Fathers Voice

FAMILY COURT

Family court and child arrangements

For fathers who want to agree, make or keep arrangements for their child. From things slipping to living with an order.

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Lived experience, peer support and practical guidance for England and Wales. Not legal advice.

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Introduction

Most fathers who end up in the family court didn't plan to be there. It usually starts quietly. A weekend gets moved. A mid-week tea stops happening. Messages take longer to come back, and then they come back colder. Nothing dramatic has happened, but the routine your child relied on is wearing away, and you aren't sure what you're allowed to do about it.

> FROM PEER SUPPORT
>
> *I know that feeling from my own time in the family court, and from the fathers I have since sat alongside as a peer supporter. This guide carries pieces of those experiences. It isn't the story of any one family, but of a pattern that keeps repeating: fear arrives first, followed by a choice about what you do with it. You may feel angry, frightened, ashamed, numb or unable to think clearly. You may believe you're being pushed out of your child's life, or you may simply be exhausted by an arrangement that no longer works for anyone. None of these feelings makes you a worse parent. They mean something central to your life feels uncertain.*

This is not about winning

The family court isn't there to decide which parent is the better person, who was wronged in the relationship, or who deserves more time. Its question is narrower and harder: what arrangement is best for this child, now and as they grow up?

That framing can feel uncomfortable when you're hurting. It's also the most useful thing you can hold on to. A father who keeps bringing the conversation back to his child is easier to hear than one who is trying to prove a point about the other parent, even when the point is fair.

Your response matters

Judges, magistrates and Cafcass officers form a picture of each parent from what they read and see. That includes the application, the messages that end up in the bundle, how you speak about the other parent and how you respond when things don't go your way.

You can disagree with a decision, a report or an allegation while still showing that you're calm, reliable and focused on your child. That combination is what this guide is about.

A different kind of court

The family court isn't a criminal court, and it works differently. Nobody is on trial, and there's no guilty or not guilty. Where facts are disputed, the court decides on the **balance of probabilities**: whether something is more likely than not to have happened. That's a lower bar than in a criminal court, which has to be sure beyond reasonable doubt.

It means an allegation the police didn't take further can still be looked at in the family court. When concerns or allegations are raised explains what that means for you.

The route at a glance

Every case is a little different, but most follow the same broad route. Each stage has its own chapter later in this guide.

THE USUAL ROUTE THROUGH THE FAMILY COURT

Try to agree first
Usually a MIAM, a first meeting with a mediator, unless you are exempt.

→ If you agree, you may not need court at all.

Apply to court
The C100 form.

Cafcass safeguarding checks
Checks, a phone call with each parent, and a letter to the court.

First hearing
Called the FHDRA. The court sees what is in dispute and whether you can agree.

→ If you agree, the court can approve it and the case can end here.

More information, if the court needs it
A section 7 report, or a fact-finding hearing where serious allegations are disputed.

Another chance to agree
A hearing called the DRA, usually after a section 7 report.

→ If you agree, the court can make it an order.

Final hearing
If you still cannot agree, the court hears from you both and decides.

Not every case goes through every stage, and you can agree at any point along the way.

The forms and codes you will see

The family court uses a lot of form numbers and short names. Here are the ones in this guide, roughly in the order you will come across them. You can also hover over or tap any underlined term for a quick reminder, or see the glossary.

Code	What it is	When you will see it
MIAM	Mediation Information and Assessment Meeting. A first meeting with a mediator to see if mediation could work.	Before you apply to court, unless you're exempt.
C100	The form to apply for a court order about your child, such as where they live or when they see you.	When you apply to court.
C1A	A separate form for setting out concerns about domestic abuse or harm to your child.	Alongside the C100, if either parent has safety concerns.
C8	A form to keep your address or contact details private from the other parent.	If you need your details kept confidential.
EX50	The guidance that lists the current court fees.	When checking how much it costs to apply.

Code	What it is	When you will see it
EX160	The form to apply for help paying court fees.	If you're on a low income or certain benefits.
FHDRA	First Hearing Dispute Resolution Appointment. The first court hearing in most cases.	A few weeks after you apply.
Section 7 report	A report on your child's welfare, written by Cafcass or the local authority.	If the court needs more information before deciding.
DRA	Dispute Resolution Appointment. A later hearing to see whether things can be agreed.	Usually after a section 7 report.
C79	The form to ask the court to enforce an order that isn't being followed.	Only if an order is broken.

Check your parental responsibility

Checking parental responsibility The first 48 hours.

In a child arrangements case, parental responsibility can affect which applications you can make and how you take part in decisions about your child. The court decides time with each parent based on the child's welfare.

Ask for help you can use

If disability, neurodivergence, mental health, literacy, language or another need makes it harder to take part, tell the court, Cafcass and any mediator as early as you can. You can ask for reasonable adjustments, an interpreter or special measures such as a separate waiting room or a screen in court. Asking isn't a weakness. It helps you take part properly.

CHAPTER 1

Stay steady when arrangements start to slip

IN SHORT

1. Pause before you react. Every message may be read by a judge.
2. Keep your child, not the conflict, at the centre of what you say and write.
3. Start a short factual record now, and keep your ordinary life going.

When contact becomes uncertain, the instinct is to act straight away: call, push back, turn up, demand answers. That urgency comes from love. But fathers who act out of panic often make their position harder. They send the message they wish they had not. They turn up at the door and a handover becomes a confrontation. They say things in writing that later end up in front of a judge.

Keep five moves in mind:

- Pause before you react
- Bring the focus back to your child
- Start a simple record

- Find the right support
- Keep your ordinary life going

Pause before you react

The family court responds to stability. When you feel the urge to fire off a message or make a demand, stop. Give yourself time to move from reaction to response. That pause isn't weakness. It's the beginning of doing this properly.

PRACTICAL TEST

Would you be comfortable if a judge read this message aloud in court? If the answer is anything other than yes, don't send it yet.

Bring the focus back to your child

When adult conflict starts taking over, think about what your child is experiencing. Not whether you're being treated fairly, but whether they know when they will next see you, whether handovers feel safe, and whether they're being drawn into the disagreement.

INSTEAD OF

~~"You keep stopping me seeing my son"~~

TRY

Sam was looking forward to Saturday. Can we agree a replacement day this week so he knows when he will see me?

The second message is no less firm. It simply makes your child the subject, not the conflict.

What to do this week

If arrangements are starting to break down, do these things before anything else.

1 **Start a written record**

From today, note the date, what was supposed to happen, what did happen and any messages exchanged. Facts, not feelings.

Keep it short and do it the same day, while it's fresh. Chapter 10 gives you a simple format.

2 **Save every message**

Don't delete threads, archive chats or edit anything. Export important conversations, like a WhatsApp chat with its dates and times, and keep a copy somewhere safe, away from your phone.

Don't block the other parent, however hard the messages are. On some apps, blocking can hide or delete the conversation, and you will miss anything sent about the children. It can also look as if you have cut off contact. If you need a break, mute the chat instead.

3 **Send one calm proposal**

Suggest a specific, reasonable arrangement in writing, with some room to move. Keep it short and about your child.

Save it, and note the reply, or that there wasn't one.

4 **Avoid drastic action**

Don't turn up unannounced, ask family to "have a word", threaten court in anger or post anything online.

Anything you do now may be read later by people deciding what's best for your child.

5 **Keep showing up**

If you have any time with your child, make it reliable and warm. Arrive on time, every time.

Keep adult worries away from them, and never ask them to pass on messages.

Find the right support

Many fathers try to carry this alone. The pressure then comes out in messages, at handovers or in front of the child, none of which is a safe place to process it. Support might be a trusted friend, a peer group, a GP, a counsellor or a solicitor. Choose someone who helps you think clearly, not someone who encourages you to escalate.

Keep your ordinary life going

Work, sleep, meals, exercise and time with people who care about you all help you stay steady. Avoid drinking more to cope. A father who is rested and grounded comes across very

differently from one who hasn't slept properly in a month.

CHAPTER 2

The mistakes that make it harder

IN SHORT

1. Point scoring and going quiet both hide your parenting.
2. Never use your child as a messenger, a witness or a source of information.
3. Keep maintenance, money and the past relationship separate from arrangements for your child.
4. Put anything agreed in writing, and reply calmly or not at all.

Nobody sets out to damage their own case. Most mistakes come from fear, or from trying to protect your child. Some come from anger. Whatever the reason, the court will look at what you did and how it affected your child. Knowing the reactions that tend to backfire gives you a chance to choose differently.

Point scoring

If time together has slipped, describe what changed and suggest a date or routine that would work for your child.

INSTEAD OF

~~"You have stopped me seeing the kids for three weeks, and you were the one who walked out."~~

TRY

I'd like to get back to seeing the children on Wednesdays and every other weekend. Could we agree a date to restart this week?

Going quiet

The opposite reaction, from the same place. Each step feels painful, so you stop replying, stop going to appointments or let contact lapse. It's usually exhaustion, not lack of interest, but silence can be read as not caring.

If you're overwhelmed, say so in writing and ask for what you can manage: more notice, written questions, a different handover.

TRY SAYING

I want to sort out arrangements for the children, but I'm finding calls hard at the moment. Could we keep things to messages for now? I'll always reply within a day.

Replying while upset

Writing a calmer reply Communicating with the other parent in Parenting apart.

Write the angry version if you need to, but don't send it. Leave it at least an hour, then write a short, calm version from scratch. The first draft was for you. The second is for the judge who may one day read it.

