



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

**Your ref: CAF 16-42**  
**Our ref: Gov/CAF 16-42**

Tel 0300 456 4000

29 March 2016

## **Re: Freedom of Information Request**

Thank you for your email of 20 March 2016. You made the following requests for information:

So I would like to know what it is that your company expects children to write in and say or even if it is the case where they don't have to, your company actually has a site of forms for children to fill in to express their thoughts and feelings.

Questions I would like to ask your company:

- Can babies fill in forms?
- Can children up to 7 yrs old fill in forms?
- Children from 7yrs-12yrs do you think they have the ability to express their feelings on a form?
- If you think the answer to the last question is yes, what types of feelings do you think a child would be able to express on your company created word process forms?
- If children are upset by the removal from their families, how does your company feel about as to whether these children have the ability to express their feelings?
- Children from age 12-16 does your company think that a teenager is understanding of any feelings they have to express on your forms?
- Children from age 16-18 does your company still have any believe that a teenager is understanding of any feelings they have that your company would want them to express on your forms?

The role of Cafcass is to assess children's needs and write reports or a case analysis to the court recommending how a child's welfare can best be promoted and safeguarded, with reference to the [Welfare Checklist](#), which includes:

- (a) the ascertainable wishes and feelings of the child concerned (considered in the light of his age and understanding);

Baroness Tyler of Enfield Chair  
Anthony Douglas CBE Chief Executive





- (b) his physical, emotional and educational needs;
- (c) the likely effect on him of any change in his circumstances;
- (d) his age, sex, background and any characteristics of his which the court considers relevant;
- (e) any harm which he has suffered or is at risk of suffering;
- (f) how capable each of his parents, and any other person in relation to whom the court considers the question to be relevant, is of meeting his needs;
- (g) the range of powers available to the court under this Act in the proceedings in question.

The Cafcass [Operating Framework](#) sections 1.16 – 1.22 sets out how Cafcass works with children and young people, subject to their age and level of understanding. Extracts of this are set out below. This direct work with children may include, but is not limited to, the use of the [tools](#) to aid determination of the child’s ascertainable wishes and feelings, which are the documents you refer to above.

*1.17 In all public law and private law cases that go beyond the First Hearing, practitioners need to communicate effectively with children to understand their wishes and feelings, to set these out before the court and, informed by them, to offer an evidence-informed view about what steps will most effectively safeguard and promote children’s welfare (UNCRC, Articles 3 and 12).*

*1.20 Practitioners work with children in various ways, including:*

- *Sensitively discussing their situation, and helping children to express themselves. For many children, this will be the first time they have been supported to articulate their daily lived experience. To do this, practitioners identify locations and ways in which children can feel secure enough to communicate their feelings. Practitioners may also use the Cafcass [Needs, Wishes and Feelings guidance booklet](#), play materials or interactive software, to help a child to put complex feelings into a commonly understood language.*
- *Ensuring that children’s wishes and feelings – their unique voice – are reflected in case analyses and court reports, together with advice about the weight that should be attached to them by the court. This recognises that children’s expressed views may not always reflect the best way in which their safety and welfare can be promoted by the court.*
- *Practitioners help children to write letters to judges or magistrates, as well as seeing them, when children wish to.*





- Practitioners observe children together with their parents, in order to assess parenting skills or relationships (and also take into account children's feelings about being observed). Various [tools are available to practitioners](#) to use when working with children and adults, to support evidence-informed analysis.

The [tools](#) can be seen in our [leaflets and resources for working with children](#), and also in Sections C & D of our [forms, templates and tools](#) page.

These vary for older and younger children (as set out on within the [website page](#)), and may be completed by the child alone, or with the support of the Cafcass worker, the child's parent, carer or social worker. Where a child's age prevents practitioners from ascertaining their wishes and feelings, other aspects of the Welfare Checklist will be referred to by the Cafcass practitioner when assessing what is in the child's best interests in that specific case. Recommendations will be based on their professional judgement and will be specific to each case.

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](http://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](mailto:casework@ico.org.uk)

Yours sincerely,

Governance Team

Cafcass

[Governance@cafcass.gsi.gov.uk](mailto:Governance@cafcass.gsi.gov.uk)

