



Cafcass Plus: A Cafcass pre-proceedings intervention

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Introduction

Cafcass Officers become involved in care proceedings when appointed by the court in the statutory role of Children's Guardian. This is at the point care proceedings are issued by local authority

Since 2012, pilot schemes have operated across England, trialling whether there is value in a pre-proceedings intervention by a Cafcass Officer, who later becomes Children's Guardian if care proceedings are issued

Although long-term neglect cases were once included within the pilot, all schemes now only involve unborn babies

Parents must consent, after receiving legal advice, to the involvement of a Cafcass Officer in their case. The LA must be planning to issue proceedings.

Participation of all in pilots are agreed by Local Family Justice Boards. Cafcass Plus currently exists in six local authority areas





Intervention

Referral made to Cafcass

- Parents receive legal advice by virtue of pre-proceedings intervention
- Parents consent to Cafcass Plus intervention
- Cafcass officer considers papers
- Cafcass officer interviews parent/s and social workers
- Brief report prepared

24 weeks

Legal Planning Meeting

- Chaired by Local Authority lawyer, attended by family, parent's legal representatives and Cafcass officer
- Independence of Cafcass officer maintained with appropriate scrutiny and challenge
- Examples include: identification and assessment of family members, assessment of support offered, position on threshold based on status quo

Legal Planning Meeting

Divert from court or proceed to court

- Cafcass has no role in cases diverted from court, but asks the local authority to advise where this occurred
- If proceedings are issued, the guardian's initial enquiries are completed enabling a swift decision with appropriate representation of the child
- The report to the LPM stands in Court as the initial analysis
- The threshold position remains, pending changes post LPM

What next?

Divert cases from court

Narrow the issues

Identify systemic practice issues

Reduce delay in achieving permanence



Case Studies

Case Study

- Ⓒ A woman in her 30s was using heroin during her pregnancy
- Ⓒ During the pre-birth assessment process, the mother indicated she intended to stop using heroin, but had failed to do so, her engagement with substance misuse services was sporadic
- Ⓒ The Cafcass Officer indicated she would support removal of the baby at birth, if the mother continued to use heroin, following a holistic assessment of the family's circumstances
- Ⓒ The mother's mother was an unhelpful influence. The Cafcass officer managed to identify a family member (mother's aunt) that could assist
- Ⓒ The mother was encouraged to stop using heroin and moved in with her aunt. Proceedings were issued but the child was never removed

Case Study

- Ⓒ A woman in her 20s was a care leaver with a diagnosis of depression and anxiety.
- Ⓒ Her lifestyle was 'chaotic' and during her pregnancy she failed to engage with the pre-proceedings assessment
- Ⓒ The guardian that represented the child during her proceedings, and had previously had a good relationship with her, became involved at Cafcass Plus stage
- Ⓒ In that relationship, change occurred. Proceedings were not issued, following support being identified

Case Study

- Ⓒ A mother in her 20s had a child removed previously after a non-accidental injury.
- Ⓒ The local authority had not commenced assessments of family members at week 30; these were completed thoroughly, and negative, by the time the child was six weeks old.
- Ⓒ Proceedings were concluded when the child was nine weeks old, after a contested hearing
- Ⓒ The child was placed with adopters aged 12 weeks

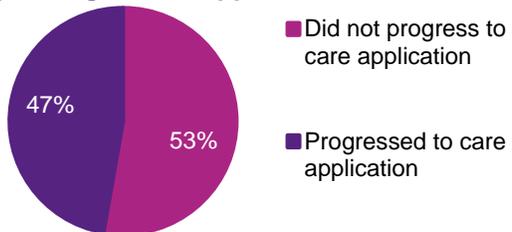


Next Steps

Does it make a difference?

- ⌚ Although Cafcass Plus is an example of *earlier* help – it cannot be described as ‘early help’
- ⌚ Our review of cases indicates cases are being diverted from court, there are fewer expert assessments, less contests and more conclusions at interim stage
- ⌚ Without a rigorously designed intervention trial, we can’t be sure whether these changes are attributable to Cafcass Plus or the Cafcass Officer role specifically
- ⌚ We do not know on whether an upfront resource is offset later by savings to Cafcass or the family justice system

Fig 1: Proportion of CPLUS cases progressing to care application



Next Steps

- ⌚ Are Cafcass the right agency to be engaged in pre-proceedings work and, if so, should this be in direct casework or more general advice to LAs on pre-proceedings work?
- ⌚ Cafcass are not resourced to replicate the model across the country. We are continuing with current pilots to consolidate our learning and finding best ways of sharing our experience of effective pre-proceedings work.
- ⌚ Wider guidance is needed that reflects a national protocol for infant removals, and the vital processes that occur prior to that step
- ⌚ Systemic issues are identified – is there another way Cafcass could assist? Examples include:
 - ⌚ identification and assessment of family members pre-proceedings
 - ⌚ provision of repeated attempts at suitable support mechanisms for adults