INSTEAD OF

~~"(11.40pm) So I'm not allowed to see my own son now? Unbelievable. See you in court."~~

TRY

(next morning) I was sorry Saturday didn't go ahead. Could he come to me next Saturday instead, 10am to 5pm? Please let me know by Thursday.

Keeping everything verbal

After any call or handover chat that decides something, send a short message confirming what you understood.

INSTEAD OF

~~“agreeing on the phone that you will have the children for a week at Easter, and leaving it there”~~

TRY

Thanks for talking earlier. Just to confirm, I'll have the children from Monday 6 April to Friday 10 April, collecting from school at 3pm. Let me know if I've got anything wrong.

Turning up to have it out

Going to the other parent's home outside the arrangements, or arguing at handover, almost always makes things worse. Even if you stay calm, their account of what happened may be different from yours, and your child may see it.

If contact doesn't happen, write down what happened and respond in writing.

INSTEAD OF

~~"driving round when the children aren't at the handover, and knocking on the door until someone answers"~~

TRY

noting the time, going home, and sending: I was at school at 3pm as agreed and the children weren't there. Is everything OK? Could we rearrange for tomorrow?

Using your child

Asking your child what happens at the other home, what the other parent says about you, or who they want to live with puts them in an impossible position. So does asking them to

pass on messages. Children shouldn't carry adult conflict. It also shows quickly when Cafcass speaks to them, and it damages their trust in you.

INSTEAD OF

~~"Did your mum say why you couldn't come at the weekend? Tell her I need to talk to her."~~

TRY

I really missed you at the weekend. What shall we do next time you're here?

Linking money and time

Keep maintenance and arrangements for time together separate. **How maintenance works** Money and maintenance in Parenting apart.

INSTEAD OF

~~"No time with the kids, no money. Simple."~~

TRY

I'll keep paying maintenance as normal. Separately, I'd like us to agree when I'll next see the children.

Letting it take over

Over months, the case can take over every evening and every thought. You check your phone constantly, reread old messages and stop seeing friends. When that happens it gets harder to stay steady, for your child and for yourself.

Protecting some ordinary life isn't avoidance. It keeps you well enough to do this properly.

INSTEAD OF

~~"rereading old messages at 2am, looking for something you have missed"~~

TRY

half an hour after tea to update your record and reply to anything that needs it, then put it away until tomorrow.

Focus on what you can control

You can't control how the other parent behaves, what Cafcass writes or what the judge decides. You can control how you communicate, whether you turn up, how well you prepare and how you treat your child. A social worker once said this to me, and it stuck:

Handling pressure while social care is involved The mistakes that make it harder in Dealing with social services.

CHAPTER 3

What the family court is actually trying to decide

IN SHORT

1. The court decides what's best for your child, not who wins between the adults.
2. Learn the welfare checklist and show how your proposals meet your child's needs.
3. There's no automatic 50/50. A practical plan built around your child is what persuades.
4. Check whether the presumption repeal is in force and which court model your area uses.

Understanding the court's starting point removes a lot of fear. It also shows you what to focus on.

The child's welfare comes first

Under section 1 of the Children Act 1989, when the court decides any question about a child's upbringing, the child's welfare is its paramount consideration. Not the wishes of either parent, not fairness between the adults and not the history of the relationship. [2]

The Act also says that delay is likely to harm a child, and that the court should only make an order if doing so would be better for the child than making no order at all.

The welfare checklist

When an application is opposed, the court considers the factors in the welfare checklist:[2]

- the child's wishes and feelings, considered in light of their age and understanding
- their physical, emotional and educational needs
- the likely effect on them of any change in circumstances
- their age, sex, background and any relevant characteristics
- any harm they have suffered or are at risk of suffering
- how capable each parent, and any other relevant person, is of meeting their needs
- the range of orders available to the court

No single factor automatically outweighs the others. Notice what isn't on the list: who left whom, who was hurt more, or who has the better argument.

The checklist is in section 1(3) of the Children Act 1989. It's short, and worth reading in full. Cafcass and the judge will use it, so it helps to use it too: when you write a proposal or a

statement, show how it meets each part.

Supporting the other relationship

Courts generally recognise that children benefit from a safe, meaningful relationship with both parents. A parent who can show that he supports his child's relationship with the other parent, where it's safe, and who talks about arrangements without turning every conversation to the conflict, is easier for the court to trust. This doesn't mean pretending everything is fine. It means keeping the frame on your child.

The presumption of parental involvement

Since 2014, the law has said the court should start from the view that both parents being involved is good for a child, as long as it's safe.[3] It has never meant a set amount of time.

The Government plans to remove it, because of concerns it could lead to unsafe arrangements where there's domestic abuse. That change is in the Courts and Tribunals Bill, which is still going through Parliament. Until it becomes law, the presumption still applies.[3]

It can feel like a step backwards for dads. In practice, little changes. The court still decides what's best for your child, using the welfare checklist. What will matter even more is the

evidence: how involved you have been, how you have behaved and how well your plan fits your child.

No automatic 50/50

There's no rule in England and Wales that children spend equal time with each parent. Many dads expect it, and it's a shock to find out it isn't the starting point. Here's why.

- **The law is about the child, not fairness between parents.** The court's only question is what's best for your child.[2] Equal time is fair to the adults, but that isn't what the court is measuring. Half and half is only right if it works for your child.
- **Every child's needs are different.** A baby or toddler may need shorter, more frequent time. A teenager may want a say, and more time with friends. A child with additional needs may struggle with lots of moving between homes. The same split can suit one child and not another.
- **Practical things matter.** The court looks at real life: how far apart the homes are, the school run, each parent's work hours and who has been doing the day-to-day care. Living 40 minutes away, or working shifts, can make equal time hard on a child, however much you want it.

- **Safety comes first.** If there are concerns about domestic abuse or harm, the court has to deal with those before deciding how time is shared. [4]

What this means for you

None of this stops you asking for equal or shared care, and many dads have it. The court can also make a "lives with" order for both parents, so your child is recognised as living in two homes, even when the time isn't exactly equal. [2]

What makes the difference is a plan that's built around your child, not the clock. Show where they would sleep, how they would get to school, who would be around after school and

how you would handle handovers. A detailed, realistic proposal for slightly less than half is often more persuasive than a demand for exactly 50/50.

INSTEAD OF

~~"I want 50/50. It's my right as their dad."~~

TRY

I'd like the children to live with both of us. I work from home three days a week and live ten minutes from their school, so I can do the school run Monday to Wednesday and every other weekend.

Domestic abuse and safety

Where domestic abuse is alleged or admitted, the court must follow Practice Direction 12J. It requires the court to identify allegations early, consider whether a fact-finding hearing is needed and make sure any arrangements are safe for the child and the parent the child lives with.[4]

This applies whichever parent raises concerns. Fathers can be victims of domestic abuse too, and Chapter 9 covers this.

Child Focused Courts

The way private law cases run is changing. The Child Focused Model, formerly the Private Law Pathfinder, was confirmed for national rollout in March 2026 and is being introduced area by area over the next few years. It's already used across Wales and in several areas of England, with more joining each year. In these courts, more work happens before the first hearing: Cafcass or a local authority speaks with the child and both parents early, and prepares a report that helps the court decide what's needed.[5]

The law is the same either way. Check the Ministry of Justice rollout timetable for your area. If you already have a case, follow the directions you've been sent and ask the court office if you're unsure which process applies.

CHAPTER 4

Trying to agree first

IN SHORT

1. Try to agree first. A written parenting plan can work well without a court order.
2. Book the MIAM early, as it's often the step that holds everything else up.
3. Go to mediation with a specific, child-focused proposal and an open mind.

Most separated parents never go to court. They agree arrangements between themselves, with or without help. A written agreement you both own is often more durable than an order imposed on you both.

A parenting plan

A parenting plan is a written agreement about how you will both care for your child: where they live, when they spend time with each parent, handovers, holidays, school, health and how you will communicate. It isn't legally binding, but it gives everyone something clear to refer to. Cafcass provides free templates through its Planning Together resources.[6]

If you can agree a plan, even a basic one, write it down, both sign and date it, and keep a copy.

PRACTICAL TEST

Our children's plan walks you through each topic, one child at a time, with examples and questions to talk through. It follows advice from Cafcass, and gives you a plan to download, edit together in Word or Google Docs, and sign.

The MIAM

Before applying for a child arrangements order, you must normally attend a Mediation Information and Assessment Meeting (MIAM), unless an exemption applies. It's a short meeting with an accredited family mediator. You attend separately from the other parent. The mediator explains mediation and other ways of resolving disputes, and assesses whether they're suitable for your situation.[7]

You aren't agreeing to anything by attending. If mediation isn't suitable or doesn't go ahead, the mediator confirms your attendance on the C100 form.

When a MIAM is not required

There are exemptions, including evidence of domestic abuse, child protection concerns, genuine urgency, recent attendance at a MIAM or other dispute resolution, and some practical reasons such as a mediator not being available within a reasonable distance. Where evidence is required, it must be filed with the application.[7]

Don't claim an exemption you can't support. The court can check, and it can pause your case and direct you to attend.

Mediation itself

If mediation goes ahead, a neutral mediator helps you both work towards arrangements. They don't take sides, make decisions or report to the court on what was said. Mediation is usually quicker, cheaper and less adversarial than court.

