



**Your ref: CAF22-27341**  
**Our ref: Gov/CAF22-27341**

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08 11 2022

Dear Serena Principal,

**Re: Freedom of Information request**

Thank you for your email of 12<sup>th</sup> October 2022. You made the following requests for information:

*Please kindly provide answers to the following:*

1. *What is the purpose of CAF/CASS?*

Cafcass represents children in family court cases in England. We independently advise the family courts about what is safe for children and in their best interests. We put their needs, wishes and feelings first, making sure that children's voices are heard at the heart of the family court setting. Operating within the law set by Parliament (Criminal Justice and Court Services Act 2000) and under the rules and directions of the family courts, we are independent of the courts, social services, education and health authorities and all similar agencies.

2. *What rules and procedures do you follow before acting on allegations?*

Please find attached the Safeguarding and Child Protection policy.

3. *What are your fact finding procedures to corroborate the allegations as being true or false?*

Cafcass can advise that practitioners will consider information from the Police and Children's Services to see if facts have been found through criminal court, through a conviction for these offences or whether there is evidence to suggest corroboration from these agencies. The court will accept criminal convictions as fact otherwise, it is for the family court to determine the facts in relation to allegations that are disputed.

Sally Cheshire CBE Interim Chair  
Jacky Tiotto Chief Executive





4. *How do you decide whether a child is at risk of harm?*

Cafcass can advise that based on the information obtained from agencies, family members and children themselves. This information is triangulated to best understand the child's lived experience and whether they are at risk or have suffered harm. This work is underpinned by Cafcass policy and procedures.

5. *What procedures do you follow to ensure that the child is not harmed by the decisions CAFCASS make?*

Cafcass makes recommendations or gives advice to the court. It is the court and/or parties that make the decisions about children. There are numerous policies and procedures that Guide Cafcass' work. The Child Impact Assessment Framework (CIAF) and the Together Practice Framework being the two overarching procedures that guide practice, along with the Welfare Checklist (CA 1989).

6. *How do you assess whether the child is suffering from harm, is not suffering from harm, is at risk of suffering harm?*

Please see response to Question 4.

7. *How do you assess what the impact will be upon permanently removing a child away from their mother?*

Cafcass can advise that each child is considered individually and their circumstances and the impact on them are key to the recommendations we make. The Welfare Checklist (Children Act 1989) is the framework used where such a recommendation is made, and this has to be applied by the court. The CIAF is used by practitioners to assist in understanding the impact on the child now and in the long term. You can find further details on CIAF on the [Cafcass website](#).

8. *Does the potential risk of harm to a child outweigh the inevitable harm and trauma that will no doubt be caused to a child by removing them from a secure, loving and happy environment?*

. Each child is considered upon their individual circumstances. Both the potential risk of harm for a child and the harm of removing them from where they are living will be considered.

9. *Do you assess the child in the home environment they are being removed from?*

This will depend on the specific circumstances and will be based on professional judgement. For example, a child may need to be seen in a neutral environment to ascertain their wishes and feelings.

10. *On what grounds are decisions based on before removing a child from their mother?*

Cafcass can advise that this is based on risk of or harm experienced by that child, the child's wishes and feelings, the welfare checklist and the child's best interests. It is the court that makes these decisions or the police. Cafcass does not have the statutory authority to remove children.

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11. Do you take the opinion of Local Authority Social Services into account? Yes or No?

Cafcass do take the opinion of the Local Authority Social Services into account.

12. If you do not take the opinion of Local Authority Social Services into account, please explain why?

Please see response to Question 11.

13. Is the Family Court Advisor/Child Guardian Case Analysis report designed to be based on factual information supported by material evidence or based on probability/opinion?

Cafcass can advise that it is based on factual information as well as professional Judgement.

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/>):

**Post**

Information Commissioner's Office  
Wycliffe House, Water Lane,  
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Yours sincerely,

Governance Team

Cafcass

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