

# Private Law Consultation "How It Looks To Me"



The  
University  
Of  
Sheffield.

Centre for the Study  
of Childhood and  
Youth



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# I. About Cafcass

- 1.1 Cafcass (Children and Family Court Advisory and Support Service) is an executive non-departmental body that was established in 2001, accountable to the Secretary of State for Children, Schools and Families. We work within the strategic objectives agreed by our sponsorship department and contribute to wider government objectives relating to children.
- 1.2 Cafcass looks after the interests of children involved in family court proceedings and advises the family courts in England on what it considers to be the best interests of individual children.
- 1.3 Our primary duties, as set out in the Act in respect of family proceedings where the welfare of children is or may be in question, are to safeguard and promote the welfare of children, give advice to the court, make provision for children to be represented, and provide information, advice and support for children and their families.
- 1.4 We work with children and their families, making sure children's voices are heard and their needs are met. Cafcass provides independent advice to the courts, children's services, education and health authorities, and other agencies working with vulnerable children and their families. We have a role in relation to measures outlined in Every Child Matters, the government programme which sets out five key outcomes for children and young people - staying safe, being healthy, enjoying and achieving, making a positive contribution, and achieving economic well-being.
- 1.5 In ensuring that children's welfare is at the heart of everything it does, one of Cafcass' service priorities is to involve children and young people in deciding and building their own futures. In a demonstration of this commitment, this open participative research was facilitated by Cafcass' Children's Rights team to enable young people to participate and positively contribute to improving our service.

## Objectives in Commissioning the Research

- 1.6 In December 2007 Cafcass launched the HearNow service that allowed all service users aged five years and over to give feedback via an online multiple choice questionnaire. One of the main drivers for the "HearNow" service was to identify factors behind satisfaction levels and use these to shape future improvements to the service. By December 31st 2008 there had been 1,049 responses and the findings from these responses has in part informed the rationale for this research.
- 1.7 The HearNow survey revealed that satisfaction with Cafcass seems to be linked to communication, and the quality of the relationship between the service users and the Cafcass worker. The responses came from those who had been involved in both public and private law cases, and included adults, young people aged nine to 17, and children aged five to eight.
- 1.8 The findings recommended that any further in-depth work such as the use of focus groups should concentrate on users' experiences with attention given to the relationship between the service user and the Cafcass worker and the communication channels between the two. The focus was on addressing dissatisfaction, rather than raising satisfaction, as the key to much of this is outside Cafcass' control (for example, what goes on in court, and the outcome of the court's decision).
- 1.9 The Cafcass Children's Rights Director, given her remit of understanding the impact of services for children and young people (hereafter simply referred to as young people) during court



proceedings, facilitated the consultation reported on here in order to further understand the experiences of the services Cafcass provides. The Children's Rights Director and her team were also keen to find out the extent to which young people understand their rights whilst involved in their own proceedings.

- 1.10 It is important that Cafcass understands the experience of young people who have been provided with a service, so that they can bring about practice and service improvements.
- 1.11 This consultation informs Cafcass' understanding about the early interventions that are needed before and during court proceedings, as well as helping to address how Cafcass can involve young people both nationally and locally in their 21 service areas to proactively shape the service in the future.
- 1.12 Finally, Cafcass hopes that these findings will help to further develop an insight into the impact of parental separation and divorce on young people, and re-evaluate the way that young people themselves are involved in this process.

## 2. Background

- 2.1 Last year Cafcass' Children's Rights Director and her team organised a very successful Health and Well-being day to enable a better understanding of the health, needs, and experiences of young people in care. The day assisted Cafcass to think about the services we provide, and supported the consultation by government on the health and well-being of children in care. It also offered Cafcass the opportunity to develop our contribution to young people during court proceedings and when their care plans are considered. The model of consultation chosen was a success as it brought over 100 young people together to share their perspective.
- 2.2 We know that the best way to find out what works is to give young people the opportunity and the space to tell us. This time the Children's Rights Director wanted to find out more about the experiences of young people during divorce proceedings when their future arrangements are considered in the family courts, and what more we could do to help provide the appropriate support so that young people can get the best out of our services.
- 2.3 Cafcass worked with 40,366 boys and 38,730 girls last year and promoted their voices in court proceedings. It was therefore thought important to consider these young people's perceptions of Cafcass as well as the experience they have of Cafcass and the way we offer support when their parents are going through the process of separation and divorce.
- 2.4 Based on the success of last year's consultation we went back to the National Space Centre in Leicester. 136 young people – some with their parents or carers – attended the day, spending the morning with us to help with our consultation. The young people then had the opportunity to explore the Space Centre.
- 2.5 The original intention was to examine the experiences of those who had contact with Cafcass and those who had not. On the day, the majority of young people attending the event were those who had received Cafcass support at some stage.

### Key Aims of the Consultation

- To understand the experience of young people who had received a service from Cafcass and those who had not.
- To consider ways to involve young people in planning for their futures whilst going through court proceedings.
- To consider if Cafcass had given young people opportunities to share their views, wishes and feelings during proceedings.
- To find out if Cafcass had given young people opportunities to provide feedback on their experience of Cafcass.
- To find out young people's understanding of their rights whilst going through family court proceedings.
- To improve our understanding of the early support services that are needed by young people and their families before and during court proceedings.
- To consider the experience of young people who did not have court involvement.
- To understand the support available to young people who were not involved with Cafcass.



## 3. What Young People Told Us: Key Findings

- 3.1 There are many positive messages coming out of this research. The service that Cafcass provides generally helps and in some cases can make a difference to the way, and extent to which, a young person can participate in divorce proceedings and therefore shape what happens to them and their future. For many the outcomes from the court proceedings resulted in a more stable home life and fewer worries at school.
- 3.2 However, for many young people there is a very real worry about a worsening financial situation for themselves and the parent they live with. It is also evident that the opportunities for young people to have a say in the period before and during the court proceedings are variable. The need to have a voice and to be listened to was a strong message from all young people, but some were able to exercise this better than others. Surprisingly, this was not age related but seemed to stem from the support they got earlier on from Cafcass, and the level of involvement from their parents.
- 3.3 The recent Cafcass HearNow feedback analysis produced some similar findings to the research reported on here. Seventy one per cent of young people aged five to eight felt generally that the Cafcass worker “made things better for me” and almost half (49%) felt the Cafcass worker “knows what I think and how I feel”. For young people aged nine to 17 years, nearly half (45%) felt that the Cafcass worker “told the court what I wanted” and a similar proportion (49%) agreed that the Cafcass worker “understands my situation”.
- 3.4 Similarly this consultation elicited a positive response overall about the organisation, and there were some very positive responses about the support Cafcass offers. Most who had positive experiences wanted Cafcass to be more involved, especially after the court proceedings. However, this raises the issue of the young users’ understanding of the remit of Cafcass and their clarity of the parameters of the Cafcass workers’ roles and responsibilities.
- 3.5 However, it is worth bearing in mind that young people’s experience of Cafcass can also be influenced or overshadowed by other factors that the organisation has no control over. Thus, for example, the extent to which young people’s worries about financial difficulties overshadowed any positive outcomes resulting from Cafcass’ involvement is an important finding. Other research demonstrates that deterioration in the financial circumstances of young people and resident parents (usually mothers) is a common occurrence (see, for example, Pryor and Rodgers, 2001). Nevertheless, it is difficult to identify how Cafcass can directly address worsening financial circumstances experienced by young people and their resident parents.
- 3.6 It is also worth noting that where a court ruled in accordance with the young person’s wishes, the latter’s evaluation of Cafcass was likely to be much more positive. On the other hand, even if the young person’s experience of the support and service from Cafcass has been good, if the outcome of the proceedings was seen by them as being undesirable it led them to have a negative perception overall. In other words, some of the responses were influenced by the young person’s perception of the desirability of the outcome rather than their experience of the support and services offered by Cafcass.

### Key Findings

- Where young people were not happy with the outcome of their parents’ separation it was mainly because they felt they had little input into the process or their views were not taken into account.