The Family Mediation Voucher Scheme can contribute up to £500 towards mediation costs in eligible children cases. Legal aid for mediation is available if you meet the financial criteria, and if one parent is eligible, the MIAM for both is usually free.[8]

Making mediation work

- **Know what you're proposing.** Go in with specific days, times, handovers and holidays, and a short reason for each that's about your child. Write it down and take it with you, so you don't lose track when it gets tense.
- **Lead with your child, not grievances.** "Friday after school gives Sam a full weekend and keeps his Sunday club" is persuasive. "I deserve more time" isn't.
- **Listen as much as you speak.** The other parent may mention a practical worry, like who does the driving or how tired your child is on Sunday nights. That's often something you can solve, and solving it builds trust.
- **Compromise on detail, hold steady on principle.** You may not get every Saturday. Regular, predictable time is what's worth holding on to.
- **Leave the relationship out of it.** The moment you start going over the past, the session tends to stall. If it starts to go that way, bring it back to the children.

TRY SAYING

I'd rather not go back over what happened between us. Can we focus on what works for the children from here?

If you agree

Write the agreement down clearly. It can stay as a parenting plan, or, if you want it to be legally binding, you can ask the court to approve it as a consent order. A solicitor can help you draft one so it says exactly what you both mean.

If mediation does not work

You still have a full right to apply to court. The court may notice who engaged in good faith and who didn't, and it has its own duty to consider non-court options at every stage. If the other parent refuses to take part, note it factually in your record.

CHAPTER 5

Applying to court: the C100

IN SHORT

1. Use the current form and fee, and apply for Help with Fees if you qualify.
2. Keep the summary brief, factual and specific about the arrangement you're asking for.
3. Answer the risk of harm questions honestly. Never tick yes for tactical reasons.

If you can't agree, you apply to the family court using form C100. It's used for child arrangements orders, prohibited steps orders and specific issue orders. Submitting it isn't an act of aggression. It asks the court to provide structure where agreement hasn't been possible.

What the orders are

- **Child arrangements order:** decides who a child lives with, who they spend time with, and when. It replaced the old terms "residence" and "contact".

- **Prohibited steps order:** stops a parent taking a particular step without the court's permission, such as moving the child abroad.
- **Specific issue order:** decides a particular question that parents can't agree on, such as which school a child attends.

Before you start

- **Use the current form.** Download the latest C100 form, or apply online. Forms change, so don't use an old saved copy. The online version guides you through each section and is harder to get wrong. [9]
- **Check the fee.** Check the current application fee on GOV.UK. At the time of writing it was £270, from 13 July 2026. If you're on a low income or certain benefits, apply for Help with Fees online or with form EX160. [10]
- **Have your MIAM confirmation ready.** You will need the mediator's confirmation that you went to a MIAM, or evidence for any exemption.
- **Keep your details private if you need to.** If your address or contact details need to stay private, put them on form C8 and leave them off the C100.

The risk of harm questions

Near the start, the form asks whether the child has experienced or is at risk of harm from domestic abuse, abduction, child abuse, drugs or alcohol, or other safety concerns. If you answer yes to any, you must also complete form C1A.

Answer these honestly. If you have a genuine concern, say so and complete the C1A carefully and factually. If you don't, answer no. Ticking yes to strengthen an application commits you to a case you will then need to evidence, and can damage your credibility.

Why you are applying

The most important free-text part of the form asks you to briefly explain any previous agreements and how they broke down, why you're applying, what you want the court to do and any reasons the other parent has given. The form asks for a summary, not a full statement. You may be asked for a statement later. A workable structure follows the question:

1. **What the arrangements were.** Your involvement and the routine before things changed.
2. **What changed.** Briefly, factually, with approximate dates.
3. **What you have tried.** Direct attempts to resolve it, the MIAM and its outcome.

4. **What you're asking for.** Specific enough to be written into an order.

5. **Why it serves your child.** Two or three sentences.

A summary that works

AN EXAMPLE TO ADAPT

Oliver is seven and lives with his mother. We separated in March 2024. Until around September 2025 he stayed with me on alternate weekends from Friday after school to Sunday evening, and on Wednesday evenings. That arrangement worked and Oliver was settled.

From September 2025 weekends were cancelled at short notice on several occasions, and Wednesday evenings stopped in November 2025. Since January 2026 I have seen Oliver roughly once a month. Sophie has said she would prefer arrangements to stay flexible.

I have proposed in writing that we return to the previous routine, and offered flexibility over which weekends. I attended a MIAM on 4 June 2026. Mediation is not going ahead.

I am asking the court to provide for Oliver to spend alternate weekends with me from Friday after school until Sunday at 6pm, Wednesdays from 4pm to 7pm, half of the school holidays and alternate Christmas and Boxing Days.

Oliver had a settled routine with both of us. I believe he benefits from knowing when he will see me, and I want any arrangement to work around his school, his friendships and his time with his mother.

This is a fictional example. Don't copy it unless every word is true for you. Notice what it leaves out: no speculation about motives, no comments about character and no history of the relationship. "I haven't been given a reason" is a fact. "This is deliberate" is a theory you would then have to prove.

Be specific about what you want

"More contact" isn't something the court can turn into an order. "Alternate weekends, Friday after school to Sunday at 6pm" is. If you can't write your proposal down in a way that could be lifted straight into an order, you aren't quite ready to ask for it.

INSTEAD OF

~~“I want more contact with my son”~~

TRY

Alternate weekends from Friday after school to Sunday at 6pm, Wednesdays 4pm to 7pm, and half of the school holidays

Sections that may not apply to you

The C100 is long, but much of it opens only if a routing question applies to you, such as an urgent hearing, previous proceedings or an international element. Leaving those sections blank when they genuinely don't apply is correct. Don't manufacture urgency or concerns to fill them.

The statement of truth

You sign to confirm that you believe the facts in the application are true. Proceedings for contempt of court can be brought against anyone who makes a false statement without an honest belief in its truth. Read it through once more before you sign, for accuracy rather than polish.

What happens when you submit

Once the court issues the application, it gives it a case number. The other parent or respondent must be formally notified. Check the court's instructions to see who will serve the papers and when. Cafcass (or Cafcass Cymru in Wales) starts its initial work, and the court route determines what happens next.

If you’ve received an application, read the deadline and instructions in the court papers. Use Form C7 to respond as directed.

CHAPTER 6

Urgent applications and prohibited steps orders

IN SHORT

1. Urgent applications are for genuine, immediate risk, not frustration at delay.
2. If you fear abduction abroad, get legal advice the same day.
3. An urgent order holds the position. It doesn't decide the case.

Most cases follow the normal timetable. Sometimes waiting is genuinely unsafe. The law provides ways to ask the court to act quickly, but the threshold is real urgency, not a strong wish for things to move faster.

When urgency may be justified

- a real and immediate risk of harm to your child
- a credible risk that your child will be taken abroad without consent
- a child about to be removed from school or moved a long distance without agreement
- a significant step being taken that would be hard to undo

Months of reduced time can feel desperately urgent, and the loss is real. On its own it doesn't usually meet the court's threshold. Claiming urgency you can't support invites close scrutiny and can damage the first impression the court forms of you.

Prohibited steps orders

A prohibited steps order stops a parent taking a particular step without the court's permission. Common examples include removing a child from the country, changing their school, changing their surname or moving them a long distance.

You apply on the C100 by ticking the prohibited steps box and answering yes to the urgency question, which opens the section where you explain the orders sought, the reasons for urgency and the timetable you're asking for.

Without notice applications

In rare cases, the court will consider an application before the other parent is told, if giving notice would allow the very harm you're trying to prevent. These applications aren't granted lightly. If an order is made, there's usually a further hearing within days so the other parent can respond.

Travel abroad

Taking a child out of the UK without the consent of everyone with parental responsibility, or the court's permission, can be a criminal offence. There's an exception: a parent named in a child arrangements order as someone the child lives with can take the child abroad for less than a month without consent, unless an order says otherwise.[11]

If you're worried about a child being taken abroad, don't sign any consent you're unsure about, keep any passports you lawfully hold safe and get legal advice the same day. The court can order a passport to be surrendered.

Get advice

Urgent applications have specific requirements and the stakes are high. A family solicitor or direct access barrister can often respond within a day. If you can't get advice in time, set out the facts calmly and specifically, attach any evidence and explain why the normal timetable isn't enough.

An urgent order is a holding measure. The case then usually returns to the normal process, and you continue preparing as you would otherwise.

CHAPTER 7

Cafcass and the safeguarding stage

IN SHORT

1. Cafcass represents your child's interests, not either parent's.
2. Prepare specific examples of your involvement and keep the conversation on your child.
3. Correct important inaccuracies through your position statement, not by arguing with the adviser.

After you apply, one of your first significant contacts will be with Cafcass, the Children and Family Court Advisory and Support Service. In Wales this is Cafcass Cymru. For many fathers this feels unsettling. The idea of an organisation assessing you as a parent can feel like you're already under suspicion. Understanding what Cafcass does makes a real difference.

Who Cafcass are

Cafcass is independent of the court, of you and of the other parent. Its job is to represent the interests of the child and help the court understand the family's situation. Family

Court Advisers are experienced social work professionals. They aren't on either parent's side. They're on the child's side.

Some fathers go in expecting to be dismissed. That expectation can become self-fulfilling: a parent who is braced for unfairness often comes across as defensive or focused on the other parent. Approach Cafcass as an opportunity to describe your child and your relationship with them to someone whose view will matter.

