

Revised Protocol for referrals of families to Supported Child Contact Centres by Judges and Magistrates



The protocol for referrals of families to Child Contact Centres, designed to assist judges and magistrates who are proposing to make orders for contact involving the use of a Child Contact Centre, was originally introduced in 2000 following widespread consultation and had the endorsement of the President of the Family Division, Division, Dame Elizabeth Butler-Sloss and subsequently that of the former President, Sir Mark Potter.

Following recent changes in arrangements regarding referrals to supervised contact centres this protocol now governs only referrals to Supported Child Contact Centres. Consultation on practical matters affecting Supported Child Contact centres has shown the need to address some matters in more detail and has led to this revised Protocol, which has the support of Sir Nicholas Wall President of the Family Division and Patron of The National Association of Child Contact Centres (NACCC) who said:

"Supported Child Contact Centres are integral to the better working of the wider family justice system, offering a most valuable resource to courts dealing with difficult and often acrimonious family disputes over contact. They also provide safe, comfortable and pleasant surroundings for children meeting the non-resident parents.

It is crucial that Supported Child Contact Centres are used appropriately. This means that the safety of the children being referred, the other families using the centre as well as the staff and volunteers must be considered before an order is made. Supported Child Contact Centres offer a voluntary service and must be able to decide whether to accept or refuse a referral.

Furthermore Courts recognise that Supported Contact Centres are charities and nearly all the staff are volunteers. They can only undertake their work if free of any risk of being drawn into individual cases or disputes. Accordingly courts and parties will not require or seek their involvement in resolving disputes, writing reports, noting events or attending, in any capacity, any family court hearing.

This admirable protocol will be of the greatest help to judges and magistrates to ensure that Supported Child Contact Centres are used to their best advantage for children needing this valuable and scarce resource."

A handwritten signature in black ink that reads 'Nicholas Wall'. The signature is written in a cursive style and is positioned above a horizontal line.

Sir Nicholas Wall
President of the Family Division
2nd July 2010

REFERRALS TO SUPPORTED CONTACT CENTRES

Supported Child Contact Centres do not offer Supervised Contact. The provision offered by Supported Child Contact Centres is described in the Manual of Guidance produced by the National Association of Child Contact Centres as follows:

“Supported contact takes place in a variety of neutral community venues where there are safe facilities to enable children to develop and maintain positive relationships with non-resident parents and other family members. Supported Child Contact Centres are suitable for families when no risk to the child or those around the child, unmanageable by the centre, has been identified during an intake procedure.”

It is a requirement that the parents and children attend a pre-contact meeting or equivalent (for example a telephone discussion) Parents are seen or spoken to separately so that the Centres can follow their own risk assessment procedure. A number of children’s story books about visiting a Child Contact Centre are available via the NACCC website www.naccc.org.uk

The basic elements of supported contact are as follows:

- Impartiality.
- Staff and volunteers are available for practical assistance (for example calming a tearful child) and keeping a watchful eye. They do not monitor or evaluate individual contact/conversations.
- Several families are usually together in one or a number of rooms.
- Families are encouraged to develop mutual trust and consider more satisfactory family venues.
- Apart from confirmation of attendance dates and times, no report will be made to a referrer, CAFCASS, a party’s solicitor or court.
- Supported Child Contact Centre staff and volunteers are not available to be called as witnesses unless it is a criminal matter.
- It is acknowledged that the Supported Child Contact Centre is a temporary arrangement, to be reviewed after an agreed period of time.

Things to check

Before making an Order for Contact at a Supported Child Contact Centre (whether interim or final) please check that the matters set out below have been addressed.

1. If you are considering making an Order for contact at a Supported Child Contact Centre, please ensure that you have addressed whether referral to a Supported as opposed to a Supervised Contact Centre is appropriate where any one or a combination of the following are present
 - a) Domestic Violence
 - b) Drug or substance misuse
 - c) Alcohol misuse
 - d) Mental illness

2. That the Child Contact Centre Co-ordinator has been contacted and has confirmed that:
 - a) The centre is an accredited member of NACCC.
 - b) The referral appears to be suitable for that particular Centre, subject to a satisfactory pre-visit or equivalent. (In line with its Safeguarding Policy a Supported Child Contact Centre can refuse to accept families if the circumstances appear to them to be inappropriate for the Centre).
 - c) The intended day and times are available at the particular Centre concerned.
 - d) A vacancy is available or a place on a waiting list has been allocated.

3. That you have directed that a copy of the Order is provided to the Centre by one or other of the parties within a specified time together with any other injunctive or relevant Orders on the court file.

4. That it has been agreed who will have responsibility for completing and returning the Centre's referral form. Solicitors for both parties should agree the contents and it should be forwarded to the Child Contact Centre within 24 hours of the court hearing.

5. That the parties understand that the Child Contact Centre offers supported contact only; and that parties and their solicitors are aware that apart from attendance dates and times, no

report will be made to a referrer, CAFCASS, a party's solicitor or court; and that the parties understand that the centre staff and volunteers are not available to be called as witnesses unless it is a criminal matter.

6. That if contact is to be observed at the Child Contact Centre by a CAFCASS officer or other third party that this is a facility offered by that Centre and that the Centre has agreed to this course of action. Many do not permit such attendance.
7. That where there may be a communication problem related to language, arrangements have been made for the provision of an independent interpreter. This is not the responsibility of the Supported Child Contact Centre
8. That the Order clearly defines whether or not any other family members are to be a part of the Contact visit.
9. That it is agreed who is going to tell the children where and when they will see their non-Resident parent.
10. That it has been agreed who will be responsible for informing the Centre when the place is no longer required.
11. That a date has been set for a review of contact, including the use of the Supported Child Contact Centre and of any other steps parties have been ordered or undertaken to take which are relevant to contact and for further directions if necessary. Only in exceptional circumstances should an order be made allowing for the open-ended use of a Supported Child Contact Centre.

Please also note

1. The order should be worded "Subject to the parties attendance at a pre-contact meeting or equivalent, the availability of a place and the parties abiding by the rules of the centre....."
2. The Centre or Centres at which you direct contact should take place will very much welcome a visit from you and your colleagues. Volunteer staff greatly appreciate the Judiciary taking a positive interest in their local Centres. Such visits will also help you to understand the facilities available locally and thus the type of case that is most suited to contact at the Supported Child Contact Centre.