

Advice regarding children in the military and separation proceedings

FAQs

Who are Cafcass and how do they help?

See our website for more information about Cafcass' role in family proceedings [here](#).

What do I need to do before contacting Cafcass?

The government guide for separated parents provides information about what to do when deciding what should happen to your children when you and your partner have split up. As outlined in the guide, going to court should be a last resort and out of court options should be explored first. The guide can be accessed [here](#).

Is there an indicative length of time for proceedings?

The length of proceedings will depend on the individual circumstances of each case.

The [Child Arrangements Programme](#) sets out some timescales¹- within 17 working days of receipt by Cafcass of the application, and at least 3 working days before the hearing, the Cafcass Officer reports to the court, in a Safeguarding, the outcome of the risk identification work which has been undertaken.

The first hearing should ordinarily take place in week 5 following the issuing of the application. The majority of cases conclude following the first hearing. However, the case may continue for work after first hearing, this is usually in the form of a Section 7 report which usually takes around 12 weeks to complete.

Complexity and timescales of cases varies.

Who is usually involved in proceedings?

This will depend on the individual circumstances of each case. Our website provides information on what to expect [here](#).

Would my children be involved at any stage?

We do not have contact with the child directly in the work to first hearing stage of a case. As part of our work to first hearing, the allocated practitioner will carry out checks with the police and the local authority and, wherever possible, interview all the adult parties over the phone or at court to identify any safeguarding concerns they may have. Information from this work, is reported to court in a safeguarding letter filed in advance of the hearing, with any relevant updates provided by the FCA at court. We would expect to have contact with the child if the case were to continue to work after first hearing, where we would usually be ordered to provide the court with relevant information about the child's welfare, as well as the practitioner's assessment of what is in the child's best interests, in the form of a Section 7 report. Cafcass does not set out the number of times family court advisers should meet with each party or child, as this is a matter of professional judgement, taking account of all

¹ Please note due to the Covid-19 Pandemic there is a backlog and delays in the court system therefore timescales can vary to what is set out in the Child Arrangements Programme.

	aspects of the case, including the particular needs of any party or child.
<p>What information is a judgement based on?</p>	<p>Ultimately, it is for the court, not Cafcass, to determine the weight to be given to the evidence presented and reach a decision about the future care of the child or determine what further work is necessary after considering all the information before it, including the Cafcass report and representations by the adult parties. Parties can submit information and evidence to the court themselves, it is not the role of Cafcass to represent parties' views. Cafcass' role is to tell the court what would be in the best interests of the child, after taking all of the information into account and considering the welfare checklist, set out in Section 1 of Children Act 1989.</p>
<p>Is there a review or appeals process once a judgement is made?</p>	<p>If a parent is unhappy with the court order, they may wish to seek independent legal advice on the options available to them. Links to organisations who provide legal support and helpful resources can be found here.</p>
<p>Where else can I go to get information? (Cafcass approved sources)</p>	<p>More information can be found on the Cafcass website here.</p>
<p>Does Cafcass give legal advice?</p>	<p>Cafcass is unable to advise members of the public on legal issues. Links to organisations who provide legal support and helpful resources can be found here.</p>

Suggestions

<p>MOD suggest that:</p>	<p>you have contact details of you CO ready to provide at the earliest possible point</p>
<p>MOD suggest that:</p>	<p>you approach your CO to explain that they will be contacted</p>
<p>MOD suggest that:</p>	<p>you consider requesting a letter from your CO detailing your work commitments</p>
<p>CAFCASS suggest that:</p>	<p>You consider the out of court options before making an application, as referenced in point 2 above</p>
<p>CAFCASS suggest that:</p>	<p>When it comes to making a court application that you fill in as much detail as possible</p>