What happens in the safeguarding stage

In most courts, before the first hearing, Cafcass:

- checks with the police and the local authority for any relevant records
- speaks to each parent separately, usually by telephone
- writes a safeguarding letter to the court, summarising the checks, any concerns raised and recommendations about next steps

In Child Focused Courts, this early work is fuller. A Family Court Adviser or local authority practitioner usually speaks with both parents and, in most cases, the child, and prepares a Child Impact Report for the court.[5]

Preparing for the conversation

The telephone interview usually lasts between thirty minutes and an hour. Before the call, think through:

- **Your involvement in your child's life.** School runs, mealtimes, bedtime, appointments, activities. Specific details, not general claims.
- **The arrangements so far.** What the pattern was, when it changed and what happens now.
- **What you're proposing and why.** Not "I deserve more time", but how the arrangement would help your child.
- **Your child as a person.** Their school, friends, interests, worries and routines.
- **Any genuine concerns.** Specific, dated and factual.

Have your timeline in front of you so you can refer to dates accurately. Notes are fine.

The principle that matters most

Talk about your child, not the conflict. If most of the conversation is about the other parent's shortcomings, the adviser is likely to note that you found it hard to talk about your child without it turning into the dispute. That note may reach the judge.

If you have a genuine safeguarding concern, raise it. A useful pattern is: state the concern, give a specific example with a date, explain why it worries you and say what you did about it. That lands very differently from "the house is chaotic and the kids aren't safe".

What to avoid

- criticising the other parent beyond what's necessary to explain a genuine concern
- suggesting your child should "decide", which can sound like pressure
- claiming your child has said things they haven't
- asking for an extreme arrangement that doesn't reflect your child's needs
- becoming defensive when asked difficult questions
- criticising Cafcass or the court system to the adviser

If you're asked about something the other parent has alleged, answer calmly and factually. A calm denial is more credible than an outraged one.

After the call

Write a short note: the date, who you spoke to, what was discussed and what happens next. When the safeguarding letter or Child Impact Report arrives, read it carefully. If something important is inaccurate, don't contact the adviser to argue. Address it in your position statement and at the hearing, calmly and with evidence.

CHAPTER 8

Section 7 reports and hearing your child's voice

IN SHORT

1. A section 7 report is often the most influential document in the case.
2. Be honest, available and specific, and never coach your child.
3. Respond to the report calmly, with evidence, rather than attacking its author.

Sometimes the court needs a fuller picture before it can decide. It may then ask Cafcass, or the local authority if it's already involved, to prepare a section 7 report under the Children Act 1989.[2]

What a section 7 report is

A section 7 report is a detailed welfare assessment. It usually looks at:

- your child's needs, wishes and feelings
- each parent's relationship with the child and capacity to meet their needs

- any safeguarding concerns
- what arrangements would best support your child's welfare

It often takes several weeks or more. The court considers the report alongside the other evidence and what the people involved in the case say. The judge or magistrates decide what arrangements are best for your child.

What usually happens

The officer may speak with each parent in more detail, sometimes in person or by video. They may visit homes, observe each parent with the child, speak with the child if they're old enough, and contact the school, GP or other professionals. They may also review documents and previous records.

How to approach it

- **Cooperate.** Return calls, attend appointments, provide information when asked.
- **Be honest, including about the uncomfortable parts.** If something difficult is likely to come up, raising it yourself, in context, is more credible than having it discovered.
- **Be present when observed.** Phone away. Real conversation. You don't need to perform, just be the parent you are.

- **Know your child in detail.** Specific knowledge of their school, friends, health and routines shows genuine involvement.
- **Stay calm under difficult questions.** They're part of the job. If you need a moment, take one.

Your child's voice

The court must consider your child's wishes and feelings, in light of their age and understanding. Older children's views usually carry more weight. A younger child's view may still be considered, but it will be weighed against everything else, including whether it seems to reflect what they have heard from adults.

Children can find this part of the process worrying. You can tell them, simply, that someone's job is to understand what's best for them, and that they can be honest. Beyond that, leave it alone.

Never coach your child. Don't rehearse answers, ask what they said afterwards or make them feel responsible for the outcome. Officers are experienced at recognising adult language in a child's words, and it can seriously damage trust in you.

When you receive the report

Read it twice: once to take it in, and again with a notebook. Ask:

- Is the account of my child accurate?
- Are allegations clearly attributed, or presented as findings?
- What evidence is each conclusion based on?
- Where I disagree, what can I point to?

If a Cafcass report has a clear factual error, such as a wrong date of birth, flag it to the adviser who wrote it or their manager. Give the page and paragraph, the correction and any document that confirms it. If you disagree with a recommendation or how the report interprets the facts, explain that to the court and say what you think would work better for your child. Cafcass guidance on Section 7 reports.

If the report is broadly fair and you can live with the recommendations, the case may become much simpler, and agreement may be possible. If you disagree with important parts, address them in your position statement with evidence. You can also ask for the author to attend a hearing to answer questions. Get advice before doing so, as it can affect the length and cost of the case.

If the court appoints a children's guardian

In some private law cases the court makes your child a party so their interests can be represented separately. A children's guardian appointed under rule 16.4 safeguards your child's interests in the proceedings and usually instructs a solicitor for them. Read the court's directions to see what happens next. Family Procedure Rules, Part 16.

When social services are involved

The court can ask the local authority to prepare a section 7 report. A section 37 direction is a separate step the court can take when it thinks a care or supervision order might be appropriate. It asks the local authority to investigate and report back. Section 37 of the Children Act 1989.

Understanding children's social care The stages of social care involvement in Dealing with social services.

CHAPTER 9

When concerns or allegations are raised

IN SHORT

1. Respond calmly and specifically. Your response is part of the evidence.
2. Separate what's untrue from what's uncomfortable, and take advice before admitting anything in writing.
3. Keep your child out of the dispute, and seek representation for a fact-finding hearing if you can.

Allegations are common in private family proceedings. Some are accurate and the court must take them seriously. Some are exaggerated, taken out of context or untrue. Many sit somewhere in between, describing real events that two people remember very differently. Your first task isn't to win the dispute between adults. It's to state your position clearly, help the court examine the facts and keep your child out of the conflict.

Your response is evidence too

Being accused of something you didn't do is one of the most distressing experiences a parent can face. The urge to fight back is strong. But the court looks at how each parent responds. If an allegation says you're aggressive or controlling, an aggressive or controlling response can appear to support it, even if the original account is untrue. A calm, specific, factual response does the opposite.

Separate your position from your child's experience

You can deny an allegation while recognising that events may still have affected your child. Arguments, police attendance or sudden changes can be upsetting regardless of who is right.

TRY SAYING

I deny that I threatened Sophie. My account is that [brief facts]. The original messages from that evening may help. I recognise that the argument and the police attending may have frightened Oliver. I will use written communication, follow the agreed handover arrangements and comply with any directions while this is considered.

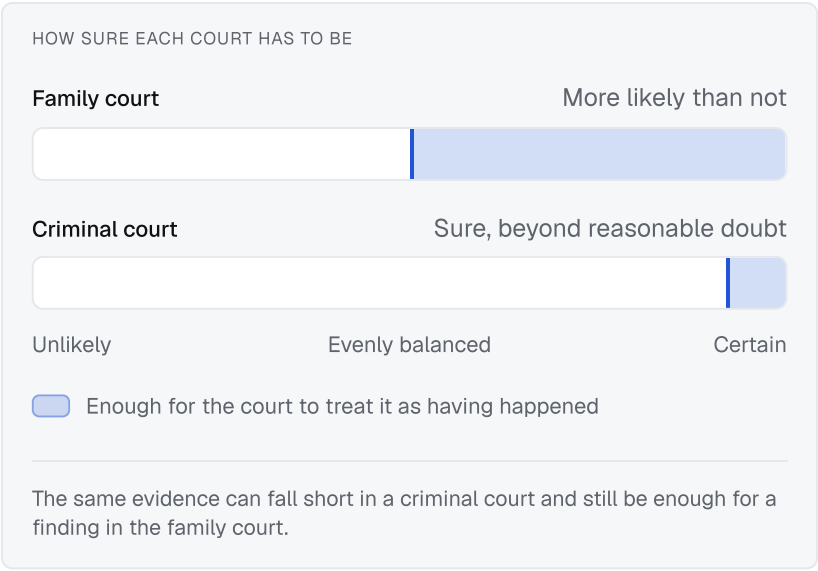
Ask what is actually being alleged

Broad words such as "controlling" or "aggressive" are hard to answer. Ask calmly which incidents, dates and effects on your child are being relied on. Then respond to each one. Repeatedly defending yourself in general terms pulls attention away from the evidence.

How the family court decides what happened

The family court uses a different test from a criminal court. It decides on the **balance of probabilities**, which means whether it's more likely than not that something happened. A criminal court needs to be sure, beyond reasonable doubt, before it convicts.

	Family court	Criminal court
The test	More likely than not	Sure, beyond reasonable doubt
What it's deciding	What's safe and best for your child	Whether someone is guilty of a crime
The outcome	A finding that something did or didn't happen	Guilty or not guilty



This matters for you in a few ways:

- **No charge doesn't end it.** If the police took no further action, or you were found not guilty, the family court can still look at the same allegation and decide it's more likely than not that it happened.
- **It works both ways.** The same test applies to everything, including your own concerns about the other parent.
- **There's no "maybe".** Once the court has decided, an allegation is treated as either having happened or not. There's no half-way.

