



Section 7 (Children Act 1989)

Court:	
Court Case Number:	
Family Court Advisor:	
Report Completed on:	
Report Filing Date:	

DISCLAIMER

This report is restricted by rules of court. (Family Procedure Rules 2010 – Communication of Information: Proceedings Relating to Children and Practice Direction 12G – Communication of Information). Unauthorised communication of the information in this report is a serious matter and may constitute contempt of court.

If you are unhappy with the standard of service you have received from Cafcass Cymru during the preparation of this report, you can make a complaint. A copy of the organisation's Guide to Complaints is available on [http://cafcass.gov.wales/leaflets-and-publications/For Adults?lang=en](http://cafcass.gov.wales/leaflets-and-publications/For%20Adults?lang=en). Significant factual errors (not matters disputed by the parties) in this report should be referred to the author. Dissatisfaction with the contents or recommendation of the report must be addressed in court and cannot be dealt with as part of the complaints process.

The Welsh Ministers are required, under the Rights of Children and Young Persons (Wales) Measure 2011, to have due regard to the United Nations' Convention on the Rights of the Child, when exercising their functions.

'Some functions of the Welsh Ministers, in particular functions which relate to family proceedings in which the welfare of children ordinarily resident in Wales is in question, are exercised by Cafcass Cymru (through its Welsh Family Proceedings Officers). As such, the duty to have due regard to the UN Convention on the Rights of the Child applies to Cafcass Cymru and its Welsh Family Proceedings Officers.'

CHILD (REN) SUBJECT TO THE APPLICATION

Name	Gender	Date of birth	Age
Type family name in capitals.	M/F		

Child (ren)'s Current Living Arrangements:

If there are several children and they are not all living together, please specify the living arrangements for each child. Indicate if the child or children are living with the applicant or the respondent. **Do not include addresses.**

PARTIES TO THE PROCEEDINGS

Name	Relationship to Child	Date of birth	Age

Application before the Court:	If necessary, state which child the application relates to.
Specific Issues to be Addressed in this Report:	
Current Court Orders:	
Date of Hearing:	If final hearing, insert "Final".
Date of Family Court Advisor Appointment to Case:	

Cafcass Cymru Office Address:	Fee-paid practitioners must use the address of the Cafcass Cymru office allocating the case. Home addresses must not be included.
Telephone Number:	
Fax Number:	

Contents: A list of contents can be included if required by the length of the report.

Some issues could be covered under several headings in the report. The bullet points in italics below are for guidance only and you can choose where to insert information, but must avoid repetition. Cross-reference where appropriate instead of repeating information. If there are special issues in the case, any necessary sub-heading(s) can be inserted.

1. INTRODUCTION

This section should detail:

- The nature of proceedings including WTFH Enquiries and FHDRA.
- A **brief** statement setting the context on issues agreed and disputed, if known.

2. INVESTIGATION UNDERTAKEN

This section should include information on:

- Interviews of adults held and dates, location if appropriate. Specify if face to face or telephone contact, if anyone else was present, and location if appropriate. Brief summary where client did not attend.
- Enquiries by correspondence.
- Use of interpreters.
- Dates and location of meetings with the child.
- Dates of interviews/observations of child, including within contact sessions.
- Reasons if the child is not seen, or if not interviewed about their wishes and feelings.
- Attendance at meetings with other professionals.
- Documents read.
- Any statements, documents or reports ordered but not received at the time of writing the report.
- Any other relevant enquiries, including checks made, and any other previous involvement by other agencies (Social Services/Child Protection Register, Schools, Health, Probation, Police).
- Any significant people not interviewed and reasons why.

3. FAMILY COMPOSITION

This section should include information about:

- Family composition and background history if necessary including a Genogram if appropriate,
- The child's and the parties ethnic origin, religion, language and cultural background
- Brief history of relationships and current circumstances.
- Existing arrangements for residence and contact (if necessary to expand on what has been said under Child's Current Living Arrangements).

4. ISSUES

This section should include:

- A description/analysis of the dispute (as it affects the child and of the steps taken during the enquiry to help reduce and manage conflict/tensions) (unless addressed under "Parties", above).
- An analysis of any issues identified concerning the child's and parties' ethnic origin, religion, language, cultural background, disabilities and/or health issues and or any other special needs.
- Other relevant issues to bring to the court's attention (such as domestic violence, child abduction, disruption during contact, allegations of abuse, referrals to Social Services, health, education, criminal conviction details, etc).
- A summary of history of any Family Court proceedings, previous Cafcass involvement and any subsequent court developments, e.g. findings of fact (unless included in Introduction).
- Proposals and specific concerns/allegations with any evidence.
- The parties' views about and reason for the application.
- Use of assessment tools (e.g. parenting plan) if appropriate.

