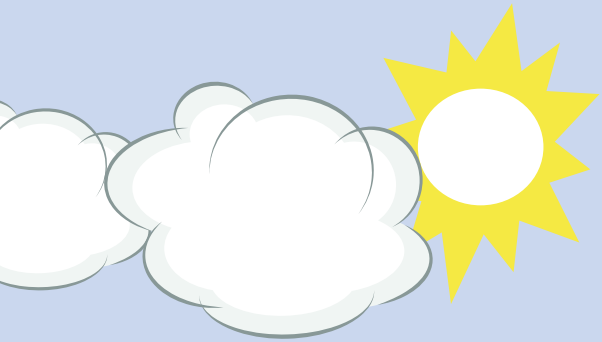
Llywodraeth Cymru
Welsh Government



Information booklet

You have probably never heard of Cafcass Cymru or what we do, and are wondering why you have been given this booklet. But we are here to help!

Sometimes families can find it hard to agree on what is best for their children. To help make things better, they may ask the family court to try to help sort out their disagreement.

This booklet has information which we hope will help you to understand who is who and what is going on!

If you see a word you don't understand, you can look at the Jargon Buster at the back of the booklet for what it means.

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Private Law Over 11.

Mae'r ddogfen yma hefyd ar gael yn Gymraeg.
This document is also available in Welsh.

What is Cafcass Cymru?

Cafcass Cymru helps and supports children and their families when they are in the family court.

Our main job is to give advice about children and young people to the family court when they ask us to.

Sometimes families can find it hard to agree on what is best for their children. If they can't sort out these problems, this is when they might ask the family court to help.

The family court will ask us to listen to you and make sure that the judge or magistrate knows what your needs, wishes and feelings are. We will speak to the people who matter most to you, to find out about your individual situation. We will also let the judge know what we think is best for you.

The UNCRC and children's rights

All children, no matter who they are, where they are from, what they believe in or where they live, have rights.

These rights are the things that children need to be safe, healthy and happy.

The United Nations has a list of all the rights that children have. This list is called the UN Convention on the Rights of the Child, or UNCRC for short.

Rights are things you are given by law as soon as you are born – for example, the right to an education or the right to life.

- The UNCRC is a list of 54 rights that every child or young person under the age of 18 has.
- Every right in this list is described as an article.
- Articles 1-42 set out how children should be treated.
- Articles 43-54 are about how adults and governments should work together to make sure all children are entitled to their rights.

The Children's Commissioner for Wales' job is to tell people why children's rights are so important. If you think that you're not getting access to all of your rights, you can get in touch with the Children's Commissioner for Wales **www.childcomwales.org.uk** by **phoning for free** on **0808 801 1000** or **texting 80800** and start your message with **COM.**

All these rights and much more can be found at **www.childcomwales.org.uk/uncrc-childrens-rights**

Can you find these words?

ARTICLES
CHILDREN
GOVERNMENT
HAPPY
HEALTHY
PROTECTED
RIGHTS
SAFE
UNCRC

A
F O T B K O S
T B E G H U I P L M B
Z W S G D N K W S S D T I
U X D J O W F N O A R Y Y P O
N P Y L V Y E O F Q K B R L W
C S F W E R G E E J D O L K T
R S H N R S E L C I T R A N Y
E C J T P N C Q E W E V Y Y B T U
D E I O I M E G Q C H H K M X R I
F H U C W E M R T E T B F G S O K
G B A O J N C E D L Z Y C P R F O
N P E P O T D F A L R I G H T S L
T Y U P V M E N O I S T I M P
C R I P Y H O P I G H Y N O P
R T U S S L E G Y X C U G
F R U K L O P B V
F E V

Family court

Family court is where important decisions are made about children and their families. They are very different to criminal courts where people go when they may have done something wrong.

Although they look like any other court they are less formal and barristers and solicitors do not wear wigs and gowns like you see on television.

If there is a disagreement between your parents or carers the court will normally call this a 'private law case'. The aim is for everyone to agree but if that is not possible a judge or magistrate will look at all the information and help make the best decision possible for you.

Sometimes the 'parties' (the people involved in the case, like your parents) will have special legal help; this can be a solicitor or a barrister. These people know about children and family law and they will speak to the judge or magistrate to explain the wishes and feelings of the people they represent.

The judge or magistrate will ask questions and listen to everybody's views on the disagreement before making a decision. The judge may ask other experts, such as social workers, to help them in their decision-making. Your wishes and feelings will be represented by your Family Court Advisor.

Our staff

Your Family Court Advisor, or FCA for short, is a professionally trained person who works for Cafcass Cymru.

You may also hear them called Family Court Social Worker.
They give information and advice to the family court to help judges and magistrates make the best decision about you and your family.

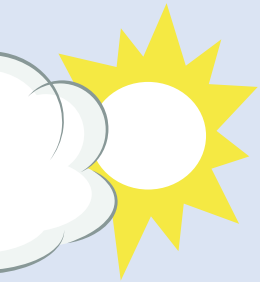
Part of the FCA's job is to meet with you and listen carefully to what you think and how you feel and help you understand what's happening.

They will advise the judge or magistrate what your needs, wishes and feelings are and share their opinion on what they think is best for you.

