Cumbria

Child Focused Courts

A guide for parents and family members

The court will try to understand your child and your family's circumstances as early as possible.

The child's welfare remains the court's most important consideration.

This guide gives general information about the process. It does not give legal advice. Always read the court orders made in your own case.

1. What is a Child Focused Court?

A Child Focused Court is a way of dealing with Family Court applications about children.

The main idea is simple: **the court gathers important information about the child and family at an early stage.**

This helps the court understand:

- what life is like for your child
- what your child needs
- what each parent or carer says should happen
- whether there are any concerns about safety, domestic abuse or other harm
- what is agreed and what still needs to be decided
- whether the case can be resolved safely without several hearings

The law has not changed. Your child's welfare remains the court's most important consideration. The process for gathering information and managing the case is different.

2. The process at a glance

Stage	What happens
1	**Application made** You or another person makes an application to the Family Court about a child.
2	**Gatekeeping 1 (GK1)** The court first looks at the papers and decides what information is needed. You do not normally attend.
3	**Information gathering** The Children and Family Court Advisory and Support Service (Cafcass) or the local authority gathers information about the child and family.
4	**Child Impact Report** A social worker brings the important information together and makes recommendations in a Child Impact report (CIR).
5	**Gatekeeping 2 (GK2)** The court looks at the case again and reads the Child Impact Report. The court decides what should happen next. You do not normally attend.
6	**Decision Hearing** If important issues remain, the court will usually arrange a hearing that the parties attend.

Stage	What happens
7	**Final order or further steps** The court may make a final order or direct further work and another hearing.

3. The application and Gatekeeping 1 (GK1)

The application

The court receives the application and checks what needs to happen next.

The first court review – Gatekeeping 1

A judge or legal adviser looks at the papers. This is called Gatekeeping 1. You do not normally attend.

What the court considers

The court considers whether the case is urgent, what information is needed, whether a Child Impact Report should be prepared, and whether any hearing is needed at once.

Read the order

The court will send an order explaining what it has decided. Read the order carefully. It may require you to do something by a set date.

4. Information is gathered

Who gathers the information?

A social worker will usually prepare the **Child Impact Report**. The social worker may work for Cafcass. If the local authority is already involved with your child, the local authority may be asked to prepare the report.

What may happen?

The report writer may speak to each parent or carer, consider earlier court or social work involvement, obtain relevant information from other agencies, consider concerns about harm or domestic abuse, and explore whether a safe agreement is possible.

Your part

Be open and clear. Explain what you think your child needs, what you are worried about and what arrangements you think would work. Keep the focus on your child.

5. Your child's voice

Listening to children

Where it is appropriate, the report writer will speak to your child or use another suitable way of understanding your child's experience. This will depend on the child's age, understanding and needs.

Not a choice between parents

Your child is not being asked to choose between parents. The purpose is to understand what life is like for the child and what matters to the child.

How the views are used

Your child's views are important, but the child does not decide the case. The court considers the child's views with all the other information. The court should also consider how the final decision will be explained to the child.

6. The Child Impact Report

What is it?

The Child Impact Report is often shortened to CIR. It brings together the important information about your child and family.

What may it include?

The report may include your child's circumstances and lived experience, the views of the adults, relevant information from other agencies, any safety or risk concerns, the impact of the family situation on the child, the options available and the report writer's recommendations.

The purpose of the report

The report helps the court understand the dispute from the child's point of view and decide what should happen next.

7. Gatekeeping 2 (GK2)

The second court review

When the Child Impact Report is ready, a judge or legal adviser looks at the case again. This is called Gatekeeping 2 or CG2. You do not normally attend.

If agreement has been reached

If everyone agrees and the court considers the proposed arrangements appropriate, the court may make a final order without an attended hearing.

If more information is needed

The court can order focused further work or information.

If important issues remain

The court will usually arrange a Decision Hearing.

8. The Decision Hearing

The first attended hearing

For many parents, the Decision Hearing will be the first court hearing they attend. The hearing may be before a judge or magistrates.

What happens?

The court will focus on what is best for your child. The court may identify what is agreed, discuss what remains in dispute and explore whether a safe agreement can be reached.

If you do not agree

You do not have to agree. If agreement is not possible, the court may decide the issues and make a final order if it has enough information to make a fair and safe decision.

Be prepared

Come prepared for the possibility that the court may make a final decision about your child that day.

9. If the case needs more work

Further information

The court may order focused information, records, testing or an updated assessment if this is necessary.

Fact-finding hearing

If an important allegation is disputed and the court needs to decide whether it happened before deciding what is best for the child, the court may arrange a fact-finding hearing.

Another hearing

The court may give directions and arrange a final hearing or another Decision Hearing.

Domestic abuse

Domestic abuse and other concerns about harm are considered as part of the information-gathering process.

Where domestic abuse is raised, specialist domestic abuse services may become involved. An Independent Domestic Violence Adviser (IDVA) may provide support and carry out a risk assessment which can help inform the Child Impact Report.

If allegations are disputed and the court needs to decide whether they are true before it can decide what is best for the child, the court will consider whether a fact-finding hearing is necessary.

The court does not treat an allegation as proved simply because it has been made.

10. If you need support to take part

Tell the court as early as possible if something may make it difficult for you to take part safely or understand what is happening.

Safety arrangements

The court may consider separate waiting areas, different arrival or departure times, a screen in the courtroom or taking part by video. Look at the 'Safety at Court' page on the www.cumbriadfj.info website for more information.

Communication and accessibility

Tell the court if you need an interpreter, have a disability, or need information in another format.

Support

You may be able to bring a supporter or a McKenzie Friend. A supporter cannot act as your lawyer unless the court gives permission.

Domestic abuse support

Specialist domestic abuse services and an Independent Domestic Violence Adviser may be involved where appropriate.

11. What you should do

What to do	Why it matters
Read every court order	Note every deadline, hearing date and action required.
Keep your contact details up to date	Tell the court and the report writer if your telephone number, email address or address changes.
Speak openly	Explain your concerns, the arrangements you suggest and why you think those arrangements meet your child's needs.
Let your child speak for themselves	Do not tell your child what to say. Reassure your child that it is safe

	to speak honestly.
Separate agreement from disagreement	Be clear about what can be agreed and what the court really needs to decide.
Prepare for the Decision Hearing	Be ready to explain what order you are asking the court to make and why it would be best for your child.

12. Questions to think about

- What does my child need?
- What is my child experiencing at the moment?
- What am I asking the court to decide?
- Why do I think that would be best for my child?
- What am I worried about?
- What could I agree to?
- Is there a safe and practical compromise?
- What could I do differently to make things easier for my child?

The most important thing to remember

The case is about your child.

A Child Focused Court is not about deciding which parent has won. It is about understanding your child's life, considering safety and welfare, and finding arrangements that are in your child's best interests.

Where parents cannot agree, the court will make the decision.

This guide gives general information only. The court may use a different process where the circumstances of a particular case require it.

For more information please visit www.cumbriadfj.info