

Inquiry into the work of  
CAFCASS Cymru

Evidence from the Children's  
Commissioner for Wales

# Comisiynydd Plant Cymru

## Children's Commissioner for Wales

### Keith Towler

Christine Chapman AM  
Chair – Children and Young People Committee  
National Assembly for Wales  
Cardiff Bay  
CF99 1NA

8 November 2012

Dear Christine

**National Assembly for Wales' Children and Young People committee short inquiry into the work of the Children and Family Court Advisory and Support Services in Wales (CAFCASS Cymru)**

Thank you for asking me to respond to your short inquiry reviewing the progress made by CAFCASS in addressing the issues raised in earlier inquiries and through inspection.

I was pleased to speak at the launch of the organisation's new Strategic Plan (2012-2015) at the start of this year. The strategic plan acknowledges the challenges to be addressed in improving the operation of the service and I have welcomed the commitment to a child rights approach set out in the strategic plan and the inclusion of objectives clearly focused on the best interests of children and young people.

The Family Justice Review concluded that children and young people subject to family law proceedings should as early as possible have the appropriate support to share their views, wishes and feelings. The CAFCASS Cymru strategic plan was accompanied by clear information on the commitments made to children and young people. These include putting children and young people first, being honest with them, listening to and involving children and young people, making sure others listen to children and young people, doing what CAFCASS say they will do and asking children and young people how things can be improved. These commitments provide a sound basis for addressing the issues set out by the Family Justice Review.

I welcome the fact that participation training has now been undertaken by CAFCASS Cymru practitioner staff. It is unfortunate that no suitable applicants were identified for the Participation Manager post. I hope that measures will be put in place to ensure that the functions that were to be carried through this post are still delivered. I hope that CAFCASS Cymru will put this in place to ensure that participation of children and young people remains a priority for the service.

The Family Justice Review also concluded that appropriate information that explains to children and young people about the proceedings underway in an age appropriate format should be provided. CAFCASS Cymru have produced and shared children's packs, one for children under 8 years of age and one for children over 8 years of age and this should go some way to addressing the concerns I have set out in the past around a lack of child appropriate material for children and young people in the family justice system.

CAFCASS Cymru have also produced a complaints leaflet for children and young people. This provides clear contact information but is very brief. My office has developed a complaints leaflet with and for children and

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young people. I will be sharing this with CAFCASS Cymru and will invite them to adopt and adapt the leaflet for their own use.

The Family Justice Review Panel scrutinised in detail the issue of delays in public law proceedings. I made clear in my response to your Committee's Inquiry into Adoption my view that delays can have a negative impact on the child and that I want to see a systemic change to ensure a resolutely child focused approach which does not accept delays as commonplace. At the same time we must ensure that in seeking to reduce delays in the family justice process we do not commit to a system based on performance measured against the length of the process – to the detriment of thorough consideration of the best interests of the child in each individual child. I remain concerned that figures released earlier this year by CAFCASS Cymru suggest that HMCTS average waiting times remain high. I do however understand that CAFCASS Cymru are discussing with Heads Of Children's Services how the fast tracking of care cases for children under 4 could be implemented.

Welsh Government announced in September 2012 that CAFCASS Cymru have introduced an all-Wales approach to the provision of child contact centres in Wales by appointing the National Association of Child Contact Centres as the network manager for Wales. I hope that the NACCC as the accrediting body for child contact centres and services will be able to provide a level of consistency of service and quality assurance across provision in Wales.

My current position is that CAFCASS Cymru have set out a clear road map for delivering an improved service to children, young people and their families in Wales and that the direction of travel is the right one. There is evidence that action is being taken to initiate the implementation of the CAFCASS Cymru strategic plan however it is too early to robustly address the impact of the changes taking place. I am represented on the CAFCASS Cymru Advisory Committee and I would like to assure you that I am keeping a close watching brief on progress.

Yours sincerely



Keith Towler  
Children's Commissioner for Wales