

## ***Cafcass, Experts and Background Checks.***

As part of this series of reports our attention turned to Cafcass, experts and background checks. Of the 207 councils contacted in regards to these questions, 74 outright refused to answer any questions. As the responses were not forthcoming this report is shorter than the normal ones.

### Question 1.

How many complaints have been raised each year since 2010 in regards to Cafcass or other child experts such as psychologists, psychiatrists. This can be either calendar or financial year, whichever you use for statistics. Do child social services follow the same guidelines or process when investigating child abuse when the child is in the care of the local authority as it does when a child is still living with their parent/s

Not surprisingly almost every response received was an outright refusal or directing the reporter to Cafcass. However, it is interesting to note that Cafcass does not work in Scotland.

Not deterred by the refusals and councils not holding the information the reporter turned to Trustpilot and noted that out of the 837 reviews 96% were bad. These Trustpilot statistics mirror the information Family Lives Matter has gathered from families.

It is also interesting to note that the second part of the question above was also not answered by the councils contacted. This is very concerning to the reporter as it was directed towards child social services.

### Question 2.

Do child social services do background checks on the experts they use in cases such as criminal convictions, credentials etc.

The responses received in regards to this question included the following.

1. DBS checks, references and registration from their governing bodies are required.
2. If experts are used in court proceedings they will be verified beforehand.
3. 1% of councils answered with a yes.
4. All parties, including parents, agree on who should be employed prior to court.
5. We do not hold this information.
6. Please refer to the safer recruitment and employment procedures.
7. This is normally sorted by the legal service.
8. The companies involved would do this as part of the employment process.
9. It is not down to the council or child social services to undertake these checks.

Question 3.

Do professionals like Cafcass, Guardian ad litem, Psychologists etc have access to child social services paperwork prior to doing their assessments? If so what type of information is shared and is this only in child social services vs parents or also in custody disputes .

Responses included.

1. Information is only ever shared as per GDPR principles and is done so on a case by case basis.
2. This depends on what the families agree to share or information requested by the court.
3. Cafcass and Guardian Ad Litem's can access data held by the local authority. Psychologists and other professionals can access records in agreement with the court.
4. This depends on the letter of instructions. This documentation is shared on the agreement of all parties.
5. If directed during private proceedings, social workers can share this information in a report format.
6. This would be part of the court bundle in a public or private cases.
7. This is a statutory service as per governmental guidelines.
8. Yes, information is shared between parties in public and private court proceedings. 9. No they do not automatically have access to this information, either all parties have to consent or can be ordered by the judge.
10. Professionals can access anything they are legally allowed to know under government legislation.

In Scotland it seems there would need to be a good reason for information sharing and then they would follow government guidelines.

Looking at the responses received is it any wonder families do not understand and ask questions in relation to this matter. Especially as many families do not consent to sharing paperwork.

Question 4.

How do child social services or Cafcass determine which parent a child loves the most for any family court cases. Is there any paperwork, evidence, reports to prove or disprove this question.

1. Many responses to this question stated this is not a matter of who loves the child the most.
2. Reports are made based on the best interests of the child.
3. This is dependent on the investigations done as part of proceedings.
4. Everything is worked around who can give the child the best life, where the child is safest.
5. Cafcass does not operate in Scotland.

Question 5.

.How often do Cafcass, psychologists, psychiatrists or other professionals rubber stamp / validate

child social services concerns even when there is evidence to the contrary? Again any reports or statistics from 2010 are appreciated.

The reporter was told multiple times that this is a very subjective question drawing on the questioners personal beliefs about the conduct of professional bodies or individuals working for these professional bodies.

That this was an inflammatory question. That the council does not hold information in this way etc. etc.

Conclusion.

It would appear that the councils do not like questions in regards to Cafcass or professionals used within the family court proceedings.

They do not hold this information and as such couldn't answer or that these were not valid FOI questions.

Whereas conspiracy theorists would use these answers as a way to prove a conspiracy. The reporter believes that these kinds of answers go a long way to explain the misunderstandings and miscommunication between families and the local authorities.

It was surprising to find out that Scotland does not use Cafcass and has a slightly different approach to public and private cases involving children. It would appear that Northern Ireland also works differently to England and Wales in these matters.

Where Scotland and Northern Ireland gave consistent responses in regards to these questions, Wales and England's responses could differ between councils. This shows the confusion these families find themselves in.

The reporter wonders if councils, local authorities or the government take any notice of the bad reviews available on Trustpilot in regards to Cafcass.

The reporter also wonders if most people are aware that Cafcass employs social workers and as such do not seem to be as independent and impartial as people think.