- In cases where a young person had seen a Cafcass worker, they had a better understanding of the court case.
- The biggest life changes following the court proceedings were around home life, school, and money. For many, after court proceedings there is an overall improvement in their emotional well-being but not necessarily their financial well-being, which quite often gets worse.
- Overall, life had improved for young people following their parent's separation. There was often a deterioration of the relationship with the parent they did not live with, but it is difficult to assess whether this was because the young person did not see the non-resident parent as frequently as before or whether it was for other reasons.
- Grandparents can play a significant role in terms of providing emotional support for and ensuring the physical well-being of their grandchildren. Cafcass could strengthen its intervention in order to achieve better outcomes by involving other members of the family, including grandparents, to support and improve the quality of these young people's life-changing experiences. Teachers and other professionals who know the young person well can also make an important contribution, especially in the offer of support.
- Young people were often unclear about, or unable to identify, what they wanted as an outcome from the court. Some responses indicated that the more young people feel they have been listened to, the more satisfied they are likely to be with the outcome of the proceedings.
- Some young people would like to represent themselves in court and speak to the judge directly so that their views cannot be misrepresented. For many young people the process of how their wishes and feelings had been made known to the court could be improved.
- Many young people wanted to inform the court themselves about their needs, wishes, and feelings. Cafcass helped some to do this, but could have a bigger and more transparent role.
- Awareness of the full range of services offered by Cafcass was not as good as it could be.
- Many young people thought that Cafcass had an important role in providing feedback following court proceedings, and that family and friends, particularly grandparents, had an important role in providing continuing support.
- Group/peer support is important for both parents and young people. Areas where potential improvements were identified by young people include finance, the provision of support groups, help in talking issues through with parents, and a neutral person they trust to talk things through with.
- Areas of support for parents identified by young people included support in talking issues through with their children and help to stop arguing with their ex-partner.
- Non-Cafcass young people also wanted support from outside the family during the time of separation, reflecting the importance of the role Cafcass plays.
- Some comments in relation to Cafcass' involvement centred on issues of confidentiality – for example some young people felt that Cafcass could be clearer about the limits of confidentiality within the court process and the resulting lack of awareness about this meant that some felt they had been 'let down' by Cafcass workers.
- Key challenges for young people when their parents separate include: financial difficulties; managing the changing relationship with the parent they no longer live with; damage to school work; depression, and related issues.
- Positive effects of parents separating include: fewer arguments; a happier, safer home life; an improvement in concentration.
- There appear to be low levels of understanding amongst young people about the role of mediation and what their rights are. When mediation had been used young people appeared to have had limited involvement, an issue which may need to be addressed.
- Knowledge about the UN Convention on the Rights of the Child (UNCRC) amongst the young people was limited. Where knowledge existed it had been gained from school.



## 4. The Consultation

- 4.1 Getting the structure of the consultation day right was vital. At Cafcass we wanted to use a mixture of quantitative and qualitative research methods, using questionnaires to gain key facts and following this up with focus groups to explore the issues in more depth. We carefully planned the event to ensure that it was enjoyable and that the young participants were safe and comfortable. The venue chosen provided learning opportunities, and this was an additional benefit to all those who engaged in this experience.
- 4.2 The event needed focus group leaders, note takers, pastoral carers and ushers, to facilitate and support the young people who came from across England. This needed careful planning, and training for those who made the day a success. The feedback offered by many of the participating young people that came to National Space Centre at Leicester confirmed that they enjoyed the experience and valued the opportunity.
- 4.3 On the day, we had young people from as young as six up to 18 years old who had experienced parental separation and divorce. The very young people were accompanied by carers or parents, but the older ones were mainly unaccompanied. There were two groups of young people – those who had experienced involvement with Cafcass (referred to as Cafcass respondents from here on), and those that had not (referred to as non-Cafcass respondents from here on).
- 4.4 For the Cafcass respondents there were six separate topics to be discussed in the focus groups, and for the non-Cafcass respondents there were three topics. The two different groups had different packs of question cards but attended the same focus groups (with the non-Cafcass young people attending fewer focus groups).

### Issues Discussed

- 4.5 The young people whose parents had separated and been involved with Cafcass were asked questions on their experience of:
- Contact with Cafcass before court proceedings
  - Contact with Cafcass during court proceedings
  - Keeping you safe and hearing your worries early
  - Being involved with Cafcass and the court
  - Mediation
  - Young people's rights.
- 4.6 Young people whose parents had separated but had not been involved with Cafcass were asked about the following key issues:
- Supporting and involving you
  - Mediation
  - Young people's rights.
- 4.7 The questions on mediation and young people's rights were identical for both groups for the purpose of comparison.
- 4.8 The young people were also invited to attend focus groups on the following topics:



- Help for Families
- Wishes and Feelings
- Sorting It All Out and Settling Differences
- Being Involved
- Young People's Rights.

- 4.9 Twenty-four focus groups were carried out in total, five discussing each of the above topics with the exception of Wishes and Feelings, where four focus groups were carried out.
- 4.10 'Thought boxes' were also placed on each focus group table and, if there was something that a young person wanted to say but was too shy to share it with the group they were encouraged to write on cards and place the cards in the thought boxes. The thought boxes were fairly well used and 31 separate entries were made, although we do not know how many young people made more than one entry to each of the thought boxes. The thought box on 'Being Involved' attracted the most number of entries, and the one on 'Help for Families', the least.
- 4.11 'Brick' wallpaper was also placed around the walls and young people were encouraged to write any thoughts or views that they had on this, although this was used much less than the thought boxes, indicating possibly that the young people preferred to express their views in private.
- 4.12 At the end of the day we had a huge amount of information, both written and verbal, and all of this data has been analysed to produce this report. We collected a mix of both qualitative and quantitative data. The responses from the questionnaire cards provided us with quantitative evidence, whilst the focus groups provided qualitative data and helped explore the questionnaire findings in more detail, thus giving us more insight into some specific issues.
- 4.13 The day was also about fun. We wanted the young people and accompanying adults to enjoy the Space Centre so when they had completed the consultation process they were free to wander round. Once they had completed a question card, they handed it in and received a stamp and prize for each question card filled in. If they attended at least two focus groups, they received two stamps and a £5 voucher. If they completed all the cards and at least two focus groups, they were entered into a prize draw.

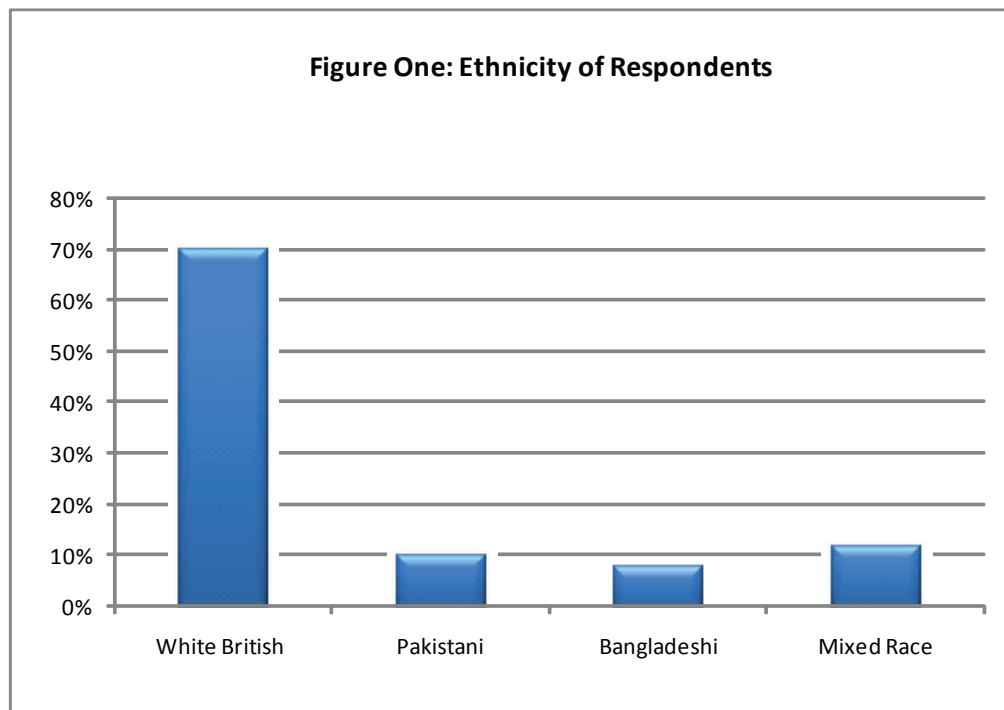


## 5. The Respondents

5.1 On the day, 136 young people attended the consultation event, 122 of whom had been in contact with Cafcass, along with 14 young people who had not previously had any contact with Cafcass.

### Cafcass Respondents

5.2 The gender split was roughly half and half (53% male, 47% female). The youngest respondent was aged just six and the oldest 17, with the majority falling between the 10-13 age bracket. Just under 70% identified themselves as White British and the rest were fairly evenly distributed between Asian British (Pakistani and Bangladeshi), and mixed race (see figure one). Only 34 of the respondents (28%) said that they had a religion or belief, and five (4%) stated that they had a mental or physical disability that affected their day-to-day activities.



5.3 Of the Cafcass respondents, three quarters (91 young people) had been through the family courts and of those the majority (79%) had seen a Cafcass worker when their parents separated. However, 11 young people (12%) did not seem to know if they had seen a Cafcass worker or not. This was not an age-related issue but probably due to the fact that some of the respondents had been through the family courts several years ago and therefore could not remember exactly what happened. It is also important to point out that this question was not answered or answered only in part on a number of the cards and therefore some data was missing, providing a partial picture only. Those respondents who did not have access to a Cafcass worker all appeared to have someone that they talked to or who was there to explain what was happening to them. In the majority of cases this was a grandparent, friend or relative.

