

Email [cafcassjr@battens.co.uk](mailto:cafcassjr@battens.co.uk)

Your ref:

Our ref: MD/7624413/004

Date:

Fax: 01935 816436

Mansion House Princes Street  
Yeovil Somerset BA20 1EP

**Tel** 01935 846000

**DX** 100503 Yeovil

[www.battens.co.uk](http://www.battens.co.uk)

Dear Colleague,

**RE: Child R: POSSIBLE JUDICIAL REVIEW ACTION AGAINST CAFCASS**

We are writing to you in your capacity as a member of the Law Society Children's Panel, and as a solicitor whom we suspect is committed to the welfare of children within Public Law (and indeed Private Law) proceedings.

Every practitioner with any degree of competence in this field is well aware of the high level of pressure currently being experienced by the Family Court system in dealing with the most serious cases concerning children, and particularly the difficulties that CAFCASS are currently having.

We are sure that you will be more than aware of the significant and almost certainly unacceptable delays that have arisen with regard to the appointment of Children's Guardians and Family Court Advisers in both Public and Private Law Proceedings.

To that end, we have recently made a formal application to the Legal Services Commission for Public Funding on behalf of one of our child clients to enable a judicial review to be brought of CAFCASS and its funding Government Department.

Public Funding has now been granted and we have received a positive written opinion from Robin Tolson QC and Jenni Richards (a Junior Counsel specialising in Administrative Law). The Official Solicitor has accepted responsibility for this case, and we have been asked by Leading Counsel to obtain solid evidence to demonstrate the current scale of the problem, including further material about the numbers of children currently affected, the extent of delays and illustrations of the practical affects of the delays. We have specifically been asked to obtain individual examples which convey how the current situation is affecting vulnerable children and the progress of the cases concerning them.

To that end, this letter is accompanied by a short "Case Report" Form. We hope that you will be able to complete at least one of these forms with appropriately anonymised details of cases in which you are involved where there has been delay in appointing a Children's Guardian or Reporting Officer together with details of any concerns that you have indentified as a result of this delay.

We would be extremely grateful that if once completed, you could then return any form(s) to us at your earliest convenience, either by fax, post or by email to [cafcassjr@battens.co.uk](mailto:cafcassjr@battens.co.uk)

Any queries you have in respect of this matter should also be sent via email to that address.

Finally, we should make it absolutely clear that, should it proceed, the proposed Judicial Review will most certainly not be directed against the extraordinarily committed and hard working Family Court Advisers and Guardians with whom we all work on a daily basis. These individuals are coping heroically with unprecedented demand for their expertise and services. The proposed application is in respect of the organisation of CAFCASS, and the way that it (and its parent department in government) has coped with this crisis, together with its possible failure to provide appropriate staffing support to what are always the most difficult of cases.

Thank you in advance for your assistance.

Yours faithfully



**Battens Solicitors Limited**