

Legal roundup - April 2021

This year Cafcass legal delivered virtual legal training to practitioners via attendance at team meetings. There are 6 different legal topics to choose from. The virtual sessions have gone well and the feedback from you has been good. We will continue with this mode of delivery into the next training year.

We anticipate being in a position to offer new topics by June 2021, one of the new topics will be focus on the Court of Appeal's review of the approach to be taken in cases involving allegation of domestic abuse and the application of PD12J.

Legal Updates

- The recent case - [*A local authority v ML and others; A local authority v GZ and others \(Secretary of State for the Home Department and another intervening\)*](#) highlights the need to have in mind the immigration status of children who are from European Member States but are taken into 'local authority care' in England. Thought will need to be given to whether the local authority needs to apply for immigration status for children from a European Member State under the United Kingdom's European Union Settlement Scheme (EUSS) and whether there is a need to apply for any foreign passports or national identity cards in support thereof.
- The recent case - [*Re F \(a child\) \(assessment of birth family\) A local authority v S and others*](#) confirms the existing jurisprudence in respect of the approach to be taken by the court to an application for permission to notify/assess family members in cases where babies have been relinquished; it highlights that these cases will be decided on the specific facts of the individual case.

Reminders

- Cafcass Statutory Functions do not extend to acting on behalf of children in Human Rights Act claims, read this [further guidance](#) on this issue.

Did you know.....

...that [Part 3A of the Family Procedure Rules 2010](#) sets out the court's duty to consider the vulnerability of a party or witness and the court's duty to consider how a party can participate

in the proceedings. This may be helpful if you are concerned about the vulnerability of a party and the impact this may have on their understanding of the court process.