

Getting the best from my Safeguarding Check

If you have failed to get any kind of reasonable agreement with your ex regarding time with the children it is likely you have decided to go to court. This will require you filling out a C100 form and asking for a Child Arrangements Order. You may have also asked for other orders at the same time such as the Prohibitive Steps Order or a Specific Issue Order.

Before you get to the court date CAFCASS (Child and Family Court Advisory and Support Service) will write to you to arrange a telephone interview. CAFCASS will also interview your ex and produce a report based on your conversations.

What is the report for?

It is to find out if there are any concerns about your child's safety or wellbeing.

First they will check the Police National Computer for any criminal conviction, arrests, and cautions for both parents. They will also ask the Local Authority if they have any involvement or concerns. This information is not always quick to arrive so they may not have it by the time the appointment for the phone interview arrives. If one or either parent raises concerns about school, health or the involvement of a third party regarding your child, they may ask for information from these people too.

What will the report say?

It will summarise the information they have learned and often make some initial recommendations for the court. They will take into account all allegations made by either party even if they are, as yet, unproven. This is because the Family Court is primarily concerned with the safety of your child. They will simply not let allegations go uninvestigated.

You will not always see copy of this report before your first hearing because your ex may have asked for her details to be kept confidential or because CAFCASS are late in producing it. However it is entirely reasonable to ask for a copy at your first hearing specially if there are recommendations you wish to challenge.

What do I say during my telephone interview?

Don't try and do this interview without preparation. You will be given enough warning to think about what you are going to say. If you get an unexpected call from CAFCASS and they ask for an interview then and there, tell them you are unable to speak now and fix a date and time for the future.

Your preparation should concentrate on three areas:

- Your hopes for the future of the children e.g. School, sport, music, University, independence etc.
- Any concerns you have for the children resulting from your separation e.g. lack of contact with you, unexpected changes in schools, lack of contact with your extended

family, emotional abuse as a result of the sudden changes. This is something it is worth raising as a safeguarding/welfare issue. This will result in the social worker investigating it if a S7* report is requested later.

- Any safeguarding issues they may be suffering e.g. Lack of parenting capacity of their mother, alienating behaviour, refusal to consult or allow your parenting time, driving a wedge between you and your child.
- Your determination to remain a full and active parent in their lives.

Note... nowhere in this short list does it mention how unfairly you have been treated by your ex, social services, the police or the courts. It may be true you have been treated most unfairly by CAFCASS and the Family Courts and it is unlikely this will change in the future, but CAFCASS and the courts are only interested in the best interests of the children not your sense of injustice however real it is.

Worse, they will interpret your whinging about yourself and injustice as disinterest in the children, obsession with yourself and lack of genuine feeling, being in denial, obstructive behaviour or any number of motivations that simply do not genuinely reflect your true opinions.

Beware not to relax into a false sense of security during your telephone interview. It is not a therapy session. Some CAFCASS officers have been known to treat the interview more like a fishing expedition for evidence to support the mother's false allegations.

When the Safeguarding report is finally written it is then likely to emphasize your ex's genuine concerns for the children and her concerns about your ability to keep the children safe and your overall parenting capacity or worse repeat false allegations about domestic violence. This will simply make you more determined to bang on about injustice and push the chances of having a decent relationship with your children further into the future.... so don't do it.

You should receive the final Safeguarding report prior to your first hearing but this not happening more and more as CAFCASS implode from the extra work associated with recent changes to the Legal Aid arrangements.

You should receive a copy eventually but if you do not have it make sure you ask the Judge/magistrates for a copy at the first hearing. You may be amazed at the content and then you will be able to continue your fight for your children with a little more insight into how CAFCASS/Social Services see you.

*S7... Section 7 of the Children Act 2004. This is a report on the parenting capacity of the children carried out by either Social Services or CAFCASS which will make recommendations about the next steps in the process of enabling your parenting opportunities.