So treat every allegation seriously, even if the police have closed their enquiry. Your response, and your evidence, still count.

Fact-finding hearings

Where serious allegations are disputed and relevant to what arrangements are safe, the court may hold a fact-finding hearing. Each parent usually files a statement, gives evidence and may be questioned. The judge decides whether each allegation is proved on the balance of probabilities: whether it's more likely than not to have happened. Findings then stand for the rest of the case.[4]

If an allegation isn't proved, the court treats it as not having happened. If it's proved, the court takes it into account in deciding what's safe.

Under the Domestic Abuse Act 2021, a party accused of abuse may be prevented from cross-examining the other party in person, and the reverse. The court can appoint a qualified legal representative to ask the questions instead, at no cost to you. Ask the court office about this if it might apply.[12] This is one of the points in a case where professional representation is most valuable. If you can afford help at only one stage, this is often it.

Building a calm response

This is one of the most important parts of the whole guide. How you respond to an allegation can matter as much as the allegation itself.

1. **Don't argue about it by message**

   A short, neutral acknowledgement, or no reply at all, is usually better. Anything you send may end up in front of the judge.

2. **Gather what helps**

   Messages, dates, independent records, like school or GP notes, and people who saw what happened.

3. **Answer each allegation in writing**

   Go through them one at a time, specifically and calmly, with evidence where you have it.

4. **Don't make counter-allegations you can't support**

   The court spots tit-for-tat accusations quickly and may discount both. Raise a genuine concern about your child's safety, but only with facts behind it.

5. **Cooperate with any assessment the court orders**

   That might be drug or alcohol testing, a risk assessment or a course. Refusing can look like you have something to hide.

INSTEAD OF

~~"I can't believe you have said this. You know it isn't true. I've done everything I can for the kids and now this. Please just tell me why you're doing it."~~

TRY

I've seen what you have said. I don't agree with it, and I'll respond through the court.

Why what's said in court is protected

Everything said in a court case, in applications, a C1A, statements, position statements and evidence in a hearing, is protected by what's called **absolute privilege**. Nobody can be sued over it, even if it later turns out to be wrong.[18]

That protection matters. A parent who's been abused, or who's worried about a child's safety, needs to be able to tell the court without fear of being taken to court themselves for saying it. Without it, many victims would stay silent, and children could be left unsafe. Fathers who are victims of abuse rely on it too.

It covers you in exactly the same way. You can set out your own concerns, and your answer to anything that's been said, openly and honestly.

If you believe something said is untrue

Hearing allegations you know aren't true is hard, and it's natural to want to fight back. The court has its own ways of dealing with it.

The court decides what's true. If an allegation matters to what's safe for your child, the court can decide whether it happened, for example at a fact-finding hearing. An allegation that isn't proved is treated as not having happened.

Credibility counts. If a parent is found to have made things up, the court will take that into account when weighing everything else they say.

Statements of truth are serious. Knowingly making a false statement in a document signed with a statement of truth can be contempt of court. It's rare, and it needs proper legal advice. [18]

The protection only covers the court case itself. Repeating allegations elsewhere, such as on social media, to friends or at the school gate, isn't protected, and sharing what's in the

court papers can break the court's confidentiality rules.[1] That applies to you too.

PRACTICAL TEST

Don't threaten legal action over what the other parent has said in the case. It won't stop the allegation, and it can look like pressure. Answer it calmly, with evidence, in the case itself.

When a concern has some truth in it

Sometimes the honest answer isn't a straightforward denial. You might read the papers and recognise a pattern rather than a single moment: you have raised your voice at handovers, or drunk more than you should when things were hard. It helps to separate what's unfair from what's simply uncomfortable. Being described in a way that stings isn't the same as being described inaccurately.

TRY SAYING

Reading this back, I recognise some of it is fair. I have raised my voice during difficult handovers, and I am not proud of that. I have started a parenting course and I am working on responding differently. There are other things I don't recognise, and I would like the chance to respond to those separately.

Acknowledging something real isn't the same as accepting everything. It shows the court that you can hear something hard and do something with it. Because anything you write may be used later, including in any police investigation, ask a solicitor to check the wording before you send an admission of any kind.

If you are raising concerns

If you're worried about your child's safety in the other home, take it seriously and act. Record specific observations with dates. Don't question your child to gather evidence. If there's immediate danger, call 999. Otherwise you can raise concerns with children's services, on the C1A form, with Cafcass and in your position statement.

Before raising a concern formally, ask yourself honestly whether you believe your child is at risk, or whether you hope it will help your position. Genuine concerns, presented calmly, are taken seriously. Concerns used as leverage tend to damage the credibility of everything else you say.

If you are experiencing abuse

Fathers can experience domestic abuse and may worry they won't be believed. Some hold back because the behaviour doesn't look like what they think abuse looks like, or because they feel embarrassed. Abuse isn't limited to violence. It can include coercive or controlling behaviour, financial control, isolation, threats or using the children to exert pressure.

If this is your experience, you can raise it with Cafcass, on the C1A form and through a MIAM exemption. Specialist support is available from the ManKind Initiative and the Men's Advice Line. You can also ask for special measures at court.

When the language of alienation comes up

Some fathers believe the other parent is deliberately turning their child against them. The court does take seriously behaviour that undermines a child's relationship with a parent, and Cafcass is trained to look for it. But labels are contested and can become a dispute in themselves. Courts respond far

better to specific, dated descriptions of what was said or done, and the effect on your child, than to a diagnosis offered by one parent about the other.

CHAPTER 10

Keeping a record without losing yourself in it

IN SHORT

1. Keep originals in one secure place, with a short timeline and an actions list.
2. Record dated facts and sources, not feelings or theories about motives.
3. Spend ten focused minutes, then stop and get on with your life.

Family court decisions are based on evidence. A clear, factual record helps you stay accurate, prepare documents and show the court what has actually happened. It doesn't need to take over your evenings.

Keep it simple

Keep the original court papers, orders and Cafcass letters in a secure folder. Put court directions and filing deadlines in your actions list.

Setting up your folder and logs Keeping a record in Dealing with social services.

The timeline

Add an entry when something affects your child's arrangements, wellbeing or safety, a court direction, or something you have done or offered to do for your child.

Date	What happened	Source	Outcome
8 Mar	Collection due 10am under paragraph 3. Arrived 9.55am. No answer. Text sent 10.10am.	Text message, call log	Contact didn't take place. No reply.
12 Mar	Proposed a replacement Saturday by email	Email	Reply on 13 Mar agreeing 22 Mar
22 Mar	Contact took place. Collected 10am, returned 6pm.	Own record	Next weekend 5 Apr

Record facts, not conclusions

A weak entry looks like this:

AVOID

Cancelled again for no reason. Totally unfair and deliberate.

A strong entry looks like this:

> TRY SAYING
>
> 22 January, 8.45am: text received saying contact wouldn't go ahead. No reason given. I replied asking to rearrange. No reply.

The first is venting. The second is evidence. The difference between "I've been stopped from seeing them since Christmas" and "between 18 December and 14 March, contact was cancelled on 11 occasions" is the difference between a complaint and something the court can work with.

Be honest about uncertainty. "Approximately mid-February" is more credible than false precision. Don't leave out entries that don't suit you. The other parent's documents may cover them, and it will look as though you tried to hide them.

WhatsApp and text messages

- **Keep the original conversation.** Use the app's export feature where available and save any relevant attachments alongside it. Keep the original messages on the device where possible. If you use screenshots, make sure they're readable and show who sent the messages, the date and the time.

- **Start with the point the court needs to decide.** If a message records an agreement about a handover, keep the proposal, the reply and any later change. Make an excerpt from a copy, show where it starts and ends, and keep the wider thread available. Leave the wording as it was.
- **Make it easy to find.** If the court directs you to file a witness statement and you're relying on a message, explain what it shows and refer to the exhibit and page. For example, "We agreed by text to move collection to 11am on 8 March. See exhibit AB1, page 2."
- **Follow the court's directions on filing and sharing.** Keep the full export securely. Before adding messages to a bundle, check that the court needs the specific material and follow any directions about how it should be included. If it contains private details about your child or someone else, ask how to handle them before circulating it. Practice Direction 27A, paragraph 5.2.

Photos and recordings

Keep photographs only where they record something relevant. Don't photograph your child at handovers to gather evidence, and never take intimate images of an injury. Ask a health or safeguarding professional to record it.

The Family Justice Council published guidance on recordings in 2025.[17] In short:

- **Ask first and record openly.** If you want to record a meeting with a professional, ask. The guidance encourages agencies to have clear policies on when recordings can be made with everyone's agreement.
- **Secret recordings cause problems.** Data protection law can apply once a recording is used outside your own home life. A court may not accept a secret recording as evidence, arguing about it costs time and money, and how you made it can count against you.
- **Don't secretly record your children.** It's very rarely in their interests, and a court may see it as a welfare concern in itself.
- **Never record a court hearing.** It isn't allowed and can be contempt of court.[1]

Written records are usually more reliable, and far less likely to become a dispute of their own.

Ten minutes is enough

A ten-minute routine Ten minutes is enough in Dealing with social services.

CHAPTER 11

Position statements and the court bundle

IN SHORT

1. Keep position statements short, calm, specific and centred on your child.
2. Respond to what others have said rather than ignoring it.
3. Follow court directions on bundles and read every page before the hearing.

Before most hearings, the judge reads the papers. A clear, calm position statement helps the judge understand you before you say a word.

