

25 March 2025

Dear

Request for Information - ATISN 24456

Thank you for your correspondence received on 26 February. You asked for copies of all policies, procedures and guidance for Cafcass Cymru Guardians in the Family Court relating to:

1. How they should engage with parties in the case (specifically those with Parental Authority for any child involved),
2. The purpose of such engagement and what they should seek to discover and understand,
3. How they should conduct themselves in such engagement, with particular regard to fairness and impartiality,
4. How they should deal with, and consider any risks, relating to stalking, coercive control or any other form of domestic violence from one party against another,
5. The nature and frequency recommended for such engagement, particularly if findings of fact are to be made relating to the parties in the proceedings.

Our response

We do not hold information matching the description of points 1, 2, 3 and 5. The role of the Children's Guardian is set out in statute and is to represent the child's interests as set out in the Children Act 1989 and family procedure rules. The duties of Cafcass Cymru officers more generally in relation to conducting their enquiries are set out in legislation, practice directions issued by the President of the Family Division and the specific directions made in orders of the court in relation to each particular case, for example, Practice Direction 16A and Rule 16.4 of the Family Procedure Rules set out the court rules about appointing children's guardians and their role.

It is left to the discretion of the individual Cafcass Cymru officer linked to the issues within the case as to what interviews they undertake, when and with whom, so as to inform their enquiries and complete the work required of them by the court. However, ultimately the court is responsible for case management so sets the timeframe for each case and for particular work to be undertaken in the case.

You may also find the following helpful:

[Cafcass Cymru: factsheet about the role of a children's guardian in care proceedings | GOV.WALES](#) - explains what to expect from your Children's Guardian during each stage of the care proceedings.

[Cafcass Cymru: rule 16.4 pilot factsheets | GOV.WALES](#) - information for adults, young people and professionals about Cafcass Cymru's pilot approach to Rule 16.4 cases.

[Cafcass Cymru Practice Framework: Putting Children First | GOV.WALES](#) – this framework sets out how Cafcass Cymru works with children and their families, our family justice stakeholders and each other.

[What to expect from your communication with Cafcass Cymru \[HTML\] | GOV.WALES](#) - guidance to help you understand what you can expect in your communication with Cafcass Cymru staff to include that you can expect to be treated with courtesy and without discrimination in all your communications with us. All Cafcass Cymru practitioners are registered with Social Care Wales and are required to comply with the Social Care Wales *Code of Professional Practice for Social Care* which is a list of statements that describe the standards of professional conduct and practice required of those employed in the social care profession in Wales.

Point 4

The documents listed below (and published on our website) provide information and advice to our practitioners on victims of domestic abuse, and in relation to features of coercive and controlling behaviour:

- [Domestic abuse information sheet | GOV.WALES](#)
- [Guidance for Cafcass Cymru practitioners about children experiencing domestic abuse | GOV.WALES](#)

We have also published on our website an update setting out our position in relation to domestic abuse improvement and cultural change [Domestic Abuse Improvement and Cultural Change: update statement July 2024 | GOV.WALES](#) .

I have attached the *Cafcass Cymru Domestic Abuse Practice Guidance* to the covering email with this letter. This document is currently being updated to reflect changes including the Harm Panel Report, the Domestic Abuse Act and the rollout of the Pathfinder model across Wales, and is currently not available on our website whilst it is being updated).

If you are dissatisfied with our handling of your request, you can ask for an internal review within 40 working days of the date of this response. Requests for an internal review should be addressed to:

Nigel Brown
Chief Executive
Cafcass Cymru
cafcasscymru@gov.wales

Please remember to quote the ATISN reference number above.

You also have the right to complain to the Information Commissioner. Normally, however, you should pursue the matter through our internal procedure before you complain to the Information Commissioner.

The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Telephone: 0303 123 1113
Website: www.ico.org.uk

Yours sincerely