



Cafcass Cymru Private Law Reform

Rule 16.4 Frequently Asked Questions: Young People

June 2023

Why have I got a Children's Guardian?

- Your family has asked the family court to help sort out arrangements for you.
- The family court has asked for a children's guardian to tell them more about you before any decisions are made.
- The children's guardian speaks to the family court on your behalf, they are your voice in the court proceedings.

What is a Children's Guardian?

- A children's guardian is a social worker who works for Cafcass Cymru.
- Their job is to make sure the family court knows about you and your life, what you think and what you would like to happen.
- The children's guardian gives advice to the family court so that any decisions that are made are safe and in your best interests. They usually write their advice in a report.
- The children's guardian will instruct a solicitor for you. The children's guardian and your solicitor will usually go to the family court hearings with your parents or carers.
- They will try to help everyone agree safe arrangements for you.

How will the Children's Guardian know what I think?

- The children's guardian will spend time listening to you.
- They will make sure that you understand what is happening, what will happen next and who else they will be talking with from your family.
- The children's guardian will make sure that you have the chance to have your say about decisions that affect you.
- They understand that it might be difficult for you to know how you feel or what you would like to happen.
- They might bring some activity sheets or other activities to help them understand what is important to you and what you would like to happen.
- They will explain carefully about what happens with the information you talk about, this is called confidentiality.

Where will I meet the Children's Guardian?

- The children's guardian will decide this with you. The children's guardian can meet you at your home to introduce themselves or they could do this by telephone or video call if you prefer. They will talk to you about where you want to meet them next time.
- You can talk to your children's guardian about where would be best for you. This should be somewhere you and the children's guardian can talk privately, so that you can say what you want without worrying.
- This could be at your school, or another place such as a private room in our Cafcass Cymru offices.
- The children's guardian will usually arrange for you to meet the solicitor who will speak for you in the family court.

How will the Children's Guardian tell the family court my views?

- The children's guardian will usually write about you and your family in a report for the family court.
- They will explain carefully to you what they will be writing about you and talk to you about what information you would like the family court to know.
- If you want to write a letter or draw a picture for the Judge the children's guardian will attach this to their report so that the family court can see what you want to say in your own words or pictures.
- If you would like to meet the judge in your case, the children's guardian will try to arrange this.
- The children's guardian will also tell the family court their own views about what they think is the best outcome for you.
- The final decisions are made by the family court.

What if I already have a social worker?

- The children's guardian is a Cafcass Cymru social worker, and they do not work for the Local Authority (children's services).
- If you have a social worker from the Local Authority, they will carry on working with you and your family.
- The children's guardian will usually talk to your social worker and might go to meetings arranged by them.

What if I don't agree with my Children's Guardian?

- Sometimes children and the children's guardian have different views on what should happen and what arrangements would be best for you. If this happens you don't need to worry, you will not upset or offend the children's guardian.
- The children's guardian will always make sure that the family court hears what you want to say, and they will tell the family court why this is different from their own view.
- If you and the children's guardian have different views, your solicitor might also talk to you about this.

How can I contact my Children's Guardian?

- The children's guardian will provide their telephone number and an email address and will decide with you the best way for you to contact them.
- The children's guardian will let you know when you can expect to see them again. They will make sure you know when the court hearings have finished and that you understand what the outcome was.
- The children's guardian will tell you when their involvement has ended.

What if I want more information?

- If you would like more information our website has useful telephone numbers and details of organisations that offer help to children and families <https://www.gov.wales/cafcass-cymru/family-separation>
- Our information pack for young people can also be found on our website, <https://www.gov.wales/sites/default/files/publications/2020-08/separating-parents-information-pack-for-young-people.pdf>