

REVISED PROTOCOL FOR REFERRALS OF FAMILIES TO CHILD CONTACT CENTRES BY JUDGES AND MAGISTRATES

The first Protocol designed to assist judges and Magistrates making orders referring families to Child Contact Centres, was originally introduced in 2000 following widespread consultation. Endorsed by the President of the Family Division, Dame Elizabeth Butler-Sloss it was subsequently approved by her successor Sir Mark Potter, and then revised and strengthened by Sir Nicholas Wall in 2010. Since 2010 there have been changes to the Family Justice System which necessitate a further update to this Protocol.

[Supported Contact Centres](#) provide safe, pleasant, neutral surroundings for children meeting the parents they do not live with, their broader families and significant other adults. Supported Contact Centres are mainly run and staffed by trained volunteers who keep a watchful eye on the children and families using the centre. They offer a most valuable resource to courts dealing with difficult and often acrimonious family disputes over contact. 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. Cases which require Supervised Contact should not be referred to a Supported Centre.

[Supervised Contact Centres](#) are used where there is risk of harm, issues such as drug and alcohol addiction or a history of domestic violence. Contact facilities are provided on a one to one basis and contact is observed by professionals. Supervised Contact Centres are staffed by qualified social workers.

Contact Services can be provided by both Supported and Supervised centres. Supported centres can provide safe, neutral handover drop off / pick up points meaning that parents do not have to meet. Supervised contact centres can offer services for supervised contact assessment, indirect contact, escorted contact within the community and life story identity contact. There has been a significant increase in the numbers of children and families using Contact Services rather than Centres following the introduction of special guardianship arrangements.

As the needs of families change, contact centres and services are becoming increasingly flexible to meet these needs and that is invaluable. What must not change however, is our responsibility to ensure that a child's wellbeing and safety remains at the core of contact centres and services function. It is essential therefore that **all** child contact centres and services are accredited and thus operate to the same high safeguarding standards.

There are agreed [national standards](#) for both supported and supervised contact and services, I have written the Foreword to both these [documents](#). Supervised and Supported centres and services, which demonstrate compliance with these standards, have 'Accreditation' status. Accreditation and re-accreditation is undertaken every three years.

It is important that when making orders for referral to contact centres or services judges and magistrates require the centre or service to be 'accredited'. [Lists of accredited centres and services](#) are available from the National Association of Child Contact Centres (NACCC).

In addition, judges and magistrates are only too aware of the significant increase in the number of litigants in person and the attendant loss of legal representation. As a result, it is important that courts make sure that in ordering attendance at a Supported Contact Centre, the order also includes the release of relevant safeguarding information to the Child Contact Centre. The National Association of Child Contact Centres (NACCC) has introduced an [on-line referral service](#) which is being adopted by increasing numbers of Supported Child Contact Centres and which helps with safeguarding issues, but until this is available nationally, the orders we make must clearly indicate how this critical safeguarding information is to be provided to the Contact Centre.

Most Supported Child Contact Centres are charities and nearly all the staff are volunteers. All Supported Child Contact Centres must be able to decide whether to accept or refuse a referral. Similarly, 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.

I would ask that colleagues in the judiciary and the magistrates read and follow this revised protocol, which relates to supported centres and services, carefully, so that every child can experience the same high level of care and safeguarding where circumstances have necessitated their involvement with the family justice system and child contact centres or services.

Sir James Munby, President of the Family Division

REFERRALS TO CHILD CONTACT CENTRES

Supported Centres

Supported Contact takes place in a variety of neutral community venues where there are safe facilities to enable children to develop and maintain positive relationship with their parents they do not live with, other family members and significant adults. Supported Contact Centres are suitable for families when no risk to the child or those around the child, manageable by the centre, has been identified at an intake meeting. Supported Child Contact Centres do not offer Supervised Contact.

Each centre requires that parents and children attend an intake meeting with that Contact Centre's co-ordinator before contact can proceed. In exceptional circumstances for example where attending a pre- contact meeting would involve an unreasonable distance to travel, a pre-contact meeting equivalent (for example, a telephone or Skype discussion) can be arranged. Parents are seen separately so that the Centres can follow their own risk assessment procedure.

The increase of litigants in person as well as self-referrals from families seeking contact in the pre-proceedings period has meant increased safeguarding concerns for those running Supported Contact Centres. The National Association of Child Contact Centres, now operates an on-line application service for supported child contact centres – the Safe Referral System (SRS) - which it is important for judges and magistrates to be aware of. Details of the SRS are on NACCC's website at www.naccc-selfreferrals.org.uk /or by clicking on this link.

The families should be informed by the court that the person seeking contact should make the initial application and the person with whom the child lives should respond, preferably as soon as they receive notification of the application.

The basic elements of **Supported** Contact at a Centre are

- Impartiality.
- Staff and volunteers can give practical assistance (for example calming a tearful child) and keeping a watchful eye. They do not monitor or evaluate individual contact or conversations.
- Supported Contact at a child contact centre is a temporary arrangement and families are encouraged to use the time to build up trust in each other's abilities and commitment to their children, so they can move on from the centres to making their own arrangements.

