

Are you a parent planning to go to court?

What do Family Courts expect from Parents and Carers?

The following is an extract from the Family Justice Young People's Board (FJYPB).

Introduction

The FJYPB is a group of over 50 children and young people between 8 and 25 years all of whom have had direct experience of their parents separating or a particular interest in children's rights and the family court.

<https://www.cafcass.gov.uk/family-justice-young-peoples-board/>

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The purpose of the board is to ensure that the Family Justice System remains **child-centred and child inclusive**.

They work to promote the voice of children and young people who experience family breakdown including those children and young people who are involved in family court proceedings.

They do this by actively taking part in various meetings, projects and events, and working together with various agencies and organisations

What the Family Courts expect from Parents and Carers

Are you a parent or a carer thinking of asking for a court order, or responding to an application for a court order?

Before going any further.... we encourage you to listen to what **children** say in circumstances where their families are separating

(Source: FJYPB Top Tips for Parents who separate)

1. Remember I have the right to see both of my parents, as long as it is safe for me.
2. I can have a relationship with the partner of my other parent without this changing my love for you
3. Try to have good communication with my other parent because it will help me. Speak to them nicely.
4. Keep my other parent updated about my needs and what is happening for me. I might need their help too.

5. Don't say bad things about my other parent, especially if I can hear. Remember I can often overhear your conversations or see your social media comments.
6. Remember it is ok for me to love and have a relationship with my other parent.
7. Don't make me feel guilty about spending time with my other parent.
8. Don't make permanent decisions about my life based on how you feel at the moment. Think about how I feel now and how I might feel in the future. My wishes might change.
9. Be open to change, be flexible and compromise when agreeing arrangements for me.
10. It's ok with me if my parents don't do things exactly the same. You are both different and that's alright with me.
11. Don't be possessive over me and the things that belong to me. Make it easy for me to take the things I need when I spend time with my other parent, such as schoolwork, PE kits, clothes, books, games, phone etc. Let me choose what I want to take with me.
12. Keep me informed about any changes to my arrangements.
13. Try not to feel hurt if I choose to spend time with my friends instead of seeing you. I am growing up!
14. Remember that important dates (birthdays, celebrations, parents evening, sports day etc) are special to you, me and my other parent. I may want to share my time on those dates with each of you.
15. Work out between you and my other parent who is responsible for the extra things I need, such as new school shoes and uniform, school trips, dinner money and the cost of my hobbies or after school activities. I don't want to be involved in this.
16. Remember that I don't expect you or my other parent to be perfect, so I don't want you to expect my other parent to be perfect either. Accept mistakes and move on.
17. Make sure I am not left out of key family events. Please compromise with my other parent so I can join in.
18. Please don't stop me having contact with extended family members who are important to me. Ask me how I feel about them. Don't assume my feelings are the same as yours.
19. Don't use me as a messenger between you and my other parent.

20. Don't use my relationship with my other parent against me, or them.
21. Don't ask me to lie to my other parent or other family members.
22. Don't ask me to lie to professionals, or to say what you want me to say.
23. Remember that I might want something different to my brother or sister.
24. Don't worry about how others see you or what they think. I am what matters.

Please follow these guidelines

The court asks you to think about these things first: • As parents, you share responsibility for your children; try to have a good communication with each other because it will help your children; • Even when you separate it is important that you try to work together provided it is safe to do; • Try to agree the arrangements for your child. If talking to each other is difficult, ask for help. This help could be from a neutral family member or friend, a relationship counsellor like Relate, a mediator or family lawyer. • If you cannot agree you can ask the court to decide for you. The law says that the court must always put the welfare of our child first. Don't forget though that what you want may not be what the court thinks will be the best thing for your child. • It may well be that court-imposed orders work less well for you as a family than agreements made between you as parents.	Your child needs to be able to: • Understand what is happening to their family. It is your job to explain • Have a loving, open relationship with both parents. It is your job to encourage this, provided it is safe to do so. You may be separating from each other, but your child needs to know that he/she is not being separated from either of you. • Show love, affection and respect for both parents Your child should not be made to: • Blame him/herself for the breakup. • Hear you running down the other parent (or anyone else involved). • Turn against the other parent because they think that is what you want. • Feel unsafe or scared by a parent or experience one of their parents abusing their other parent.
The court therefore encourages you to: • Support your child to have a good relationship with each parent and with other people who are important to them, where it is safe to do so; • Arrange for your child to spend time with each of you where it is safe to do so.	You can help your child: • Think about how he or she feels about the breakup. • Listen to what your child has to say: • About how he/she is feeling

- Remember, the law presumes that the involvement of each parent will be good for the child, unless your or your child's safety is at risk. How much involvement each parent should have depends on the individual child. - Please remember that the law treats child support and contact as two different things. Please do not stop contact because of problems with child support and please do not stop child support because of problems with contact. - Judges and magistrates hope that parties can resolve (with the assistance, if required, of a mediator or other facilitator) an issue over the precise amount of time spent with the other parent where there is no safeguarding or domestic abuse issue, and no issue over where the child should live. If the judge/magistrate takes the view that no, or insufficient, steps had been taken to resolve such an issue out of court, this could be considered by the court when (a) deciding on the issue itself, and/or (b) reviewing and determining whether a contribution should be made to the cost of the court process and/or the costs of the participation of the other party.	- About what he/she thinks of any arrangements that have to be made. - Try to agree arrangements for your child (including contact) with the other parent. - Talk to the other parent openly, honestly and respectfully. - Explain your point of view to the other parent so that you don't misunderstand each other. - Draw up a plan as to how you will share responsibility for your child so long as it is safe to do so. - When you have different ideas from the other parent, do not talk about it when the children are with you. You should talk to your children about what is happening in their family in a way that is suitable to their age - If they are old enough, they should be asked how they feel and what they would like to happen, but you should never force them to take sides, reject the other parent or make decisions instead of you - You should provide the support your children need to adjust to your separation
If a court order is made, you must do what the order says. If something changes to make the order unworkable	If you want to change agreed arrangements (such as where the child lives or goes to school): - Make sure the other parent agrees. - If you cannot agree, get some help.

you are worried about your child's or your own safety in following the order • your child refuses to follow the order you should try and agree changes with your other parent, or (if necessary) apply to the court to have the order changed.	• Again, this could be from a neutral family member or friend, a relationship counsellor like Relate, a mediator or family lawyer. • If you still cannot agree, apply to the court.
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