



# **Cafcass Open Board Meeting**

## **26 January 2018:**

### **Panel Discussion Report**

# Voice of the child

## Background

Cafcass Open Board meetings consider issues of high importance to the children, families, and professionals using the family courts in England. Stakeholders and members of the public are invited to attend the meeting, join the discussion, and put questions to the Board and corporate management team.

Our January 2018 meeting considered how the child's voice can be promoted, both domestically and internationally. Presentations were given by the Chief Executive, three Cafcass improvement managers, a Cafcass service manager, and members of the Family Justice Young People's Board. An open discussion was then facilitated by Cafcass Chair Baroness Claire Tyler.

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## Introduction by Baroness Claire Tyler, Chair of the Cafcass Board



Baroness Tyler welcomed attendees to the meeting, saying that promoting the voice of the child through the family court process is Cafcass' raison d'être. In recent years there has been a greater emphasis on ensuring children are clearly heard in decisions about their future. Baroness Tyler said extra focus should also now be given to children and young people's mental health and wellbeing so that their journey can be more readily understood. She called for a collaborative approach across health, social care, and education, with a view to earlier intervention. Baroness Tyler then set out the format of the meeting, before inviting the Cafcass speakers to give their presentations.

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## Setting the scene, Anthony Douglas, Chief Executive of Cafcass

Cafcass' Chief Executive, Anthony Douglas, explored how social trends and policy have changed in the UK over the past 50 years, but cautioned that the time span for social change to take place is getting shorter. Anthony said the Public Law Outline and Child Arrangements Programme might need some revision to better reflect the diverse groups of children and families needing help from public services, as well as the needs of existing groups.

Anthony praised the impact of edge-of-care alternatives such as Pause. He referenced the positive progress that Pause Derby had made since it started in April 2017. A group of 18 women who project workers are currently actively involved with had previously had 56 children removed from their care. Based on current data, they would have been expected to have given birth to 12 children within the 18-month period that the project will be active. So far there have been none and the mothers' quality of life has significantly improved. Crucially, this means 12 children were not born automatically into care.

While domestic policy is addressing child protection, so too is international policy as more countries develop child protection measures and family placement services. Anthony explored the growing prevalence of countries legislating to stop child slavery, child labour, and child exploitation, and to promote children's rights.

Anthony concluded that there were 'voice of the child' dilemmas in all jurisdictions. In the UK family courts, however, there is a growing focus on the weight given to child impact rather than parental narratives. This is a positive step in providing a strong evidence base for the courts, which must make life-long decisions about children's futures.





## Projecting the child's voice through technology

Cafcass Enhanced Improvement Manager, Natalie Wyatt, demonstrated how apps Backdrop and This Much! work, and explained the benefits of these to both children and practitioners. Developed by Child & Family Training (C&FT) and adjusted to suit Cafcass' specific needs, these tools aim to help children and young people to express themselves about the issues that matter most to them.

Natalie's session was followed by a demonstration of the Voice of the Child app, which is in its initial stages of development. This app will help Family Court Advisers to understand in greater detail what the child is thinking and feeling. Children can use drawing, stickers, writing and scaling tools to illustrate what's important to them, while 'My Journey' helps them to share their lived experiences and how they feel about their current situation, and explore their vision for the future.

Chris Larcombe, Cafcass IT Programme Officer, and Maureen Fitzsimmons, Cafcass Improvement Manager, who are overseeing the app's delivery, said the tool will initially promote further engagement between the FCA and the child, allowing the child to tell their story.

## FJYPB has their say!

Members of the Family Justice Young People's Board (FJYPB) explained to attendees how they are changing the family justice system for children and young people. Some recent examples of the FJYPB having their say include: responding to government consultations; contributing to research; and assisting with the recruitment and selection of staff across the sector. They have also encouraged courts to make their buildings more 'child-friendly' as part of their work reviewing courts across England and Wales. Following the success of their court reviews in 2015, HMCTS has asked the FJYPB to review more family courts throughout England. The second phase of reviews began in August 2017.

The FJYPB has also compiled a number of 'Top Tips', aimed at family justice professionals working with children and young people. The top tips have been distributed across stakeholders and provide professionals working in family justice with a quick resource that can be shared within staff teams and expresses the direct voice of the child.