What a position statement is

A short document setting out who you are, what the current situation is, what you're asking the court to do and why it serves your child. It isn't a witness statement and not the place for the full history. Two to four pages is usually right.

A structure that works

1. **Introduction.** Your name, your relationship to your child and your parental responsibility.
2. **Background.** Your involvement in your child's life, with a few specific examples.
3. **Current situation.** What arrangements exist or have broken down. Factual, not emotional.
4. **Response to other documents.** Brief comments on the Cafcass letter or report and the other parent's position, where you agree and where you don't.
5. **Your proposal.** Specific days, times, handovers and holidays, and why they suit your child.
6. **Closing.** A short paragraph confirming your commitment to your child and your willingness to cooperate.

Tone

Keep the language calm and plain. Words such as "outrageous", "vindictive" or "ridiculous" tell the judge more about your state of mind than about the facts. A useful test: does each paragraph connect back to what your child needs?

If it's mainly about what the other parent has done wrong, ask whether it's helping. Read it aloud before you send it. If a sentence makes you wince, change it.

Common mistakes

- listing everything the other parent has done wrong
- including money, the relationship breakdown or new partners when they aren't relevant to the child
- ignoring allegations or points the other parent has raised
- being vague about what you're asking for
- copying the last statement instead of updating it

Sending it

Follow the court's directions on deadlines and who to send it to. That's usually the court, the other parent or their solicitor and Cafcass, if they're involved. Bring printed copies to the hearing.

The court bundle

A bundle is the indexed, page-numbered set of documents the court will work from. If the other parent has a solicitor, they will usually prepare it. If neither of you does, the court

will tell you what's expected. Follow its directions closely.

If you prepare evidence yourself:

- include only what's relevant to the issues the court is deciding
- organise documents in date order, with an index at the front
- number every page consecutively across the whole bundle
- include message threads in full rather than cutting them down
- keep it to a manageable size. A focused bundle is stronger than a sprawling one

For texts or chat messages, see WhatsApp and text messages before adding anything to the bundle.

Read the whole bundle before the hearing, including the other parent's documents, and mark the pages you may need to refer to.

CHAPTER 12

Hearings and how to conduct yourself

IN SHORT

1. Know what each hearing is for and prepare for that purpose.
2. Arrive early, ask for special measures if you need them and stay composed throughout.
3. Read every order carefully and raise discrepancies quickly through the court office.

For many fathers, the first hearing is the first time they have been inside a family court. It's normal to feel nervous. Knowing what each hearing is for takes much of the mystery out of it.

The types of hearing

Hearing	When	What happens
First Hearing Dispute Resolution Appointment (FHDRA)	Usually the first hearing under the Child Arrangements Programme.	The judge or magistrates read the Cafcass letter, identify the issues, explore whether you can agree and decide what happens next. Interim arrangements may be made, but final decisions usually aren't, unless you both agree.
Directions hearing	Whenever the case needs organising.	Short and practical. The court sets deadlines, orders reports and timetables the case.
Dispute Resolution Appointment (DRA)	If listed, often after a section 7 report.	A chance to narrow the issues, or agree.
Fact-finding hearing	If the court needs to decide disputed facts that matter to the outcome.	The court decides whether the allegations happened. See Chapter 9.
Final hearing	At the end, if you still can't agree.	The court hears evidence from both of you and makes a final decision.

Which route your case follows

Under the Child Arrangements Programme, Cafcass or Cafcass Cymru usually carries out safeguarding checks before the FHDRA. At that hearing, the court may approve a safe agreement or give directions. It may order fact-finding, a section 7 report or a later hearing if needed.

In Child Focused Courts, the court usually gets a Child Impact Report early and reviews what the case needs before listing a Decision Hearing or making other directions. The court can still order fact-finding if it needs to decide disputed facts. Follow your hearing notice and the directions in your case. Practice Direction 36Z.

What to bring and wear

- **Your position statement.** Printed copies: one for you, one for the judge and one for the other side, in case they're needed.
- **Your timeline and the bundle.** Bring the bundle, or your own copy of it, and your timeline, so you can find things quickly.
- **The last order.** The order or directions from the last hearing, so you can check what was meant to happen.
- **The practical bits.** A pen, a notebook and water. Bring photo ID too, as some courts ask for it.

- **Dress smartly.** Dress like someone who's taking the day seriously. A shirt and tie makes the best impression. If that's not you, smart and tidy is fine: a collared shirt, smart trousers and clean shoes. Avoid sportswear and clothes with slogans or logos.

On the day

Arrive at least thirty minutes early. Court buildings have security queues. Check in with the usher and wait in the waiting area. If you see the other parent, a nod is fine. Don't try to negotiate or argue in the corridor. If you need a separate waiting room, separate entrance or a screen, ask the court in advance. These special measures are available to either parent and are much easier to arrange before the day.

In the room

- address a district judge or magistrates as "Sir" or "Madam", or follow how others address them
- wait to be invited to speak, and don't interrupt
- take your time. A measured answer is better than a quick one
- if you don't understand something, say so and ask for it to be explained

- keep what you say connected to your child
- don't react visibly when the other parent speaks: no sighing, head-shaking or smirking
- keep your phone silent and away

Many family hearings now take place by video or telephone. The same standards apply. Find a quiet private space, make sure your child isn't in earshot and test your connection beforehand.

Who else might be there

Family hearings are private. But since January 2025, journalists and legal bloggers can attend and report on cases in any family court in England and Wales. The court usually makes a transparency order to keep the family anonymous, so nobody can be identified, including you and your child.[19]

If a reporter is there, nothing changes in how you conduct yourself. You still must not share court documents or information about the case yourself, unless the rules allow it.[1]

A McKenzie friend

You can usually bring a McKenzie friend: someone who sits with you, takes notes and quietly helps. They can't normally speak for you. Tell the court in advance or when you arrive.

Families Need Fathers and similar organisations can sometimes help you find one.

If you get emotional

It's a heavy situation, and it's normal. Take a breath. Ask for a moment if you need one. Take a sip of water. Judges have seen tears before and don't think less of you for them.

After the hearing

You will usually receive a written order within a few days. Read it carefully. If it doesn't match what you understood was decided, contact the court office promptly. Write a short note of what happened and update your timeline.

CHAPTER 13

Getting the right help without overspending

IN SHORT

1. Representing yourself is possible, and the court is used to it.
2. Use unbundled advice or a direct access barrister at the stages that matter most.
3. Check Help with Fees, legal aid and the mediation voucher before you pay.

Legal costs are one of the biggest worries for fathers. Representing yourself is possible, and many parents do it. There are also options between doing everything alone and paying for full representation.

Representing yourself

The family court is used to litigants in person: parents who represent themselves. You won't be penalised for not having a lawyer, provided you're prepared, respectful and focused on your child. Free guides from Advicenow and support from Support Through Court can help you understand the process.

Options for help

These are roughly in order of cost, cheapest first. Many dads mix and match, using free advice most of the time and paying for help at the moments that matter most.

- **Free advice.** Citizens Advice, the Family Rights Group, law school clinics and some solicitors' free first appointments.
- **McKenzie friends.** Someone who can sit with you in court, take notes and help you stay organised. Some are free and some charge. If you pay one, check their experience and what they can and can't do.
- **Unbundled advice.** A solicitor helps with specific tasks, like reviewing your position statement or preparing you for a hearing, without acting for you throughout. Ask firms whether they offer fixed-fee or limited-scope work.
- **Direct access barristers.** You can go straight to a barrister, without a solicitor, for a particular hearing or piece of advice. It's often worth it for a fact-finding or final hearing. The Bar Council's directory lists barristers who take direct access work.

Legal aid

Legal aid for private children cases is limited. It's generally available only where there's evidence of domestic abuse or child abuse, or for mediation, and you must meet the finan-

cial criteria. Check your eligibility through the GOV.UK legal aid checker or Civil Legal Advice.[13]

A rough picture of costs

Costs vary widely. The figures below are rough guides only and will change.

Item	Rough cost
C100 court fee	£270 at the time of writing (check EX50. Help with Fees may reduce it)
MIAM	Often around £100 to £150 per person. Free if one parent qualifies for legal aid
Mediation sessions	Varies. The voucher scheme may contribute up to £500
One-off solicitor advice	A few hundred pounds per session
Direct access barrister for one hearing	Several hundred to a few thousand pounds
Full solicitor representation	Can run into many thousands of pounds

Spend where it matters

Professional help tends to make the biggest difference at a few points: early advice on your position, a fact-finding hearing, a contested final hearing, and any case involving international travel, serious allegations or unusual complications. Much of the rest, such as keeping records, preparing a timeline and drafting a first position statement, you can do yourself.

Whatever help you use, go in prepared. The more organised you are, the more useful and cheaper professional time becomes.

CHAPTER 14

Living with the order

IN SHORT

1. Check the warning notice and the exact wording as soon as the order arrives.
2. Be punctual, consistent and calm. Reliability is what your child remembers.
3. Make an imperfect order work, and build a record that supports change later.

When the court makes a child arrangements order, uncertainty is replaced with structure. For many fathers it marks the end of the hardest part. Understanding what the order says, and living by it, is what matters from here.

Read it properly

Your order will set out some or all of: who your child lives with, when they spend time with each parent, overnights, weekends, midweek time, holidays, special occasions, handovers and any conditions. Both parents must follow it. Neither can change it alone.

Read it with a pen. Two things are worth checking the day it arrives.

