

Children and Young People Committee
C1.

Inquiry into the work of CAFCASS Cymru

Evidence from The Family Courts Committee
of the Magistrates' Association

To the Committee Clerk

Further to your short inquiry into the work of the Children and Family Court Advisory and Support Service in Wales (CAFCASS Cymru).

This is our initial view based on Mr Justice Ryder's review. There may well be changes as his recommendations proceed to law and changes may occur that will alter our view. We respond as follows:

- Progress made in implementing the recommendations of the Care and Social Services Inspectorate Wales (CSSIW) inspection of November 2010 and the subsequent organisational restructure of CAFCASS Cymru;

No Comment

- How effectively CAFCASS Cymru is delivering its services in line with the United Nations Convention on the Rights of the Child (UNCRC) for example user engagement, decision-making in the best interests of the child;

No Comment. We do obtain a view of the child through the Guardian.

- How effectively CAFCASS Cymru is delivering its role in the provision of child contact centres;

No Comment

- The implications of the Family Justice Review and its effect on the work of CAFCASS Cymru.

Magistrates have been tasked with more rigorous case management. In their assessment of the case and the need for experts the views of the CAFCASS

officer representing the child will be particularly pertinent. With CAFCASS's expertise it will be more important that they provide the court with their view on the need for expert assessments with greater clarity than they generally do now.

The anticipated significant rise in self-represented litigants will mean an increased use of CAFCASS Cymru services and cases will take longer as the litigants will be unfamiliar with court procedures

Mr Justice Ryder states that 'Consideration should always be given to how the voice of the child is to be heard in family proceedings'. This could also involve more support from CAFCASS, indirectly by giving voice to the child, or directly by the child coming into contact with magistrates. This could mean ensuring CAFCASS officers see the child more than once or twice.

The 26 week time limit will put additional pressure on CAFCASS Cymru.

Stephan Hays – Wales Representative of

The Family Courts Committee of the Magistrates' Association