### Non-Cafcass Respondents

5.4 Of the 14 non-Cafcass respondents, half were female and half male. The youngest was seven and the oldest was 16, with the majority falling between the 10–12 years age bracket. Almost half (six young people) identified themselves as having a religion or belief, but none stated that they had a physical or mental disability that affected their day-to-day lives. In terms of ethnic origin, all were White British with the exception of two Caribbean and one mixed race. The sample size of the

non-Cafcass respondents is clearly very small and therefore this information provides illustrative data only and generalisations should not be made from this.

### Changes experienced since separation

- 5.5 On the whole, things seem to have improved for just over half (54%) of the Cafcass respondents since their parents had separated (see section 7: Needs, Wishes, and Feelings). However, as also noted in sections 7 and 8 whilst on the whole things improved, for many their financial situation became worse, and for a number there was also deterioration in their relationship with the parent that they did not live with. Only six young people (5%) said that things had got worse for them across the board.
- 5.6 For the 12 non-Cafcass respondents, eight had been through the family courts and five had not. Of those that had gone through the courts, only three reported that things had improved overall in their lives. One reported moderate improvements, except for money, and for the rest it was the same or slightly worse. For those who had not been to court and who recorded an answer, life appeared to be slightly better. However, the small sample size means that this data must be interpreted with care.
- 5.7 Due to the small sample size of non-Cafcass respondents it is difficult to assess if there is a link between young people having contact with a Cafcass worker and their perceptions of life improving. However, there is some evidence to suggest that the more they were listened to and had access to the decision-making process, the better their perception of the outcome. Nevertheless, this data has to be interpreted with care as it is drawn from open-ended questions, where a number of interpretations could be made. For example, when asked on a sliding scale from one to six whether home life had improved, it is possible that this could have been interpreted as relating to where they live as opposed to personal relationships. Therefore this would get a poor score if their financial situation had got worse since parents had separated.

### Key Findings and Practice Considerations

- Overall young people felt that life had improved for them following their parents' separation.
- Quite often the financial situation got worse.
- Although there was often a deterioration in the relationship with the parent they did not live with, this may have been due to a lessening of contact.
- There is some evidence that the more young people are listened to and the greater their access to the decision-making process, the more satisfied they are with the outcome.



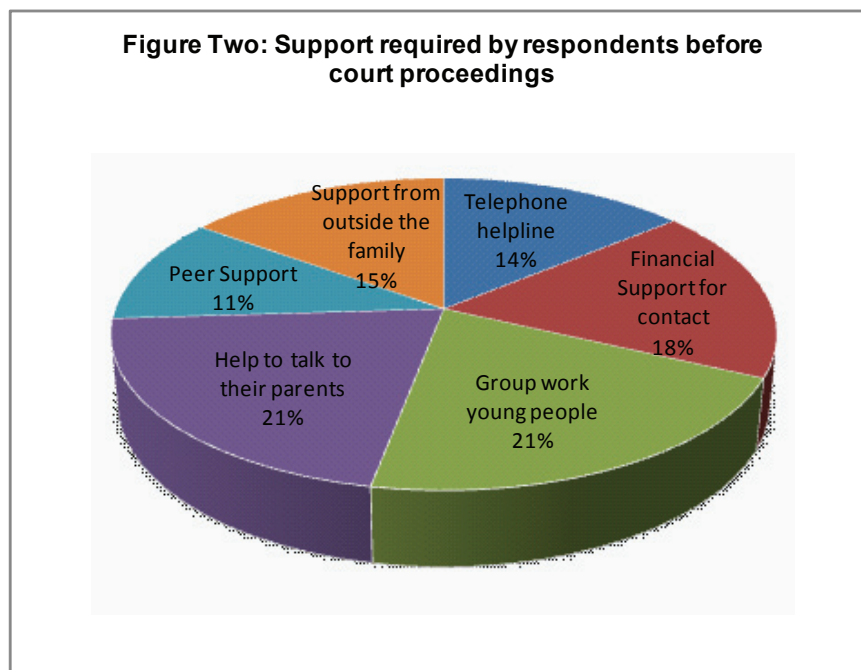
## 6. Before, During and After Court Proceedings

6.1 At Cafcass we were keen to ascertain what support, if any, young people felt they needed before, during and after court proceedings, where they got that support from, as well as what part this played in determining their own future, and one of the question cards was dedicated to exploring this information.

### Support Before Court Proceedings

6.2 We asked what support should be given to young people (financial; support from outside the family; peer support; group work for young people; help to talk to their parents; telephone help-lines). We also asked what help should be given to parents (help to talk to their children; help to stop arguing; help with contact; help to get back together; help for parents who do not live with children; telephone help-line; financial help).

6.3 For young people who had had contact with Cafcass, when asked about the kind of support required, the responses were evenly spread between financial support, group work for young people, and help in talking issues through with their parents (see figure two). Young people felt that the most important help that parents should be offered was support in talking issues through with their children, and help to stop arguing with the other parent or with their ex-partner.



6.4 For the non-Cafcass respondents, the overwhelming majority wanted support from outside the family during the time of separation as well as peer support – and again financial support is most notable here, along with a telephone hotline and help to talk to their parents.

6.5 In terms of help for parents, nearly all (ten) of the 14 non-Cafcass respondents thought parents needed help in talking to their children, and all who completed the question cards mentioned help to stop parents arguing with the other parent or with their former partners.

6.6 Young people attending the focus groups were also asked about the kinds of support they felt that families require when parents are in the process of separating, and three key themes emerged.

- 6.7 First, many young people would have liked to present their views themselves in court and speak to the judge directly so that these could not be misrepresented:

*“I wanted to talk to the judge myself so that my parents couldn’t twist my words....then there’s no lies.”*

*“We wanted our own choice to have our say to the judge. Cafcass twisted our words.”*

*“If you tell someone [rather than the judge] they can change what you said, just a little bit, to make it more interesting.”*

- 6.8 Second, many also felt that group support was important to both young people and parents so that they could share experiences:

*“Parents need to get together in a group.”*

*“It’s good to get dads and step-dads to talk.”*

*“For children to meet up with other children.”*

- 6.9 And third, many young people would have liked to have had an independent person that they could talk to and have time to build up a trusting relationship with:

*“A support worker or social worker of some kind would have been helpful, someone that we could get used to.”*

*“Support from people who aren’t my family.”*

*“Need a stranger for the children to talk to who is unbiased. Then children can speak more freely. Children feel pressurised to be loyal to both parents.”*

*“A peer support mentor would be helpful but you need trust with the person. You need time to get to know the person.”*

*“Teachers know you better than social workers. You can get to know them better. You need time to get to know people.”*

*“It is better to have someone outside to help. Someone you can get used to though.”*

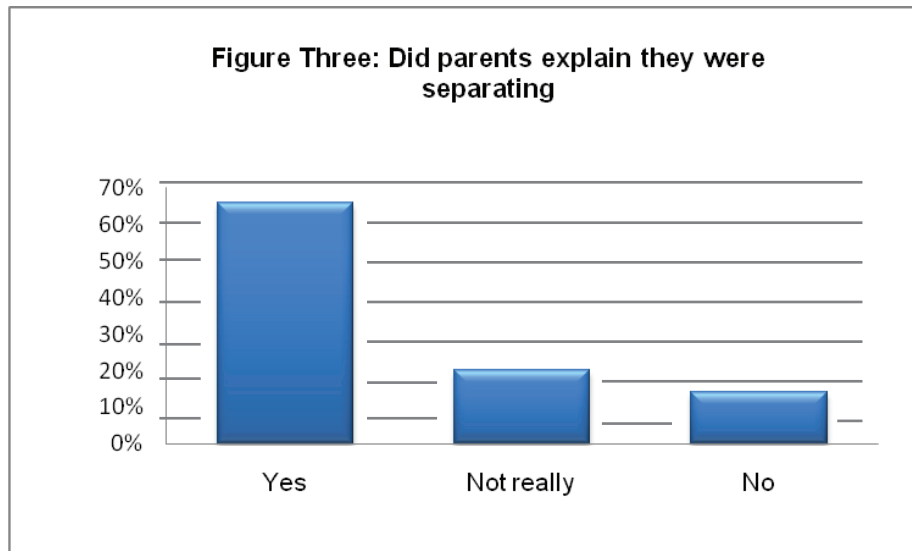
- 6.10 Many of the young people in the focus groups also mentioned the importance of financial assistance to support some of these activities so that, for example, they could meet with an independent person or other young people going through similar issues in a neutral venue.

### **Awareness and involvement**

- 6.11 We then wanted to find out if young people were aware of the changes taking place around them, if they had been asked how they felt about the changes taking place, and their level of involvement in making the plans for their future.

- 6.12 For the Cafcass respondents, in many cases (66%) parents explained to their children why they were separating, but 17 young people (14%) felt that their parents did not explain at all. The remainder said that parents only partly explained what the plans were for their future (see figure three).





