



Cafcass National Office
3rd Floor
21 Bloomsbury Street
London
WC1B 3HF

Your ref: CAF 15-185
Our ref: Gov/CAF 15-185

Tel 0300 456 4000

20 November 2015

Re: Freedom of Information Request

Thank you for your email of 27 October 2015. Please see below for responses your requests for information.

Please note the following about the data source: Data taken from the Cafcass national databases (Case Management System (CMS) and ECMS). ECMS is a live system, continually updated and is subject to change when further updates are made. Data from CMS is a static snapshot on the day it ceased to be a live database, 11th July. *These figures have been drawn from administrative databases which, as with any large scale recording system, are subject to possible errors with data entry and processing.*

1) How many cases were active between September 2014 and September 2015?

79,301 cases were active (open on ECMS) during the period 1st September 2014 to 31st August 2015.

2) What was the age range of the children involved in active cases between Sept 2014 and Sept 2015? If possible please provide ages in the format 0-5, 6-10, 11-17.

The below table shows children's age group for all active cases during the period 1st September 2014 to 31st August 2015.

Age At Application	Total
0 to 5 years	39,026
6 to 10 years	26,311
11 to 17 years	13,964
Total	79,301

3) How many of those active cases between Sept 14 and Sept 15 were private family law disputes and how many were public cases involving the local council?

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The below table is based on the number of cases which were active (open on ECMS) during the period 1st September 2014 to 31st August 2015.

Law Type	Total
Public Law	24,994
Private Law	54,307
Total	79,301

- 4) How many of the children in the active cases between Sept 14 and Sept 15 had their own Legal representation i.e. instructed their own solicitor?

This information is not recorded on Cafcass systems. Information is held about the number of cases where a child is made party to proceedings (Care/Supervision Section 31, Discharge of Care/Supervision Section 31, EPO Section 44, Rule 16.4 appointments) where a children's guardian represents a child and instructs the solicitor on the child's behalf. In some cases the child may instruct their own solicitor; this is not separately recorded on our systems.

- 5) Have there been any family law proceedings within the last five years that have been initiated by children?

This information is held by Cafcass as the date of birth of applicants is recorded. However, it has not been reported on previously and therefore a report would have to be built in order to collect this data. Together with the other requests within this, the time taken to complete the construction of a new report across two case management systems would exceed the appropriate limit for Freedom of Information responses which for Cafcass is 18 hours (the equivalent of £450 at a flat rate of £25 per hour). A response is therefore exempt under Section 12 of the Freedom of Information Act. This is set out at the end of this response.

- 6)
- a) How many children in active cases between January 2010 and January 2015 have been able to have a face-to-face meeting with a judge presiding over the case?
 - b) How many of these cases were Private law disputes and how many were public law disputes?

Cafcass started to record information involving children meeting with judges from November 2014. The following are the instances where these have been recorded on the Cafcass system:

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Month	Public Law	Private Law
Nov 2014	12	1
Dec 2014	5	3
Jan 2015	10	1

7)

- a) How many children in active cases between January 2010 and January 2015 have been able to write letters to a judge presiding over his/her case?
- b) How many of these were private law disputes and how many were public law disputes?

Cafcass started to record information involving children sending a letter to the judge from November 2014. The following are the instances where these have been recorded on the Cafcass system:

Month	Public Law	Private Law
Nov 2014	7	13
Dec 2014	9	21
Jan 2015	4	21

- 8) Please provide the number of referrals for Section 7 reports to be prepared by Cafcass from 2010 to date.

The below table shows data in calendar years from 1st January 2010 to 30th September 2015.

Year	Total
2010	22,413
2011	25,313
2012	23,657
2013	26,010
2014	20,359
2015 (part year)	13,272

- 9) What is the average time it takes to complete a private law case and a public law case?

Average length of public law cases (care and supervision applications) can be seen on our website page [Cafcass care and supervision application duration, by Designated Family Judge \(DFJ\) area.](#)

Annual national averages can be seen on that page and are set out below:

- average for 2011-12: 57 calendar weeks
- average for 2012-13: 48 calendar weeks
- average for 2013-14: 37 calendar weeks
- average for 2014-15: 30 calendar weeks

Average length of private law cases has been reported on since 2013/14. *These exclude private law cases that involve Rule 16.4 appointments.* This is measured by week from receipt of the case by Cafcass to the last hearing date.

Year	Total
2013/14	26
2014/15	27
2015/16 to date	23

Average duration of private law cases that involve Rule 16.4 appointments are only reported on for open cases, and a snapshot is taken each month. This is measured by week from receipt of the case by Cafcass to the last working day of the month. The following durations are as of the end of the following financial years.

Year	Total
2012/13	97
2013/14	91
2014/15	84
2015/16 to date	73

10) What materials are given to children when explaining how the court process work?

Please see our website pages containing [information for children](#) and copies of [factsheets for children](#). Our [tools for work with children](#) are also relevant.

[12 Exemption where cost of compliance exceeds appropriate limit.](#)

1. *Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.*



2. *Subsection (1) does not exempt the public authority from its obligation to comply with paragraph (a) of section 1(1) unless the estimated cost of complying with that paragraph alone would exceed the appropriate limit. .*
3. *In subsections (1) and (2) “the appropriate limit” means such amount as may be prescribed, and different amounts may be prescribed in relation to different cases. .*
4. *The Secretary of State may by regulations provide that, in such circumstances as may be prescribed, where two or more requests for information are made to a public authority— .
(a) by one person, or
(b) by different persons who appear to the public authority to be acting in concert or in pursuance of a campaign,
the estimated cost of complying with any of the requests is to be taken to be the estimated total cost of complying with all of them.*
5. *The Secretary of State may by regulations make provision for the purposes of this section as to the costs to be estimated and as to the manner in which they are to be estimated.*

We hope that you feel your question has been answered effectively. If you are unhappy with the decisions made in relation to your request, you may ask for an internal review to be undertaken. If you are dissatisfied with the way the internal review is handled or with the final decision made at that review about the information released, you are free to contact the Information Commissioner’s office (www.informationcommissioner.gov.uk):

Post

Information Commissioner's Office
Wycliffe House, Water Lane,
Wilmslow,
Cheshire
SK9 5AF

Fax

01625 524 510

Tel

0303 123 1113

E-mail

casework@ico.org.uk

Yours sincerely,

Governance Team

Cafcass

Governance@cafcass.gsi.gov.uk

Baroness Tyler of Enfield Chair
Anthony Douglas CBE Chief Executive

