

## Information on private proceedings: ‘private law cases’

### What is the role of JFCAS?

When parents or carers split up or do not live together, it can sometimes be difficult for them to agree on arrangements for their children, such as where their children live (residence) and who they see (contact). Some make a private law application to the Court about this.

The Court will always ask JFCAS to consider each application at the outset, to see if decisions being made are safe, and promote children’s welfare.

There are two phases to these applications: before the first hearing, and any work afterwards.

### Work to the first hearing (WTFH)

When an application has been made, a JFCAS officer will undertake safeguarding checks with the police and Children’s Services, to make sure that the Court has any relevant information needed. An officer will then arrange a brief telephone interview with both parties, and then write a letter to the Court setting out what the issues are.

After this, the Court may order JFCAS to undertake further work.

## Work after the first hearing (WAFH)

JFCAS offers defined interventions after the first hearing, which are as follows:

### HYPERLINKS IN YELLOW

- child-focussed casework with a **welfare report**
- **negotiation and dispute resolution**
- **child contact intervention** (CCI)
- **Wishes and feelings report.**
- **Family Assistance Order (FAO).**

Interventions will usually not extend beyond 12 weeks, apart from a Family Assistance Order, which can be made for a longer period.

The JFCAS officer will:

- Analysing all the evidence and make recommendations to the court about what they consider to be in the child's best interests
- Meet with the child, and sharing the child's wishes and feelings with the court
- Meet with parents, carers, family members and key professionals as part of their assessment

The children's guardian role is finished at the end of proceedings, when the court has made final decisions about the child.

The guardian will explain to the child that their role has finished and write to the IRO to pass on any important information about the child.

Throughout the process the JFCAS officer will try and answer any questions you may have, but cannot give legal advice.

## Helpful advice/support services

It is important that you get legal advice and let the court, JFCAS and the Children's Service know what you feel is right for your child, and any objections you have.

Your child will also have an Independent Reviewing Officer (IRO) appointed to review the Children's Services care plan, and you can speak to them, attend reviews, and give your views.

Citizen's Advice Bureau: [Jersey Citizens Advice - Home \(cab.org.je\)](http://cab.org.je) 01534 724942

Legal Aid in Jersey: [Legal Aid in Jersey | Welcome](#)

Jersey Cares (independent advocacy and support for children) [A charity to care about \(jerseycares.je\)](http://jerseycares.je)