

APPENDIX 9

NACCC: Protocol for Referrals of Families by Judges and Magistrates to Child Contact Centres

[October 2005]

Protocol for referrals of families by Judges and Magistrates to Child Contact Centres proposing to make orders for contact involving the use of a Child Contact Centre. It has been the subject of widespread consultation, and has the endorsement of Sir Mark Potter (Patron of NACCC) and Mr. Justice Wall (Vice-President of NACCC).

‘Child Contact Centres are integral to the better working of the wider family justice system. They provide a safe venue for non-resident parents to meet with their children. Many of the centres are staffed by dedicated volunteers who are asked to deal with difficult and often acrimonious situations. This protocol provides valuable guidance to courts considering making an order for contact which involves the use of a contact centre and is required reading for any court considering such an order.’

The Rt Hon Sir Mark Potter, President of the Family Division and
Head of Family Justice (Patron of NACCC)

Before making an Order for contact (whether interim or final) which involves the use of a Child Contact Centre, please check that the matters listed below have been addressed. Please note in particular that most Child Contact Centres do not offer supervised contact. The provision which most offer is **SUPPORTED CONTACT** which is described in the *Manual of Guidance* produced by the National Association of Child Contact Centres (NACCC) as [follows]:

‘Supported contact takes place in a variety of neutral community venues where there are 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 significant risk to the child or those around the child has been identified.

The basic elements of supported contact are:

- Impartiality.
- Staff and volunteers are available for assistance but there is no close observation, monitoring or evaluation of individual contacts/conversations.
- Several families are usually together in one or a number of rooms.
- Encouragement for families to develop mutual trust and consider more satisfactory family venues.

- Apart from attendance dates and times, no detailed report will be made to a referer, CAFCASS, a party's solicitor or court, unless there is a risk of harm to the child, parent or Centre worker.
- An acknowledgement that it be viewed as a temporary arrangement to be reviewed after an agreed period of time.'

If you are considering making an Order for contact in a case where domestic violence is an issue please ensure that you have addressed that issue, and in particular:

1. that you have considered the effect on the resident parent and the children concerned of any domestic violence which you have found or which is alleged and that;
2. notwithstanding these matters you are satisfied that supported contact is appropriate. If this is not appropriate, is supervised contact appropriate and is it available?

Things to check:

1. That the Child Contact Centre Co-ordinator has been contacted and has confirmed:
 - (a) The referral appears to be suitable for that particular centre. Child contact centres can refuse to accept families if the circumstances appear inappropriate for the Centre.
 - (b) The intended day and times are available at the particular Centre concerned.
 - (c) A vacancy is available or a place on the waiting list has been allocated.
2. 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.
3. That it has been agreed who will have the 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.
4. If contact is to be observed at the Child Contact Centre by a family court welfare officer (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.)
5. That the parties understand whether the Centre offers supported or supervised contact and appreciate the difference.
6. That it is agreed who is going to tell the children where and when they will see their non-resident parent.

7. That the Order clearly defines whether or not other family members are to be a part of the contact visit.
8. That it has been agreed who will be responsible for informing the Centre when the place is no longer required.
9. That a date has been set for a review of the contact and any other steps the parties have been ordered or undertaken to take which are relevant to the contact issue and for further directions if necessary. Only in exceptional circumstances should use of a Centre be open-ended.

Please also note

1. The order should be worded 'Subject to the parties' attendance at a pre-contract meeting (if applicable), the availability of a place and the parties abiding by the rules of the Centre . . .'

Note: It is a requirement of some Centres that the parents and children attend a pre-contact meeting (parents are seen separately) so that the Centres can follow their own risk assessment procedure. Others will either welcome or insist on a pre-contact visit by the resident parent to acclimatise the child(ren). Non-resident parents are also welcome.

2. *Ben's Story*, a children's book about visiting a Child Contact Centre is available from NACCC or can be ordered from most good bookshops (ISBN: 0-9536548-0-X). Cost £2.50 includes postage and packaging. It is also printed in Welsh – *Stori Ben*.
3. The Centre or Centres at which you direct contact to take place will very much welcome a visit from you or from your colleagues. It will be greatly appreciated by the volunteer staff if the local judiciary takes a positive interest in its local Centres and such visits will help you to understand the facilities on offer and thus the type of case which is most suited to contact in the local Child Contact Centre.