- 6.13 Although some young people felt that their parents did not explain to them what was happening, the majority (two thirds) said that they were asked about how they felt about what was happening. Grandparents, other family members, and friends also played a role in asking about future plans. Not all respondents answered this section but a total of 54 said that their grandparents played a role, 44 mentioned friends, and 29 said that other relatives got involved (respondents were able to select multiple responses).
- 6.14 Where their views were not asked for by anyone, young people were then asked in the questionnaire if they were happy to have had decisions made for them. This elicited a mixed response, almost evenly split between yes, no and don't know. This was less to do with age and more to do with how happy they were with the eventual outcome of the court proceedings.
- 6.15 Where young people were not happy it was mainly because they felt they either had little say on the matter or their views were not taken into account. This response was across the age spectrum from six to 15.

*“If I'd have been more involved things would have been easier.”*

*“It's important that children get to have their say about what they want, where they want to live, who they want to see.”*

*“I think it is important that I am involved in the planning of my future because my needs are important. When decisions are made it is important that I am happy where I am. It may help me boost my confidence to know that I am completely satisfied with my decisions.”*

- 6.16 Similar comments emerged from the focus groups that explored the level of involvement of young people in determining their future:

*“It's quite important to be involved because they need to know how you're feeling, you need some time to go through it.”*

*“It's very important to be involved because children have got their future, the adults have had theirs and now it's for the children.”*

- 6.17 Out of the 14 non-Cafcass respondents 11 said that their parents explained to them why they were separating, although only five said that their parents explained to them what the plans for the future were. Approximately half of the parents involved the young people about future arrangements and consulted them on their feelings during this time.
- 6.18 As with the Cafcass respondents, grandparents along with friends and other relatives, played a role when plans for the future of young people were being discussed. Four reported that where their views were not sought they were happy for their parents to make the decision, whilst five said not and two did not know.

*“My mum has my best intentions as a priority and she wants me and my brother to be happy.”*

*“I was not happy because I like to have an input into the decisions.”*

### **Involvement of Cafcass**

- 6.19 Seventy-five (61%) of the Cafcass respondents saw a Cafcass worker before court proceedings and all were generally positive about the experience. When asked what was the most important thing Cafcass did for them, young people gave a variety of responses including: opening up a dialogue; liaising with parents; giving reassurance; talking things through; understanding and having their views listened to:

*“It [Cafcass] was the first person to ask what I wanted.”*

*“The Cafcass worker helped my mum see things from my point of view.”*

*“I felt really involved. It [Cafcass] made a difference because if I hadn’t told them my parents wouldn’t have known.”*

- 6.20 Young people were less able to identify why Cafcass’ role was important, although those who did respond here mentioned that it enabled them to have a chance to speak, to be listened to, and in some cases to help to understand the situation.
- 6.21 One young person who had not had Cafcass involvement explained how they felt Cafcass would have helped them:

*“If I had known about Cafcass I think it would have been easier for me because I didn’t know who to talk to.”*

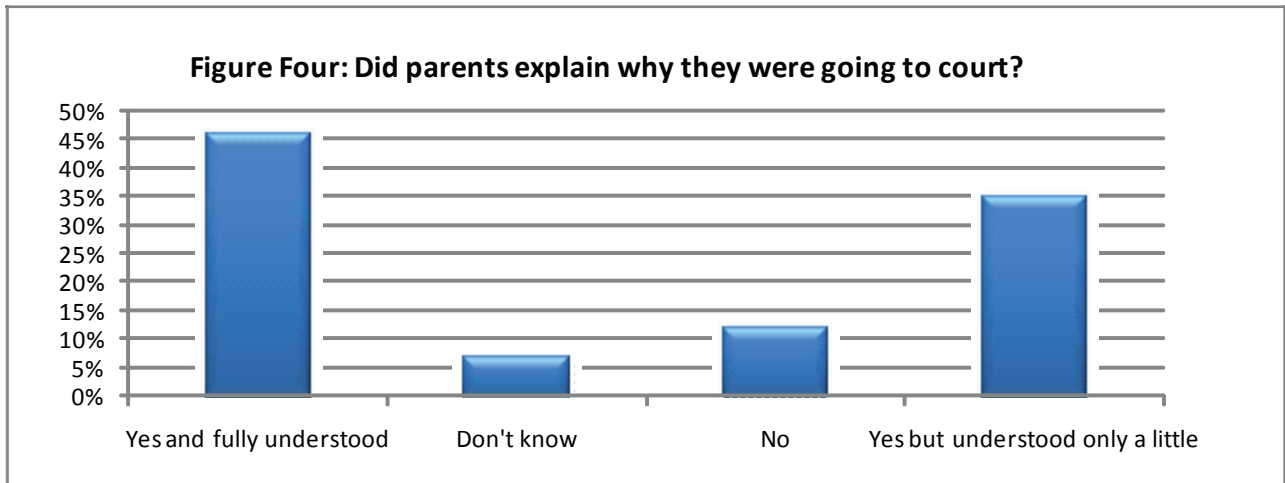
- 6.22 This indicates that for most young people whose parents are separating there may be little or no support available as the majority of private law proceedings do not involve Cafcass.
- 6.23 Some of the young people who had experienced Cafcass’ services were less positive about the experience, and this mainly centred around issues of confidentiality:

*“They [Cafcass] didn’t explain confidentiality. I couldn’t trust them. They would tell our parents things that they shouldn’t have and that we wanted to keep between ourselves. Our parents didn’t like what was said and this has affected the relationship.”*

- 6.24 When asked specifically if parents had explained why they were going to court, the responses were fairly mixed. Forty-six of the 100 Cafcass respondents who answered this question answered

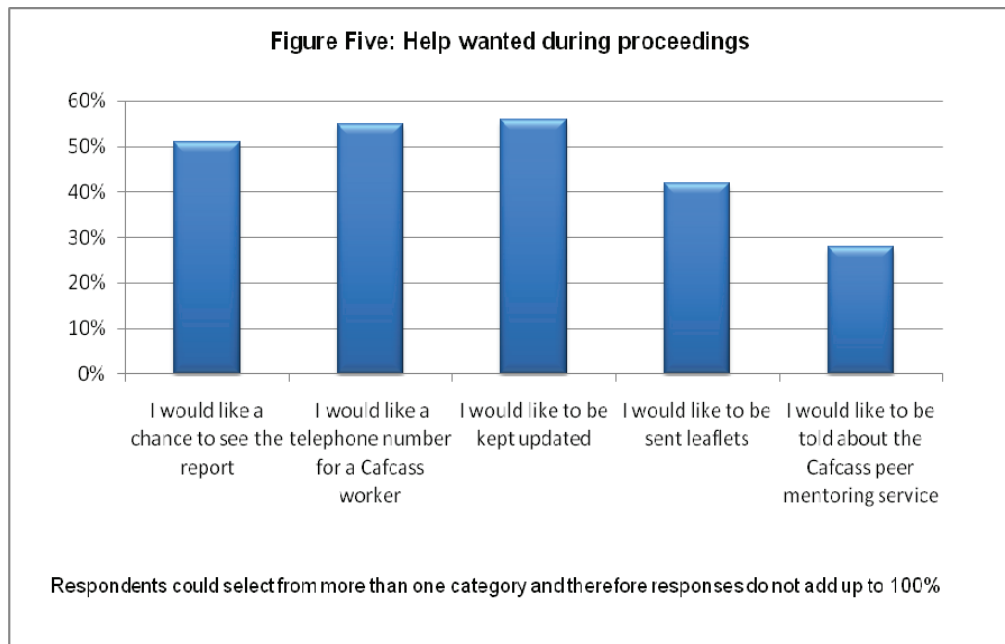


affirmatively, stating that they fully understood what was happening, but seven didn't know, and 12 were not told why they were going to court. The remainder, 35, knew that court proceedings were taking place but understood only a little of what was happening (see figure four). This lack of understanding and knowledge is not age-related, except at the very extremes of the spectrum. In cases where a young person had seen a Cafcass worker, they had a better understanding and knowledge of the court case.