## Adolescence Court Project

Her Honour Judge Hilary Watson, Designated Family Judge for Coventry and Warwickshire, Judge Susan Jones, and Janice Straker, Cafcass Service Manager, outlined plans to make adolescents more involved in their family court cases through the Adolescence Court Project. The project, which started in January, aims to give young people a greater say and involvement in their care plans before the court. The aim is to ensure care plans are owned and developed by the young people concerned, in conjunction with their social workers, thus raising the likelihood of a successful impact and implementation.

# Themes from the discussion

After reflecting on the insightful presentations provided to attendees, Baroness Tyler invited questions and opened up the meeting for discussion. Attendees were asked to share their thoughts on the topics discussed in the first part of the meeting. Discussions largely focused on judicial initiatives and Cafcass' application technology.

## 1. Extending the apps' use across the family justice system

One attendee asked whether apps Backdrop, This Much!, and Voice of the Child could be used by local authorities, while another questioned whether they could be used in out of court pathways, such as mediation. While This Much! and Backdrop are already available to local authorities, there is potential for the Voice of the Child app to be adapted by other services in the sector.

## 2. Age appropriateness of the VOTC app

Two attendees asked about the age appropriateness of the Voice of the Child app. While the tools are more targeted to young people, Cafcass is mindful of the need for inclusivity. An FJYPB member said the app should be used on a case-by-case basis and should have no age range because it must consider the needs of children with disabilities and/or mental health issues.

## 3. Managing expectations of judicial projects

Bedfordshire's Designated Family Judge, Marianna Hildyard, said it was important to manage expectations of judicial projects following the recent rollout of the Adolescence Court Project at Coventry Family Court. Hildyard said the allocation of resources differed across England and Wales, and that there was often a disconnect between judges wanting to help and being able to help. In respect of children writing letters to judges, she said there were practical considerations to consider; i.e. where a child confides in the judge by writing to them, this trust is potentially damaged because any evidence from the child to the judge must be heard by all parties involved in the proceedings.

## 4. Evaluating judicial projects

One attendee stressed the need for effective evaluation of judicial initiatives, such as the Adolescence Court Project, to ensure national consistency.

## Conclusion

Baroness Tyler thanked the audience for contributing to an informative discussion and reflected upon the main themes. She reiterated the importance of promoting the mental health of children involved in the family justice system.

# Attendees

Name	Organisation
Professor Judith Masson	Univeristy of Bristol
Professor Jan Ewing	Exeter University
Teresa Williams	Nuffield Foundation
James Holmes	Family Law Bar Association
Hannah Couchman	Magistrates Association
HHJ Marianna Hildyard QC	Judiciary
Mary Mullin	Assistant CEO, National Youth Advocacy Service
Brenda McLoughlin	Ofsted
Dr Janet Macvarish	Birkbeck, University of London
Alice Twaite	The Transparency Project
Tammy Knox	Resolution Children Committee
Anna Worwood	Penningtons Manches LLP and Author of 'A Guide to International Relocation of Children'
Rebecca Stevens	Royds Withy King, Association of Lawyers for Children
Lily Golding	Lancaster University
Ashley Palmer	Compass Resolution Group
Dr Elizabeth Gibby	Ministry of Justice
Stuart Moore	Ministry of Justice
Baroness Claire Tyler	Chair of Cafcass Board
Deep Sagar	Cafcass Board Member
Paul Grant	Cafcass Board Member
Fay Selvan	Cafcass Board Member
Francis Plowden	Cafcass Board Member
Caroline Corby	Cafcass Board Member
Joanna Nicolas	Co-opted Board Member
John Lakin	Cafcass Board Member
Anthony Douglas	Cafcass
Christine Banim	Cafcass
Julie Brown	Cafcass
Melanie Carew	Cafcass
Rebecca Barrett	Cafcass
Richard Morris	Cafcass
Sandie Hayes	Cafcass
Sarah Parsons	Cafcass
Hilary Barrett	Cafcass
Sophie Vessey	Cafcass
Marie Gittins	Cafcass
Janet Straker	Cafcass
Maureen Fitzsimmonds	Cafcass
Chris Larcombe	Cafcass
Natalie Wyatt	Cafcass
Advone	Family Justice Young People's Board Representative
Andrew	Family Justice Young People's Board Representative
Oscar	Family Justice Young People's Board Representative