The warning notice

Child arrangements orders should have a warning notice attached setting out the consequences of not complying. It matters because the court generally can't make an enforcement order later unless the order that was breached carried one. If yours doesn't, ask the court office to attach one. [14]

The exact wording

There's a real difference between a parent who "shall allow" time, "shall make the child available" and "shall use their best endeavours to ensure" time takes place. The courts hold parents to the words used. If a provision that matters to you is vague, or doesn't reflect what you understood the judge decided, raise it promptly.

Only the numbered paragraphs after "It is ORDERED" are orders. Background sections and recitals aren't enforceable, though they can still be useful.

How long it lasts

The parts of an order about who a child spends time with usually last until the child is 16. Parts about who a child lives with can last until 18. Either can be changed through the court if circumstances genuinely change (Chapter 18).

Living by it

- **Be punctual.** On time for every collection and return. If you're running late, message straight away.
- **Be consistent.** Even when it's inconvenient, and even when things are tense.
- **Communicate briefly and respectfully.** Use one written channel for arrangements, and keep emotion out of it.
- **Support your child's routine.** School nights, homework and bedtimes matter.
- **Support their relationship with the other parent.** Don't criticise them in front of your child, compete with them or punish your child for loving them.

Children remember the parent who turned up, every time, for years. They remember it as a feeling, not as a list of dates.

Practical habits

- agree one method for arranging logistics, such as email or a co-parenting app
- plan holidays and known disruptions well in advance, in writing
- keep a light record of contact that happens and any that doesn't
- build a calm handover routine your child can predict

Living with an imperfect order

Some fathers don't get everything they hoped for. Live with the order and make it work. Resentment leaks into how your child experiences time with you. A track record of reliability is also the strongest basis for asking for changes later. Treat the order as the floor, not the ceiling.

CHAPTER 15

When the order isn't followed

IN SHORT

1. Check whether it's really a breach of a specific numbered paragraph.
2. Turn up, record each occasion the same day and send one calm message at the time.
3. Give fair warning in writing before applying, and don't let a pattern run on unchecked.

You have an order, and it isn't being followed. It's frustrating and, after everything it took to get there, it can feel deeply unfair. How you handle the first few weeks largely decides whether the court can help later.

Is it really a breach?

Not every disruption is a breach, and treating ordinary friction as one damages your credibility.

Usually a breach	Usually not a breach
Time set out in the order doesn't happen because the other parent prevented it	One cancellation because your child was genuinely ill
Handovers repeatedly late or in the wrong place, contrary to a specific term	A handover fifteen minutes late once
Holiday time in the order cancelled or overwritten	A change you both agreed, even reluctantly
A specified call repeatedly blocked	The other parent being unfriendly or slow to reply, unless the order covers communication
Your child taken away during your time without agreement	Things you dislike that the order doesn't cover

Three patterns

The one-off

A single missed time, with or without a convincing reason. Note it, raise it calmly and offer to rearrange. Nothing more.

The drift

Gradually more cancellations, later handovers, shorter time. This is the pattern most fathers let run too long. Start documenting carefully from the first sign.

The stop

Time stops altogether. Find out why before you do anything else. If there's a safeguarding concern behind it, that issue needs addressing first, and an enforcement application is unlikely to be the right route (Chapter 17).

Record each breach the same day

For each one, note the date, the paragraph of the order, what it required, what happened, what you did and any messages, with times.

TRY SAYING

Saturday 8 March. Paragraph 3 of the order of 14 October 2025 provides for collection at 10am. Arrived 9.55am. No answer at the door. Called at 10.05am, no answer. Text at 10.10am: 'I'm here for collection as per the order.' No reply. Waited until 10.30am. Contact didn't take place.

That entry may later need to satisfy a very high standard of proof (see Enforcement). "Contact kept being stopped in March" won't.

Habits that help

- **Turn up anyway.** Every time, unless you have been told clearly in advance that it won't happen. Your attendance shows you were ready and willing.
- **Send one short text at the door.** Factual, timed and calm.
- **Keep everything in one place,** added the same day.
- **Don't add adjectives.** No "yet again" or "as usual". The pattern speaks for itself.

Try calm resolution first

If it looks like a misunderstanding or genuine one-off, a short message often resolves it:

TRY SAYING

Oliver wasn't available on Saturday. I hope everything's OK. Can we arrange a replacement day this week?

If it becomes a pattern, send one clear letter before applying to court. Set out the dates, the paragraphs of the order, offer to discuss what isn't working practically, offer mediation, and say that you will apply to the court if the arrangements don't resume. Keep a copy. It sometimes works on its own. If it doesn't, it shows the court you gave fair warning.

When patience stops helping

Signals that informal steps have run their course include several unexplained breaches in a short period, explanations that are demonstrably untrue, the order being used as a bargaining tool, a stated refusal to follow it, or time stopping altogether for more than a few weeks.

What not to do

- send long or angry messages about the breaches
- turn up at the home or school outside the arrangements
- withhold maintenance or belongings in response
- discuss the breaches with your child
- involve family or a new partner in confrontations
- post about it online

CHAPTER 16

Enforcement: the application and what the court can do

IN SHORT

1. Check the warning notice and wording before you file anything.
2. Build a precise breach schedule. The standard of proof is beyond reasonable doubt.
3. Ask for a range of practical remedies, not just punishment.

When an order is repeatedly not followed without good reason, you can ask the court to enforce it using form C79. Download it with the official guidance booklet CB5.

Before you apply

- Check the warning notice is attached to the order that was breached.
- Check the wording. If the order only requires the other parent to "allow" time, and the issue is that your child won't go, there may be no breach at all. Parents are held to what the order actually says, no more and no less.[15]

- Check the fee in the EX50 guidance, and apply for Help with Fees if you qualify.

You don't need to attend a MIAM before an enforcement application, but the court must still consider whether other ways of resolving it are suitable, and it will notice whether you tried.

The breach schedule

This is the most important document you will file. A table, one row per breach, in date order:

No.	Date	Para.	What the order required	What happened	Evidence
1	Sat 8 Mar	3(a)	Make child available for collection at 10am	Attended 9.55am. No answer. Waited to 10.30am.	Text 10.10am (p.12)
2	Sat 22 Mar	3(a)	Make child available for collection at 10am	Text at 8.40am saying child unwell. No replacement offered.	Text (p.13)

- one row per breach, never "March and April"

- quote the order's own words
- keep "what happened" short and factual, with no comment on motives
- cross-reference every row to evidence, and flag honestly where there's none
- include only the strong entries. A few well-evidenced breaches are better than many weak ones
- total it at the bottom: "Time didn't take place on 9 of 14 occasions between 8 March and 26 July."

Your supporting statement

Two to four pages. Set out the order, how arrangements worked before, a summary of the breaches with reference to the schedule, what you did to resolve them, the effect on your child, any explanation given and your response to it, and what you're asking the court to do.

The standard of proof

To make an enforcement order, the court must be satisfied beyond reasonable doubt that the order was breached. This is the criminal standard and the highest in law. It's also the

main reason enforcement orders are made less often than parents expect. Dated, timed, corroborated records are what meet it.[14]

Reasonable excuse

Even where a breach is proved, the court can't make an enforcement order if the other parent had a reasonable excuse. They must show this on the balance of probabilities. Genuine illness, a real emergency or a safeguarding concern acted on reasonably in good faith may succeed. A diary clash, a new partner or retaliation for something unrelated usually doesn't.

Think ahead about what explanation is likely to be given, and prepare a calm, factual response with evidence.

What the court can do

Fathers often picture punishment. In practice, the most common outcomes are practical:

- A firm warning recorded in the order, with arrangements to resume immediately.

- Varying the order to make it clearer and harder to misunderstand: precise handover places and times, neutral venues, who drives, stronger wording, or a requirement to offer a replacement date.
- Make-up time for time that was lost, set out as specific dates.
- Activity directions, such as the Planning Together for Children course or other parenting programmes.
- Cafcass monitoring of compliance for up to 12 months.
- Compensation for financial loss caused by a breach, such as wasted holiday costs.
- An enforcement order requiring 40 to 200 hours of unpaid work, which can be suspended on condition the order is followed.
- Committal for contempt, in serious and persistent cases where the order carries a penal notice. This is a last resort and needs proper legal advice.
- A change of who the child lives with, very rarely, and only where the court decides the child's welfare requires it. [14]

When you apply, ask for a specific range of these, with a draft of any variation you're proposing. A judge who won't impose unpaid work is still very likely to tighten an order and record a warning, but only if you have asked.

A realistic good outcome

A firm warning, a clearer order, make-up time and the case returning to the same judge if there are further problems is a good result. It isn't retribution. The point of enforcement is to get your child back into a reliable routine, and to build a record that makes any future breach easier to address.

If you are the one accused of breaching

Take it seriously. Respond in writing to each item in the schedule. Admit what did happen. Set out any reasonable excuse with evidence. If the order is no longer workable, say so and ask for it to be varied. If your child is refusing, set out exactly what you have done to encourage them and when. Get advice.

CHAPTER 17

When enforcement isn't the answer

IN SHORT

1. Work out whether the problem is a choice, a refusal, an unworkable order or a safety concern.
2. Ask for the remedy that fits the real problem, which is often a variation.
3. Make proportionate applications and protect your life outside the case.

Enforcement is the right tool for a workable order that one parent is choosing not to follow. It's the wrong tool for several problems that look similar from the outside. Applying it to the wrong problem can cost months, money and goodwill.