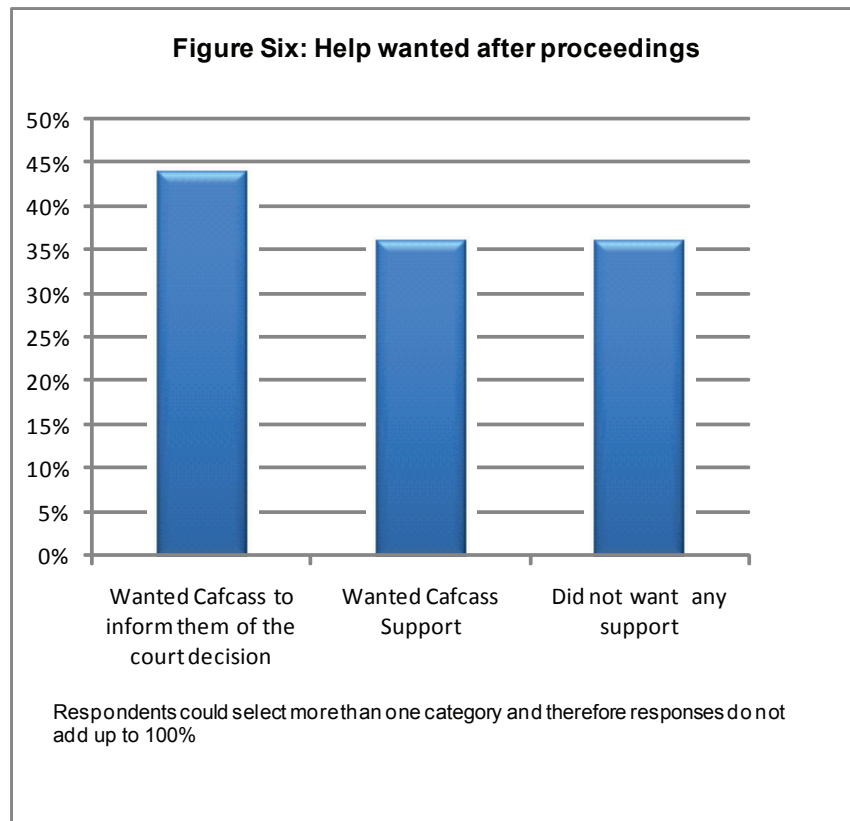
**During and after the proceedings**

6.25 The Cafcass respondents were asked what kinds of support they needed during proceedings in court. Ninety-five responded to this question and many (60%) selected more than one option. Sixteen (17%) of these wanted everything on offer; 48 (51%) wanted a chance to see the report written by Cafcass. 52 young people (55%) wanted the phone number of a Cafcass worker. 53 (56%) wanted to be kept updated. 40 (42%) would like to be sent leaflets advising where to get help; and 27 (28%) would like to be told about the Cafcass peer mentoring service.



6.26 Once the court decision had been made, 54 of the young people (44%) wanted Cafcass to inform them of the court decision, even if they had already been told by their parents, and 44 (36%) wanted Cafcass support (respondents could select more than one option). However, an additional 44 (36%)

did not record anything, suggesting that they felt either that there was no role for Cafcass, or that they did not know enough about Cafcass to envisage what role(s) there might be, or that they had no need for support (figure six). As noted earlier, given that some people selected more than one option, there are more responses here than the total number of questionnaire respondents.



6.27 In the focus groups, the young people expressed the importance of getting feedback from their Cafcass worker:

*“The worker came back and told me that they had listened to what I had said and told me what was going to happen.”*

*“Our Cafcass worker writes our feelings down and then gives it to the judge. I find it easy to talk to her. I got given leaflets with the website on so we could give our feedback, it’s a good idea.”*

6.28 However, some of the younger children in the focus group said that the leaflets were too wordy for young children. Others said that they did not get any leaflets or feedback, and some said that they did not feel that they got sufficient feedback from their worker after Cafcass’ involvement.

*“You should get feedback so you know whether you are going to get what you want.”*

6.29 Other help and support was given mainly by family and by friends, with the notable exception of those in care or living in a refuge. In three cases teachers were mentioned.

*“I felt really involved, what I said mattered and what I wanted happened. If Cafcass had not been involved my future would have been different.”*

### Summary of Key Findings and Practice Considerations

- Support required for young people includes financial, group work, help in talking issues through with their parents, a neutral person they trust and have a rapport with to talk things through.

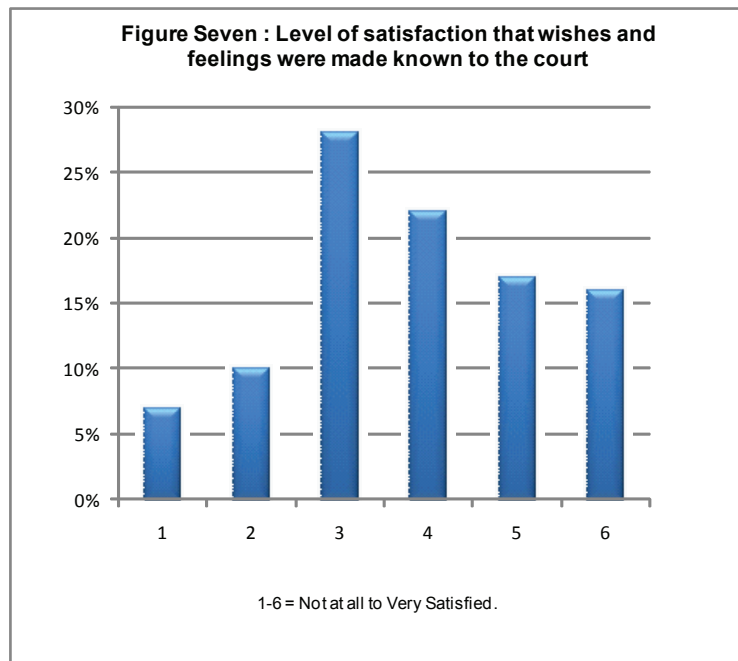


- Support required for parents includes support in talking issues through with their children, and help to stop arguing with their partner.
- Group/peer support is important for both parents and young people.
- Non-Cafcass respondents additionally wanted support from outside the family during the time of separation, reflecting the importance of the role Cafcass plays.
- A number of young people would have liked to have represented themselves in court and speak to the judge directly, so that their views could not be misrepresented.
- Where young people were not happy with the final outcome, it was mainly because either they felt they had little say on the matter, or their views were not taken into account.
- Most young people were generally positive about their involvement with Cafcass, emphasising its role in opening up a dialogue, liaising with parents, giving reassurance, talking things through, understanding and having their views listened to.
- Negative comments in relation to Cafcass' involvement centred around issues of confidentiality, failure to represent the young person's wishes and feelings to the court, and lack of feedback and/or information.
- In cases where a young person had seen a Cafcass worker they had a better understanding and knowledge of the court case.
- Many young people thought that Cafcass had an important role in providing feedback following court proceedings and that family and friends, particularly grandparents, had an important part to play in providing continuing support.
- For some of the younger children, the leaflets from Cafcass were too wordy. Others did not get any leaflets or feedback, and some said that they did not feel that they got sufficient feedback from their worker after Cafcass' involvement.

## 7. Needs, Wishes and Feelings

- 7.1 Cafcass has a responsibility to ensure that a young person's voice is heard throughout court proceedings. However, trying to establish whether a young person's needs have been met in this respect is difficult, given that it is such an emotive and complex issue. This section deals with how young people's views and feelings are represented, and how the subsequent decision affects their lives.
- 7.2 The first part of the question card asked young people what information they had received from Cafcass before they met their Cafcass worker, and if they had been given the opportunity to tell the court what they wanted to happen to them. The answers provide an opportunity to assess the role that the Cafcass worker played in articulating the needs and wishes of the child or young person. The focus groups then explored these issues in more detail.
- 7.3 Of the respondents, just over half (67) were informed of the name of their Cafcass worker before they met them, but only one third (40) received information/leaflets. However, a quarter (31) said they got nothing. This finding is somewhat concerning, especially given the effort that has gone into the preparation of age-appropriate information leaflets.
- 7.4 Just over a third of young people (43) had the opportunity to communicate to the court what they wanted to happen to them. Of those, 22 did this through Cafcass, 11 wrote to the judge. 25 managed to get their views written into the report (some used more than one of these methods). An additional 50 respondents (41%) would have liked the opportunity to tell the court (in person) what they wished to happen to them, although two out of these 50 (4%) said their views did go in the report. Young people's desire to inform the court about their needs, wishes and feelings was also evident in the focus groups:
- "I think it is really important for children to represent themselves before the judge so that the judge is able to hear from the children. They get to explain what's happening in the house and how things really are."*
- 7.5 Most young people found it difficult to ascertain whether the Cafcass worker had informed the court of their views. Only 22 (18%) said that this had been done, and the rest did not answer or didn't know. Similarly, not many respondents were sure who, if indeed anyone, had informed the Cafcass workers of their views if they themselves had not had the opportunity to do this. This raises important issues about Cafcass practice.
- 7.6 In terms of how satisfied young people were that their wishes and feelings had been made known to the court, one third responded that they were very satisfied or satisfied, but 17% were either not satisfied or not satisfied at all. Of the remainder, 28% recorded slightly below average levels of satisfaction and 22% slightly above. This suggests that, overall, levels of satisfaction were not as high as they should be in relation to such a key area of practice (see figure seven).
- 7.7 It is also clear from section 3 and from section 6 that ensuring that young people are confident that their needs, wishes and feelings are being treated confidentially is very important, but young people do need to be aware of the limits to the extent to which this confidentiality can be maintained.
- 7.8 Twenty-eight young people (23%) would have liked the court to have made decisions for them in relation to contact between them and their non-resident parent. One young person would have liked the court to have made a decision about who looked after them.





7.9 The second part of this question card was designed to identify how well the plans made in court had worked out for the child or young person, and how life had changed for them since their parent had separated. Six features were identified for them to assess on a sliding scale that asked whether there had been improvements, whether things had stayed the same, or whether they had got slightly worse.

7.10 For the majority of young people the plans made in court worked out all right, with 35% recording the plans made worked out well or very well. Just 7% said they had not worked out very well. This means that for 65% of the young people, there was considerable room for improvement (see figure eight).