5. OTHER RELEVANT INFORMATION

This heading could be removed from the report if none of the listed or other relevant issues are present. Alternatively, use sub-headings to identify specific issues, e.g. residence or contact.

Issues could include:

- Significant other people (describe involvement), e.g. new partners, grandparents, older siblings, etc.
- Other agency involvement/information including results from further checks that may have been undertaken.
- Expert(s) reports, including any disagreements between experts (can be included as a separate section if appropriate). Comments by the Practitioner on the experts reports.

Have you given consideration to whether a Children and Adoption Act 2006 Contact Activities programme or FAO would be appropriate in this case? Please provide details – For further information please see the following documents:

[Contact Activities Practice Guidance and Procedure.](#)

[Guidance on Family Assistance Order Reports](#)

6. ASSESSMENT USING THE WELFARE CHECKLIST

The Welfare Checklist must be applied to each child. The situation and circumstances of each child must be considered from each child's perspective and identity.

All sections of the checklist must be addressed

Children Act 1989 S.1 (3)

- a) **The ascertainable wishes and feelings of the child concerned (considered in the light of his age and understanding):** This should assess what the child says or expresses. Add Practitioner's observations and interpretation where appropriate to give clarity.

- b) **The child's physical, emotional and educational needs:** Include Family practitioner's observations, any information from school, health visitor, doctor, psychologist and/or any other professional involved with the child. How far do the living arrangements provide a safe context for learning and development?
- c) **The likely effect on the child of any change in the child's circumstances:** Include change in any contact or residence arrangements, separation from birth parents, geographical move, change of school, etc. How will a child's sense of self and learning and development be affected by changes?
- d) **The child's age, sex, background and any characteristics of the child which the Court considers relevant:** Professional assessment of the needs of child in relation to these and other relevant criteria as it affects potential arrangements. What is the relevance and importance of issues of diversity (e.g. disability, heritage, culture, religion, etc) for the child's learning and development?
- e) **Any harm which the child has suffered or is at risk of suffering:** Any information from Social Services, NSPCC or any other agency, including schools, which relates to harm or risk to the child. Include details of any action taken to reduce risk. Consider the impact of domestic violence/abuse on the child and assess any emotional abuse the child may suffer as a result of parental conflict\behaviour.
- f) **How capable each of the child's parents and any other person in relation to whom the Court considers the question to be relevant is of meeting the child's needs:** Assessment of each parent and any other relevant person in the light of each party's views and attitudes. Address the attitude of the parties to the child's wishes and feelings. Include the Practitioner's observations and those of other professionals.
- g) **Range of powers available to the Court under this Act in the proceedings in question:** No order principle: Advise if an order is necessary for the child's

best interests. State what kind of order – consider contact order/arrangements and whether the child should be made a party. How is this order in the child's best interest?

7. CONCLUSION

This section should draw together the following information:

- Options for the Court;
- A summary of assessments made on the basis of the Welfare Checklist and how each party can best meet the child's need;
- Reference to the acceptance or otherwise of expert advice, with the reasons for departing from any expert recommendation clearly explained; and assessment of whether parties can manage their own arrangements;
- Consideration of the impact of any issues arising from Human Rights legislation;
- Wherever appropriate the impact on the child's rights under the Human Rights Act 1998 and under Articles 3 and 12 of the UN CRC should be included.

8. RECOMMENDATION

In the section consider and detail the following:

- Order(s), if any, recommended for the child;
- If an order is recommended, state the form the order should take. This should cover current applications for orders and any orders not being applied for which the Practitioner considers to be in the child's best interests;
- If no order is given, explain why;
- Identify any necessary further work involved, e.g. reviews by the court, further Cafcass involvement or not;
- Where a Family Assistance Order is recommended, refer to the relevant "exceptional circumstances", agreement of parties, proposed work to be carried out and to the persons to be named in the order; and
- Identify if it is in the interests of the child that the court considers making a direction under Section 91 (14) of the Children Act i.e. an order prohibiting any further applications in respect of the child without leave of the court.

Case Name:
Case Number:

[Author's name]

Family Court Advisor

Date