Staff at the centres can signpost families to mediation and/or other services where they may assist.

- How long a family should continue to meet at a Supported Child Contact Centre will be reviewed either at a date ordered by the court or in discussion with the contact centre coordinator, but in general this is after three months and in more exceptional circumstances after six months.
- Apart from confirmation of attendance dates and times, no report is made to any referrer, a party's solicitor, social worker, mediator or the court.
- Supported Child Contact Centre volunteers and staff are not available to be called as witnesses unless it is a criminal matter.
- Each Centre has an agreed procedure for cases where suspected safeguarding issues occur and the centre will also abide by the Local Authority's Safeguarding procedure.
- Several families are usually together in one or a number of rooms.

PROCEDURE

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. The child contact centre or service should be Accredited.
2. Is this case suitable for a Supported Contact Centre particularly where:-
 - a) There are allegations of domestic violence, other violent or aggressive behaviour including harassment, drug or alcohol abuse? And/or
 - b) The child/ren has/have had little or no recent or any contact with the parent with whom the child does not live, and may need professional assistance in establishing a relationship before moving to a Supported Contact Centre?
3. That the court has directed that a copy of their Order, and any safeguarding information about the family be released to the Child Contact Centre when an application to a centre

is made. This includes copies of any injunctive or other relevant orders made within the preceding two years.

4. If the parties are litigants in person, the court explains to them that they should apply to a Contact Centre through the Safe Referral System. Applications are made through the National Association of Child Contact Centres website – www.naccc-selfreferrals.org.uk. The parties can select the centre/s they would prefer to go to as part of the on-line application.
5. That the court has made the parties aware, whether they are litigants in person or are legally represented that their acceptance at a Supported Child Contact Centre will be subject to a satisfactory pre-visit or equivalent to the Contact Centre. (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).
6. **That the parties understand:**
 - the Child Contact Centre offers supported contact only;
 - that parties and their legal representatives/mediators are aware that apart from attendance dates and times, no report either verbally or in writing will be made to either party, a referrer, or the court by any Centre staff whether working on a voluntary or remunerated basis;
 - Contact Centre staff and volunteers are not available to be called as witnesses in any family proceedings.
7. Where there may be communication issues related to language, arrangements have been made for the provision of an independent interpreter by the Applicant. Supported Child Contact Centres do not provide interpreters.
8. That the Order clearly defines whether any other family members and significant adults are to be included in the contact visit and if so, when and for what part of the visit.
9. That the Order clearly defines whether or not the child may be taken outside the Contact Centre and if so for how long; and whether this is at the first or subsequent contact visits.

10. When making orders, whether after a contested hearing or by consent, it is important, when it is possible to do so and consistent with the best interests of the child concerned, that the court includes in the order an exit plan setting out a timetable for contact to move from the Contact Centre into the community.
11. In situations in which a clearly defined timetable is not possible, the court will emphasise that the Contact Centre is intended to be a temporary solution and that the parties are expected to review with the Contact Centre coordinator periodically whether contact can move out of the Centre. Parties will be made aware that a review will take place after contact has been taking place at the Centre for three months and only in exceptional circumstances will it continue to take place at a Contact Centre after a six monthly review has taken place.
12. Where a referral is made to the Contact Centre by a Local Authority children's services department the individual social worker and team manager will be expected to provide their details to the Contact Centre coordinator so that effective communication can be made with them if contact does not proceed appropriately at the Centre and further guidance or input from children's services is required.
13. If the parties are referred after court proceedings and copies of the order and safeguarding information are not provided by the parties themselves then the Contact Centre coordinator shall be permitted to obtain a copy from the court without payment of a fee or obtaining a further court order.
14. **The Court has made clear to the parties that:**
 - They must agree which of them is going to tell the children where and when they will see the parent they don't live with and which party will be responsible for informing the Centre when the place is no longer required.
 - There is agreement on whether photographs of the child/ren by the parent having contact can be taken and if and where those photographs can be posted/exchanged using social media. (The parties should also be aware that in Supported Centres photographs can only be taken in the presence of staff and for safeguarding and child protection reasons no photographs of other children, adults and staff in the centre should be taken whilst at the centre.)

- At each three monthly review the Contact Centre coordinator will consider with the parties whether contact can move on from the Centre into the community or an alternative supported setting. The parties will be encouraged to discuss arrangements between themselves, through their legal representatives or by mediation.
- Where parties who are subject to a court order have not applied back to the court within one month of the six months review the Centre coordinator may contact the district judge at the relevant court with responsibility for liaison on private law matters by email to seek further directions from the court. A formal application and court fee will not be required.
- In those cases where a court order is in place and agreement cannot be reached for onward progression and contact has taken place at the Centre for at least six months the parties will be encouraged to apply back to the court for a further order. (Where a party is on a low-income reduced court fees may be payable under the [“Help with fees”](#) scheme).

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