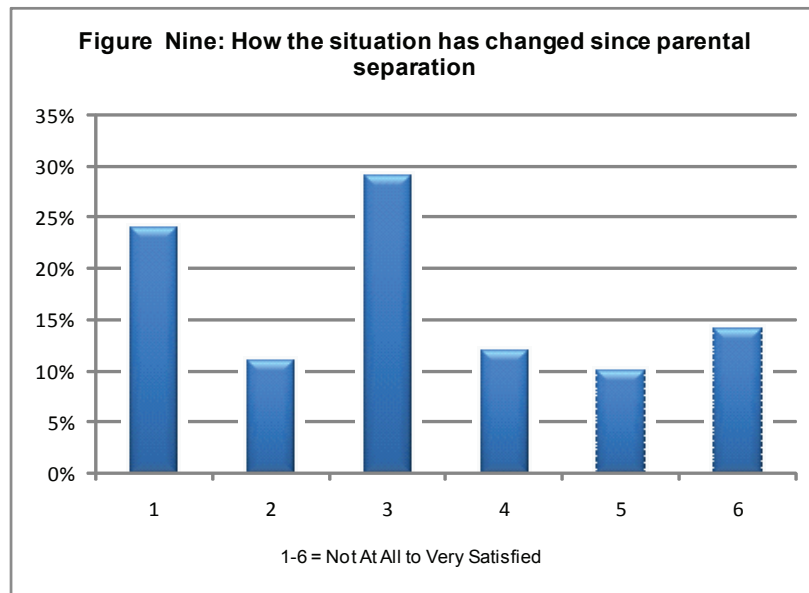


7.11 The biggest life changes appear to be around home life, school and money.

*“We need more money so we can do things.”*

*“We need financial support as it’s hard to pay the bills.”*

7.12 Just under half reported an improvement at home, with 15% reporting that things got worse. For 38% of young people, school became better; for over half it remained the same. For 35% of the young people, however, there was a deterioration in the financial situation. Only 24% saw improvements here (see figure nine).



7.13 In many cases, there were marked improvements in the relationship with the parent the child lived with, with 60% (73 young people) saying it was better, but 43% (52 young people) saw a deterioration in the relationship with the parent they no longer lived with. Relationships with friends improved for 40% of young people (50), with under 5% saying they have got worse.

7.14 For most of the Non-Cafcass respondents the situation was much the same. There appeared to be a slight improvement in their lives since the separation of their parents; however the most notable aspect was that the relationship with the parent they did not live with deteriorated and for many, their financial situation worsened.

7.15 However, the reasons why young people reported a deterioration in the relationship with the parent they did not live with, and what they meant by this, are not clear. It may have been that they were simply commenting on a reduction in contact as a result of the divorce (section 8 shows that 43 respondents registered this as an issue of concern), or it may have been due to continuing conflict between their parents or other reasons.

*“Children should be allowed to be heard in court and should be listened to more.”*



### Key Findings and Practice Considerations

- Many young people wanted to inform the court themselves about their needs, wishes, and feelings.
- Young people should know what Cafcass has told the court about them. This is important given the apparent relationship between the young person's involvement and how satisfied they are with the outcome.
- Most young people found it difficult to ascertain whether the Cafcass worker had informed the court about their views.
- The levels of satisfaction amongst young people about the extent to which their wishes and feelings had been made known to the court were not as high as they should be in relation to such a key area of practice.
- A quarter of young people were not told the name of their Cafcass worker before they met them, or provided with any other information. This is an important practice issue that needs addressing.
- For many young people, the process of making their wishes and feelings known to the court could be improved.
- The biggest life changes for young people were around home life, school, and money. For many, life at home and school improved, but the financial situation got worse.
- Relationships with the parent they live with improved, but deteriorated with the parent they did not live with. This may be simply because the young person did not see the non-resident parent as frequently as before, but the reasons are not clear from the research.
- Many young people felt there had been an overall improvement in their circumstances, but not necessarily in their financial well-being.

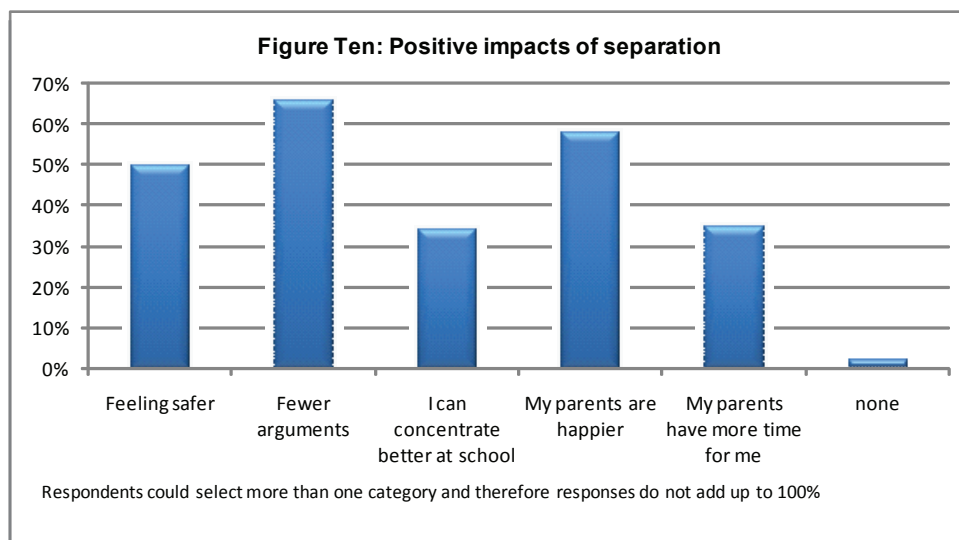
## 8. Early Intervention

### Getting in touch

- 8.1 Cafcass recognises that hearing young people’s worries early on can help alleviate some of the problems later, and help to identify possible forms of intervention and support. Most respondents felt that a letter via parents would be a good way for Cafcass to make contact with young people, although email and/or a telephone call would also be acceptable to many. Of the Cafcass respondents, 61 were contacted by Cafcass by letter (50%), and ten by telephone (8%). The rest were unsure.
- 8.2 There are many challenges for young people when their parents separate or divorce. For many, there is a general sense of feeling sad and unhappy, or seeing changes to their routines. Arguments between parents were often a recurrent problem that young people had to deal with, as exemplified in this quote from one of the focus groups:

*“Arguments can be about all kinds of different things, money, stress about court, keeping the house, joint bank accounts, it all impacts on children, which one is the better parent. Parents argue over their children.”*

- 8.3 The single biggest issue for 56 of the Cafcass respondents (46%), however, was money worries for the parent they live with. For 43 Cafcass respondents (35%), it was not seeing the other parent – this is implicit confirmation, at least for these respondents, that the deterioration in the relationship with the non-resident parent was due to a lessening of contact, rather than being due to other reasons.
- 8.4 There are some positives though. Out of 102 respondents, 67 reported there were fewer arguments (66%). 59 said that their parents were happier (58%). Half (51) said they felt safer, 35 were able to concentrate more (34%) (see figure ten).



### Feeling Safe

- 8.5 Arguments between parents can cause much sadness and worry for young people. The effects can be multiple and respondents often selected more than one option, but the overwhelming majority of young people said that they were unsettled at school, with 87 (77%) out of 113 responding saying this. Sixty-six (58%) said they were depressed; 73 (65%) were not able to concentrate; 65 (58%) were not sleeping.



- 8.6 Just over half the respondents had turned to a family friend and/or Cafcass when parents were arguing. Forty-one had approached ChildLine and 27 had seen a counsellor.
- 8.7 The discussions in the focus groups indicated similar responses to parents arguing. Some young people said that they preferred to talk to someone they knew well. Others preferred to talk to someone they were less familiar with, such as a school counsellor or teacher.
- 8.8 Grandparents play a significant role in terms of emotional support and physical well-being.

*“My grandad understood. I talked to him a lot.”*

*“My grandparents have been important, they listened to me and understood how I felt.”*

- 8.9 It was felt that Cafcass could have a role in helping to support parents or carers who are arguing, either through offering counselling, anger management, parenting advice, or organising support groups. Telephone hotlines were also suggested by 29 young people.
- 8.10 In the focus groups, young people suggested that the Cafcass workers could work more closely with schools and teachers to provide support, which is particularly important given that young people already have a relationship with their teachers. Another role for Cafcass outlined in the focus groups was one of discussing with the parents the negative impact of arguing in the presence of young people.

*“When there were arguments in the family it would have been helpful to have someone to call or go to get away from the situation.”*

### **Key Findings and Practice Considerations**

- Key challenges for young people when their parents separate include: financial difficulties; deteriorating relationship with the parent they no longer live with; negative impact on school work; depression, and related issues.
- Positive effects of parents separating include fewer arguments; a happier, safer home life; an improvement in concentration.
- Young people need supporting through these challenging times and believe that important sources of support include: working more closely with other family members such as grandparents, as well as teachers; developing a closer relationship with the young person themselves.

