk is identified in pre-court work a referral or s120 notification will be made to children's social care. The Initial Analysis and Recommendation will identify the issues in the case; further work may be agreed at the hearing.

**Option 4:
Court referral to local authority children's social care**
The Cafcass Initial Analysis and Recommendation will identify the issues in the case and suggest they are best resolved through an s7 or an s37 report by the local authority.

**Option 5:
Cafcass casework**
In a small number of cases, further casework intervention with the family will be recommended, with ongoing risk assessment.

FHDRA – Court Hearing

STAGE 2 Casework

In court terms, this follows the first directions FHDRA. In Cafcass terms, this follows the early intervention stage. This stage is resource-intensive, so needs to be for a restricted number of cases.

The casework may involve:

- extended intervention where communication is problematic and conflict is affecting the child's wellbeing – Family Group Conference, coaching for parents on the needs of children, support for child/ren, FAO, Rule 9.5, contact developments, programme for working with most entrenched/implacable cases
- a specific safety assessment
- My Needs, Wishes and Feelings
- focused and analytical report (s7 if required).

Involvement of the child at an appropriate level. Ensure that the child has the ability to contribute and that the child's views inform the court. When the court requests an update on casework, this will be through an Interim Analysis and Recommendation (updated from the Initial Analysis and Recommendation).

Cafcass will act as case manager in working with possible referral to mediation, contact centre, perpetrator programmes, child counselling and other community-based programmes.

STAGE 3 Final Court Hearing

Submit the Final Analysis and Recommendation, which focuses on:

- the child's views, needs, wishes, feelings
- the analysis
- plans for the child
- plans for informing the child of the outcome of proceedings.

STAGE 4 Court Decision

Court Decision from Three Options

A) In a small number of cases the court may order further casework from Cafcass and the case returns to the beginning of stage 2.

B) Resolution is achieved where it is safe. Case conclusion.

C) Cafcass case conclusion, although the court proceedings may continue.

From options B and C ensure that the child, family, professionals and court are aware of the opportunity to feedback views through Cafcass feedback mechanisms.