



Victoria Soeder
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Your ref: CAF 19-157
Our ref: Gov/CAF 19-157

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08 October 2019

Dear Ms Soeder,

Re: Freedom of Information request

Thank you for your email of 23 September 2019. You made the following requests for information:

In CAF/CASS CIAF CAF/CASS have authored 'principles underlying private law

1. How do these principles dovetail with family law

The 'Underlying principles of a Cafcass private law assessment' document is part of the [Child Impact Assessment Framework](#) (CIAF) and was developed by Cafcass as part of the Framework. As stated in our Operating Framework, a number of practice directions and court rules underpin our statutory responsibilities. The welfare checklists, Family Procedure Rules 2010, Public Law Outline 2014, and Child Arrangements Programme are important points of reference for us. Our FCAs and managers need to be aware of and understand all relevant legislation and regulations, and these would have been considered during the development of the CIAF and its supporting documentation. The 'Underlying principles of a Cafcass private law assessment' outlines the key points to be considered in our assessment in private law cases.

2. A principle underlying law is a 'fundamental rule of law, a basic truth or undesputed legal doctrine, a given legal proposition that is clear and does not need to be proved therefore are CAF/CASS principles underlying private law

- a. Fundamental rules of law
- b. Basic truths
- c. Undesputed Legal doctrines
- d. Given legal propositions that are clear

Edward Timpson CBE Chair
Jacky Tiotto Chief Executive





e. Not need to be proved

The 'Underlying principles of a Cafcass private law assessment' document is part of the [Child Impact Assessment Framework](#) and is about the principles that should underline Cafcass' assessment in private law cases. The 'Underlying principles of a Cafcass private law assessment' document is part of the [Child Impact Assessment Framework](#) (CIAF) and was developed by Cafcass as part of the Framework. The Framework and its supporting documentation are guidance for Cafcass staff. The 'Underlying principles of a Cafcass private law assessment' outlines the key points to be considered as part of our analysis and assessment in private law cases. They are not rules of law or legal doctrines.

3. Who hands CAF/CASS the powers to author principles underlying private law

The 'Underlying principles of a Cafcass private law assessment' document is part of the [Child Impact Assessment Framework](#) (CIAF) and was developed by Cafcass as part of the Framework. The CIAF and its supporting documentation are internal guidance for Cafcass staff and so we were not obliged to conduct a formal consultation and we did not require powers to be granted in order to produce the framework or the 'Underlying principles of a Cafcass private law assessment'. The 'Underlying principles of a Cafcass private law assessment' outlines the key points to be considered as part of our analysis and assessment in private law cases. The principles should underline Cafcass' assessment in private law cases.

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 (<https://ico.org.uk/>):

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

Fax
01625 524 510
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Yours sincerely,

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Jacky Tiotto Chief Executive





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Cafcass, the Children and Family Court Advisory and Support Service, is a non-departmental body of the Ministry of Justice
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