## 9. Cafcass' Support for Young People

- 9.1 In private law cases the child is not automatically party to the proceedings and will therefore seldom be represented by a Cafcass worker. However, Cafcass recognises that it is vital to make sure that a young person is involved in the decisions that affect his or her future. 53% of the Cafcass respondents said that they thought they should have been involved more in the planning for their future, with just 15% saying not. Of those who wanted more involvement, 76% said they should have been kept informed of what was going on and should have been asked what they wanted to happen. A small number (10) mentioned that more information would have been helpful, and 23 said that they wanted to read and understand things that had been written about them for the court.
- 9.2 The young people involved in this project thought that the best way that Cafcass could find out about the needs and wishes of young people would be to simply ask them through talking to the young people themselves, and by carrying out face-to-face meetings. Most preferred personal interaction to something that was paper-based and impersonal, such as consultation through questionnaires, where there is no direct contact. Clearly, where there is this kind of 'paper-based' consultation, it should be supplemented by face-to-face contact which enables the young person to feel that someone is actually interested in their situation and wants to help them.
- 9.3 In the majority of cases, parents explained the decision made by the court to their children along with, and supported by, Cafcass workers. In a few exceptional cases it was just the Cafcass worker who explained the outcome. In 43% of cases, the court decision was what the young person had wanted, and a significant proportion, 42%, did not know. For the remainder, the court decision was definitely not what they had wanted. For those who said it was the wrong outcome this was related to contact with the non-resident parent, although it is not clear if this was because contact was being denied, was not enforced, or was not enough. However, the large number who said they did not know if the decision was what they wanted meant that it is difficult to determine with any robustness the success or otherwise of the proceedings.
- 9.4 In terms of the service that Cafcass provides to young people, only one quarter would know how to give feedback or make a complaint about Cafcass, and only ten (8%) had been offered the HearNow Feedback service. This raises important practice issues for Cafcass.
- 9.5 However, many said that they had a good experience of Cafcass, listing the opportunity to talk, the help and caring nature of the organisation, plus the fact that someone listened, as positives.
- 9.6 Some young people in the focus groups felt that their Cafcass worker 'took sides', tried to pressure them into having contact with a parent against their wishes, or misinterpreted and changed the feelings and views expressed by the young people.
- 9.7 Potential improvements to Cafcass were around providing more opportunities to talk, preferably in a home environment, and giving young people more opportunity to explain what they themselves wanted. Quite a few mentioned that Cafcass should offer an after-court service, as well as explaining in greater detail what happens at court, and acting on their behalf when providing information to the judge.

*"We need ongoing support after Cafcass' involvement because the arguments and differences still carried on."*



*“We need help and after care when Cafcass’ involvement has ended.”*

- 9.8 The above comments raise the important issue of post-divorce support for young people, which some believe has been neglected for too long in terms of service provision. One potential way of making such provision would be through schools.
- 9.9 The single biggest request among the young people consulted was to provide financial support for those facing money difficulties. More day trips and general activities were also mentioned, especially with other young people of a similar age. Other requests included: a 24/7 helpline, giving advice on how to cope; more parenting classes; giving young people access to judges; more publicity about Cafcass; places and spaces for young people to talk to both parents.
- 9.10 Home visits were also mentioned, as were family excursions; a better relationship between Cafcass, parents and child; more knowledge for young people about the process; mediation for parents; more support for a parent who has been left by a partner.

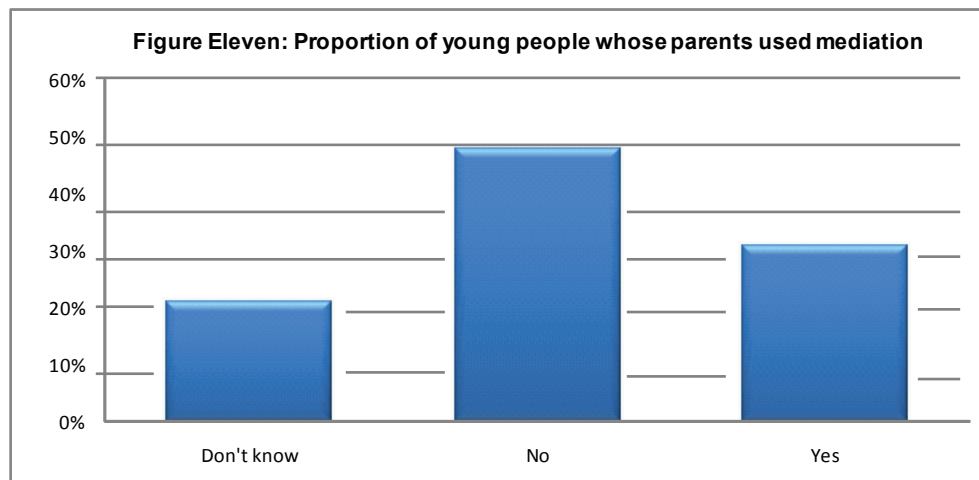
*“Listen to our views. Don’t twist the words of children.”*

### **Key Findings and Practice Considerations**

- Over half of the young people said that they should have been more involved in the planning for their future.
- The opportunity to talk to an independent person provided by Cafcass was generally viewed positively.
- Some felt that their Cafcass workers were not impartial and/or did not represent their views accurately.
- Some young people are not aware of the full range of services offered by Cafcass and there is room for improvement in raising that awareness.

## 10. Mediation

- 10.1 As the original intention of the research was to compare the experiences of young people who had and had not had contact with Cafcass, we wanted to ask about other services such as mediation. However, as mentioned earlier in the report fewer young people than we would have liked who had not had contact with Cafcass participated in the consultation process.
- 10.2 Mediation is a way of resolving disputes between parents that may arise when they separate. It is obvious from our consultation that some young people are unfamiliar with this concept. Of the responses, 37 said their parents had gone to mediation (31%), 59 said they had not (48%), and 25 did not know (21%) (see figure eleven).



- 10.3 Of those who said parents had used mediation, young people were fairly evenly split in their views as to whether they thought that their parents should have used this process, with 22 saying that they should have, and 20 saying that they should not have.
- 10.4 It is not clear at what stage mediation was offered, or whether this was family mediation, or mediation primarily between, and for, the parents. It is difficult for the respondents to see where mediation 'fits in' with the process, and it is apparent that for many, mediation was not offered.
- 10.5 For those whose parents went to mediation, just under half were given an explanation as to why they were going, and eight were asked by the mediator to join in the discussions. 13 were asked by parents if they wanted to participate (35%). Of those who were involved in mediation, nine met with the mediator on their own, and 13 with their parents present.
- 10.6 The apparent low level of involvement of young people in mediation suggests that there is a need for further research into young people's involvement in, and perceptions of, mediation. This is especially so given that government and Cafcass policy to increase the use of mediation is likely to lead to even fewer opportunities for young people to be involved, which runs counter to their Article 12 rights under the UNCRC, to the implementation of which Cafcass is committed.

### Key Findings and Practice Considerations

- Young people's knowledge of mediation appears to be very limited.
- When mediation has been used young people appear to have very limited involvement.
- There is a need for further research into young people's involvement in, and perceptions of, mediation.



## 11. Young People's Rights

- 11.1 Young people understand that they have certain rights but they do not always find it easy to express what they are. Very few of the Cafcass respondents answering the question – only 15% – said that they had heard of the UN Convention on the Rights of the Child (UNCRC), although 36 young people did state that they knew of specific rights that they had. It was a similar story amongst the non-Cafcass respondents, with only one mentioning that they had heard of the Convention and the remainder saying they had not. Three said that they knew they had specific rights, but the remainder answered 'no' or 'don't know' to the question on whether they had specific rights. When asked what they thought their rights were, most did not answer. Those that did answer made the following comments, which can be grouped loosely into three broad topics (general rights; rights to express opinions and be listened to; rights in relation to contact with their parents):

### General rights

*"A place to live and food."*

*"A right to education, to be safe, to make some choices, and to be cared for (not neglected)."*