They will **NOT** ask you to decide what happens next or ask you to make a decision about your family.

What Happens?

We will advise the courts what we think will be best for you, usually by writing a report to explain what you have said and how you feel.



So that our advice to the court is right, we will usually speak to your parents and other people in your life, such as teachers. This may also be included in the report.

Anything you talk about with us may go into the report and your family will see the report. If you are worried about this, make sure you tell us so we can help.

The judge or magistrate will read the report and think about our advice. They will listen to what everyone has to say before making a decision on what they think is best for you.

Sometimes this is not the same as what you wanted, but the court will always do what it thinks is best for you.

What next?

When the court has made their decision they will tell everyone involved with the case what to do next.

Everyone is different, so the outcome of your case may be different from someone else. Each decision by a judge/magistrate will be unique to what they believe is best for you.

Quite often the judge/magistrate will be asked to decide who you will live with or who you can see. If the judge/magistrate is deciding on where you should live, they may also say how often you should see your other parent (the one you do not live with) and possibly where and when you should meet them.

Your family will usually be the ones to tell you what the judge/magistrate has decided.

As we are only involved when the court asks us to assist them, this normally means that our involvement will stop at this point.

Whatever the outcome, there will be help and support for you. The next section explains some of this help and where to find it.

Links

If you are looking for more help or information here are some people that may be able to help you.

Cafcass Cymru

www.gov.wales/cafcass-cymru

Champions children and young people and aims to get their rights respected and their voices heard.

www.childcomwales.org.uk

childline

Get info and advice about a wide range of issues, talk to a counsellor online, send Childline an email or post on the message boards. www.childline.org.uk

Tros Gynnal Plant

Wales' leading advocacy provider, supporting the most vulnerable children and young people in Wales.

www.tgpcymru.org.uk

meic

Information, advice and advocacy helpline for children and young people. 080880 23456

www.meiccymru.org

nyas

Nyas Cymru provide confidential advocacy representation to vulnerable children and young people across Wales on behalf of local authorities.

www.nyas.net/nyas-cymru

HOW ACTION FOR CHILDREN WORKS

From before they are born until they are into their twenties, we help disadvantaged children across the UK.

www.actionforchildren.org.uk

How do I feedback or complain?

If you want tell us about something we did well or something we could have done better you can do this in a number of ways:

You can use the feedback forms found in the feedback area of our website on:

www.gov.wales/cafcass-cymru or; You can email us

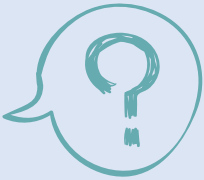
@MyVoiceCafcassCymru@Gov.Wales or;

You can phone us between
9:00am – 4:30pm Monday to Friday on
0800 49 60 650

Or you can contact us by post, the address is:

Cafcass Cymru Quality Assurance Team
Welsh Government Buildings
Sarn Mynach
Llandudno Junction
Conwy
LL31 9RZ

What happens next?

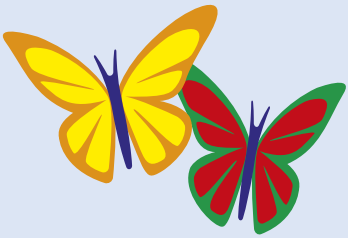


We will contact you to talk about the concern you have told us about.

We will look into your concerns and will let you know within 3 weeks what we have found out and what can be done about your complaint.

If you want to, we can meet again to talk about any questions you may have.

It's your right to have someone to help you make your complaint. This person is called an Advocate and can speak for you and help you say what you want. We can arrange for you to have an Advocate who works for you and not Cafcass Cymru.



Jargon buster

Barrister is someone who has been trained in family law. They are able to provide advice and speak in court on behalf of people going through the family courts.

Cafcass Cymru is an organisation which helps and supports children and their families when they are in the family court.

Confidential means that it is very private and will not be shared with anyone else unless it is very important to do so.

Family Court is where important decisions are made about children and their families. They are very different to criminal courts where people go when they might have done something wrong.

Family Court Advisor (FCA) is the name of a trained professional person who works for Cafcass Cymru and helps children and families in private law cases.

Judge is a legally trained person who makes decisions in a family court. The judge listens to what everybody who is involved has to say, reads reports, applies the law and decides what is best for the child.

Magistrate is a trained member of the community who volunteers to work in the family court. They are advised by a Legal Advisor. They listen to what everybody who is involved has to say, read reports, apply the law and decides what is best for the child.

Private Law are cases that are usually brought to the family court by parents (sometimes other family members) in connection with issues that involve children.

Report is written information that includes your wishes and feelings and what your Family Court Advisor thinks is best for you. It will be given to the court to help them make a decision about what is best for you.

Rights of the Child is a list of rights all children and young people, everywhere in the world have, no matter who they are, where they live or what they believe in.

Social Worker is trained to help make sure children are safe and properly looked after.

Solicitor is someone who has been trained in family law.
They are able to provide advice and speak for people going through the family courts.

UNCRC (United Nations Convention on the Rights of the Child) is a list of rights all children and young people, everywhere in the world have, no matter who they are, where they live or what they believe in.

If you can't find the word you are looking for, please ask your Family Court Advisor.