

**NAGALRO PRESS RELEASE****29 May 2009****Cafcass makes practitioners do the filing while children wait**

Cafcass waiting lists for court guardians are rapidly mounting across the country – 237 children are on the public law list in London, 40 in Bolton, 37 in Rochdale, 35 in Hertfordshire. Vulnerable children are being left without the independent guardian they are entitled to for periods of five months or more. Children’s solicitors are appalled by Cafcass delays that prevent them from being able to protect children’s interests effectively. By law each child should have a children’s guardian and their own solicitor who work closely together and represent their needs before the court when a local authority seek to remove them from parents.

Cafcass practitioners’ time is being absorbed by huge increases in paperwork driven by Cafcass’ fear of further critical reports from Ofsted, according to Nagalro, professional association for court guardians and independent social workers.

Nagalro Chair Ann Haigh said today: “Our members now have to spend much more time filling in forms and ticking boxes. Managers in some teams have instructed Cafcass practitioners not to attend court hearings but instead to spend time rearranging their files according to new guidelines.”

Judith Timms OBE, Nagalro’s policy officer and until recently a Cafcass Board member pointed out that “knee-jerk over-regulation risks masking bad practice, as in Haringey where boxes were ticked but Baby P still died. Compliance must not be confused with competence.”

Haigh commented: “Cafcass and Ofsted need to appreciate that it is sound professional judgment that protects children, not over-regulation. Money that should be spent on professional time is spent on ever more managers, new logos and replacing the furniture.”

“If Cafcass is serious about providing a timely service to children they must reduce the bureaucratic burden. They also have many highly skilled and experienced self-employed guardians they can call on to cope with peaks of demand like the current one.”

Nagalro believes that Cafcass is failing to make use of this vital resource. Haigh said: “Cafcass inherited the most experienced workforce in social work but has steadily driven these valued professionals away.”

“People whose reports are described as exemplary are told they will no longer be used because they did not tick a box, or their handwriting is not good enough.”

“Anthony Douglas states that there is a large increase in court care applications in March 2009 compared to March 2008. However from April – September 2008 there was a big decrease in applications – a consequence of changes in procedures – and overall the numbers for 2008-9 are comparable to previous annual figures. There is therefore no excuse for Cafcass providing a significantly worse service as compared to previous years.”

---ENDS---

**For further please information contact:**

Alison Paddle	Nagalro Press Officer	01539 737232
Ann Haigh	Chair, Nagalro Council,	0208 505 5773
Karen Harris	Principal Administrator, Nagalro office	01372 818504

**Notes to Editors:**

1. NAGALRO is the Professional Association for children’s guardians, Family Court Advisers and Independent social workers. The association aims to promote and enhance the quality of practice of those concerned with the independent representation of children’s interests before the courts, throughout England and Wales.

2. Children’s guardians are appointed in public law proceedings in the family courts i.e. where Local Authority Children’s Services take court action to protect children whom they believe are suffering significant harm within their families from physical, sexual or emotional abuse. The Children Act 1989 sets out the duties of the role, which is to safeguard the interests of the child independently of both the local authority and the parents. The role developed to give children a voice after the tragedy of Maria Colwell, a seven year old girl whose voice was not heard when the court returned her to mother and step father who murdered her.

3. They are also appointed in adoption proceedings, emergency protection order, and secure accommodation applications.

4. Family Court Advisers also act in private law cases, reporting to the court on children’s welfare in relation to contact and residence issues when parents separate.

5. Each child should have a children’s guardian and their own solicitor appointed for them when a local authority seek to remove them from parents. This ‘tandem model’ is widely admired as providing real protection for vulnerable children’s interests. It ensures the child’s welfare and legal needs are represented to the court and that the child’s voice is heard.

6. The NAGALRO website can be found at: [www.nagalro.com](http://www.nagalro.com)