*"Right to education, no abuse, a caring family."*

*"A right to a free education."*

*"A right to live."*

*"Not to let adults bully you."*

*"To be treated equally."*

*"To live in a safe environment."*

*"To be treated fairly."*

### Rights to express opinions and be listened to

*"The right to put my views across."*

*"A right to say how I feel."*

*"Have a right to be listened to and to have my say."*

### Rights in relation to contact with their parents

*"The right to say whether I want to see my dad."*

*"Not to see a parent if I don't want to."*

*"To see my dad when appropriate."*

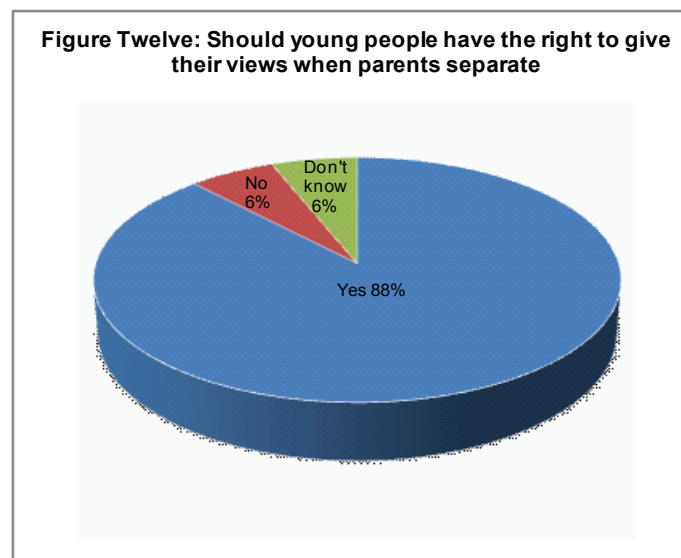
*"Have a right to see both parents."*

*"Have a right to who I live with."*

- 11.2 Not surprisingly, young people's perceptions of their rights were not based directly on their rights as expressed in the UNCRC, but were expressed in terms of their personal circumstances. The rights of young people in relation to court proceedings were not mentioned at all, which is surprising given that most respondents will have been put in a situation where they will have had to think about those rights.
- 11.3 However, it is noteworthy that the large majority of the 122 young people thought that they should have a right to give their views about issues such as where they live, and who they see, when their parents separate.
- 11.4 In all of the focus groups, when asked about their rights, most of the young people initially mentioned things like the right to have food, water, comfort, shelter, clothes, treats. However, when questioned further, some mentioned rights concerning decisions about where they live, and

who they live with, and the right to have their own say.

- 11.5 Very few recorded anything in the box on the questionnaire card where they were asked to identify what they thought their rights were. The fact that young people were unaware of their rights under the UNCRC is an issue that should be addressed in the future.
- 11.6 Where they had heard about young people's rights, they learned about the information mainly from school, with 31% of Cafcass respondents saying this, and just 6% saying that they had heard about young people rights on television. In the focus groups the young people mentioned that leaflets and posters within schools would be a good way of informing young people about their rights.
- 11.7 Not surprisingly, when asked about their rights to give their views on where they live and who they see when parents separate, 88% said they should have these rights, 6% said they should not, and 6% were unsure (see figure twelve).



- 11.8 It is not enough, however, simply to promote the UN Convention on the Rights of the Child. Young people also have to learn how to articulate and express those rights and, if necessary, be supported in doing so. They also have the right to be provided with the necessary information about the proceedings, the available options, and their possible consequences. It is clear from these findings that many of the young people involved in this project could have benefited, and felt happier with the outcome of court proceedings, if their Cafcass worker had provided them with the necessary information (including information about Cafcass' complaints procedure) and supported them in securing their rights under Article 12 of the Convention – to express their views, on matters that are of great importance to them, and to be provided with the opportunity to be heard in judicial proceedings that affect them.

*“All children should be listened to. What’s too young? You don’t have to be that old to understand.”*

### Key Findings and Practice Considerations

- Knowledge about the UN Convention on the Rights of the Child amongst the young people was very limited.
- Where knowledge existed it had been gained from school.
- There is a need to widen awareness and knowledge of the UN Convention Rights of the Child amongst young people, perhaps through leaflets and posters in school. Cafcass workers could play a role here too.



## 12. Policy Recommendations

- 12.1 The overwhelming issue that comes out from this research is that young people do not always feel that their voice is heard – before, during or after the process. For some this may be because young people find it hard to articulate their views, or even know what it is they want. Parents are already required to make a statement of arrangements for their children when they file for divorce. However, it may be that what is required is to ensure that the young people themselves are involved in the discussions preceding this statement, and checking that this has happened could be the responsibility of Cafcass in cases in which it is involved. It could also become one of the responsibilities of the family court where Cafcass is not involved. This might then become a document that young people could refer to as events proceed, because it is clear that divorce and its aftermath is often a long and protracted process. Such a development would also increase the possibility of hearing the views of the majority of young people whose parents separate and divorce without Cafcass becoming involved.
- 12.2 Being given the option of having their voice heard either through the court or through appropriate representation is vital for young people and central to their rights under Article 12 of the UNCRC. That young people also think this is important for them is evident from the research conducted here, and is also clear from the HearNow analysis. However, it is also clear from the research for this study that young people often have doubts about the effectiveness of the representation of their views, wishes and feelings in court, and that a number would prefer also to present their views themselves. Ensuring that young people are confident that their needs, wishes and feelings are being treated confidentially is also very important, although young people need to be aware of the limits to the extent to which this confidentiality can be kept.
- 12.3 Previous unpublished research (such as Smart, 2007) suggests that young people have very different views and experiences but where there is commonality is around the wish to be involved and be listened to.
- 12.4 Specific recommendations from the findings of this research include ideas for improving practice as well as ideas for improving policy:

### Ideas for improving practice

- Improvement in the communication of the range of support services on offer for service users from Cafcass to make sure that young people are aware of the full range.
  - Considering working with members of the extended family where appropriate.
  - Establishing a more transparent and robust system for ensuring that the needs and wishes of young people are presented during court proceedings.
  - Making sure that young people know the name of their Cafcass worker before they met them and ensuring that they are provided with all relevant information.
- 12.5 The young people were asked specifically how they thought Cafcass could help them and their parents and the following issues for practice were mentioned:
- Cafcass workers need to be trusted by young people.
  - Given young people's concern about communication in relation to their needs, wishes and feelings, new ways of asking young people's views could be developed, perhaps through blogs,

and social networking websites such as Facebook.

- Increasing awareness of some of Cafcass' services, in particular widening awareness and availability of peer mentoring.
- Some Cafcass workers need to listen more carefully to young people to make sure that they do not misinterpret what they have said, or express their views in a way which the young person thinks is distorted.
- Cafcass workers ought to engage in other activities with young people while meeting them, e.g. playing football, meeting in a park or in fast food outlets, which would make young people feel more comfortable.
- Reviewing the Public Service Agreement curriculum in schools to identify what is currently offered in terms of Children's Rights education. Teaching about human rights is already included in the Citizenship Education curriculum – however, this makes no reference to the UNCRC.
- Reviewing of the role of mediation in terms of the service that is offered to young people – the key issue being the extent to which they are (not) involved.
- Consideration of a role for Cafcass, or other agencies such as children's services or schools, in providing an after-court service.

12.6 The young people were asked specifically how they thought Cafcass could help them and their parents and the following issues for policy were mentioned:

- Helplines.
- Neutral/independent person to talk to.
- Young people going to court themselves to express their needs, wishes and feelings.
- Support groups for young people and parents.
- Initiatives to improve communication between parents and young people.
- Support for parents in talking issues through with their children and help to stop arguing with their partner/former partner.
- Financial advice and support during separation.
- Cafcass' remit to be widened to include work with schools and post-divorce support for young people as an after-court service.
- Facilitating group/peer support for both young people and their parents.

12.7 Clearly Cafcass cannot address all these issues and, indeed, some do not fall within Cafcass' current remit. This therefore raises the question of how these needs can be met within the future policy agenda.

12.8 It is evident, however, that many young people would like the provision of a range of supportive services after their parents have been to court and a decision has been made. For some young people this may just mean an annual review to see if things are working out for them – for others it may require more regular involvement such as meetings with their Cafcass worker and/or other groups of young people in a similar position. There is potential for extended schools to provide such services.

12.9 Many young people suggested that there was a role for a networking group and mentoring from older children who have been through similar experiences and that support groups organised under the auspices of Cafcass could help in the intervening period between a case coming to court and the first few months and years after separation. Cafcass has since developed a 'Hear4U' service

which does meet this need but this was not available at the time these young people went through the family courts. Hear4U enables young users to be mentored by other past young users. The web link is [http://www.cafcass.gov.uk/cafcass\\_and\\_you/peer\\_mentoring.aspx](http://www.cafcass.gov.uk/cafcass_and_you/peer_mentoring.aspx). It may also be the case that the extended family, and particularly grandparents, should receive literature and support from Cafcass. For many young people, grandparents or aunts and uncles can help to explain why their parents are separating or become a shoulder to cry on.

- 12.10 There is also a need to review why it is that, in many cases, young people stated that their relationship with their non-resident parent had deteriorated. It may well be that this is because the frequency of contact with the non-resident parent has decreased post divorce, and that the young person is not happy with this, but this needs further investigation if the issue is to be fully understood.
- 12.11 There is a need for further research into young people's involvement in, and perceptions of, mediation and the fact that young people were unaware of their rights under the UNCRC is something that should be addressed in the future.
- 12.12 It is also important to note and reiterate some of the suggestions from the HearNow analysis:
- It should be made clearer how to contact the Cafcass worker.
  - The content of the Cafcass report should always be communicated wherever possible to all concerned.
  - Young people should be kept informed of when court hearings are taking place and be given the option of attending.
- 12.13 Finally, there should be further work carried out to establish a robust system to capture the needs, wishes and feelings of young people when their parents are divorcing. Previous surveys suggest that when a Cafcass worker has a good understanding of these, satisfaction levels with the input of Cafcass increase.

## 13. References

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