When your child is refusing

This is one of the hardest situations in family law. If the other parent has genuinely made your child available, and your child won't go, there may be no breach, depending on the wording of the order. Ask yourself honestly:

- How old is your child, and how settled is their view? A teenager's considered view will carry real weight. A young child's refusal will be looked at more closely.
- What has the other parent actually done? Encouraged, packed a bag, brought them to handover? Or said "I can't make them" and left it there?
- What does the order require? If it only says "allow", you may need to ask for it to be varied to require active encouragement.
- Is anything about time with you contributing? A new partner introduced quickly, tension at handovers, a home that doesn't yet feel like theirs. Sometimes the answer is no. Asking costs nothing.

What usually helps here is careful case management by the same judge, a proper welfare assessment, sometimes therapeutic support for the family, and regular short reviews. Ask for that rather than punishment.

When the order itself is the problem

If someone has moved, your child has changed school or work patterns have shifted, the friction may be structural. Signs include breaches clustered around one provision, the same clash recurring, or vague terms such as "contact to be agreed". Apply to vary (Chapter 18). It's more likely to succeed and produces something that works.

When there is a safeguarding concern

If time stopped because the other parent has raised a concern about your care, the concern is the real issue. Engage with it directly, cooperate with any assessment and ask the court to resolve it (Chapter 9). Until it's resolved, the other parent may have a reasonable excuse, and enforcement is unlikely to succeed.

Barring orders

Under section 91(14) of the Children Act 1989, the court can stop a parent making further applications without its permission. These orders can be made where repeated applications are themselves causing harm, and can now be made by the court on its own initiative.[16]

You protect yourself by making applications that are well founded, well evidenced and proportionate, and by not making the ones that aren't. Every weak application makes the strong one harder.

The cost of keeping going

Enforcement can be harder on fathers than the original case. You did what was asked, you got the order, and you're back in the same building months later. That can grind you down quietly. Set a limit in time, money and energy before you start. Keep the rest of your life going. Watch for the point where the fight starts changing you, making you suspicious and unable to enjoy the time you do have. That's the moment to step back, not push harder.

CHAPTER 18

Changing an existing order

IN SHORT

1. Apply to vary when circumstances genuinely change, not just when preferences do.
2. Agree changes where you can and turn them into a consent order.
3. Use the same calm, evidenced, child-focused approach as before.

An order is made at a particular moment. Children grow, schools change, work patterns shift and families move. When the order no longer fits your child's life, it can be changed.

When to consider a variation

The court will usually want to see a genuine change in circumstances, such as:

- a significant change in either parent's work pattern
- a change of school or a house move
- your child being older, with different needs and views
- arrangements that have repeatedly broken down

- a new safeguarding concern that the order doesn't address

A preference for different arrangements isn't usually enough on its own. Courts value stability and are cautious about changing orders that are working.

If you both agree

Write the agreed changes down in detail, both sign and ask the court to approve them as a consent order. This is quicker, cheaper and far less stressful than a contested hearing. If you agree informally without going back to court, remember that the original order still stands, and keep a written record of what you agreed.

If you do not agree

You apply using the C100, referring to the existing order, setting out what has changed, what variation you're asking for and why it serves your child. A MIAM is usually required first. The court may ask Cafcass for a report and will apply the same welfare principles as before.

Small changes day to day

Not every change needs the court. Swapping a weekend, adjusting a pickup for a school event or accommodating a party can be agreed between you, in writing. Being able to flex in small ways without turning each one into a dispute is good for your child and builds trust.

CHAPTER 19

Looking after yourself through it

IN SHORT

1. Protect your sleep, health and relationships. Your child needs you well.
2. Never make decisions or send messages at your lowest point.
3. Find one person you can talk to honestly, and use support services early.

This chapter is near the end, but it isn't the least important. The emotional weight of family proceedings is real. Pretending otherwise doesn't make you stronger. It makes you less prepared.

What the process does to you

Many fathers describe a combination of losing time with their child, constant uncertainty, checking their phone for every message, poor sleep, money worries, loneliness, anger and a sense that something central to who they are is being questioned. Some describe it as harder than the separation itself. That isn't weakness. It's a normal response to an extraordinarily difficult situation.

Why it matters for your case

The court and Cafcass notice how you present. If you're exhausted, overwhelmed or drinking to cope, it's much harder to come across as the steady parent you are. Looking after yourself isn't separate from looking after your child. It's part of it.

The basics

Give court paperwork a regular slot, then close the folder. Leave enough time before and after a hearing to eat, rest or speak to someone you trust. **Day-to-day ways to look after yourself** Practical self-care in Parenting apart.

The worst moments

There will be days when everything feels hopeless: a hearing goes badly, a message sends you spiralling, or you hear something second-hand about what your child has been told. On those days, don't make decisions. Don't send messages, call the other parent or post online. Sleep on it. Talk to someone. The morning nearly always brings a clearer version of what needs to be said, if anything does.

Talk to someone

Find one person you can talk to honestly about how you are, not about the case. If you don't have someone, use a support service. Families Need Fathers runs peer support groups. Andy's Man Club meets weekly across the UK. CALM is there when an evening becomes hard, and NHS 111 has a mental health option at any time. Your GP can refer you to talking therapy, and in most areas you can self-refer to NHS Talking Therapies.

If you have experienced domestic abuse, specialist support is available from the ManKind Initiative and the Men's Advice Line.

After it ends

The end of a case doesn't always feel the way you expect. There may be relief, but also exhaustion, flatness or delayed grief. Some fathers stay on edge for months, tensing at unknown numbers or rehearsing explanations for meetings that won't happen. This usually eases as ordinary routines return. If it doesn't, or it starts affecting your sleep, work or parenting, speak to your GP or a counsellor.

CHAPTER 20

The long view

IN SHORT

1. Reliability, kept up over years, is what your child will remember.
2. Adapt arrangements as your child grows, and listen to their views.
3. Build a workable peace with the other parent for your child's sake.

The court process is temporary. It ends. What remains is your relationship with your child, and that lasts for the rest of your lives.

What children need from a father

Children thrive on predictability. Knowing when they will see you. Knowing you will be there when you said you would. Children whose parents have been through a difficult separation can be especially sensitive to a cancelled weekend. A pattern that never wavers tells them, without you saying it: I'm here, and you can rely on me.

When you're with your child, be present. Not composing the next statement or replaying the last hearing. Just there.

Adapting as they grow

The arrangements that suit a six-year-old may not suit a twelve-year-old. Friends, clubs and their own views become more important. If your teenager wants to spend Saturday with friends, that's a signal worth listening to, not a threat to defend against. Adapt the shape of your time together while protecting what matters about it.

The other parent

You will be linked to the other parent for the rest of your child's life: school events, illnesses, sports days, perhaps one day weddings and grandchildren. You don't have to be friends or forgive everything. You do need a workable peace that lets your child feel both parents are available to them. That work starts now, with civil handovers and short, calm messages.

If it starts again

Sometimes a dispute returns months or years later. If it does, you aren't starting from nothing. You already know the process, you have your records and you know what worked. Pick

up your timeline where you left off and respond in the same calm, evidenced way.

A closing thought

When your child is grown, the court order will be a distant memory. What will remain is whether their father kept turning up, stayed calm when he had reason not to and never made them carry the conflict. Children form their own view of that, on their own timetable.

The seriousness you have brought to this, the preparation, the records, the pauses before sending, is the same seriousness that will carry your relationship forward. Stay present. Stay steady. Keep your child at the centre.

Contacts and resources

Numbers and opening hours were checked in November 2026, but services change, so check the website too.

Forms, fees and the court process

- **GOV.UK, making child arrangements:** forms C100, C1A, C8 and C79, guidance booklets CB1, CB5 and CB7, and the online C100 service. gov.uk/looking-after-children-divorce
- **Help with Fees:** check whether you can get a reduction in court fees. gov.uk/get-help-with-court-fees
- **Cafcass:** including the Planning Together parenting plan. cafcass.gov.uk. In Wales, Cafcass Cymru: gov.wales/cafcass-cymru
- **Family Mediation Council:** find an accredited mediator and check the voucher scheme. familymediationcouncil.org.uk

Free legal and practical advice

- **Civil Legal Advice:** checks whether you can get legal aid. 0345 345 4345. gov.uk/check-legal-aid

- **Family Rights Group:** advice line for parents and families, 0808 801 0366, Monday to Friday, 9.30am to 3pm. frg.org.uk
- **Advicenow:** plain English guides for people representing themselves in the family court. advicenow.org.uk
- **Support Through Court:** free practical help for people going to court without a lawyer. supportthroughcourt.org
- **Citizens Advice:** citizensadvice.org.uk
- **Law Society, Find a Solicitor:** look for experience in family law and, if possible, Family Law Accreditation. solicitors.lawsociety.org.uk
- **Bar Council, direct access barristers:** barcouncil.org.uk

Support for fathers

- **Families Need Fathers:** peer support groups and information for separated parents. fnf.org.uk
- **NACCC:** find an accredited child contact centre. naccc.org.uk

If you're affected by domestic abuse

- **ManKind Initiative:** helpline for male victims of domestic abuse, 0808 800 1170, Monday to Friday, 10am to 4pm. mankind.org.uk

- **Men's Advice Line:** for male victims and the people supporting them, 0808 801 0327, Monday to Friday, 10am to 5pm. mensadviceline.org.uk

Wellbeing and crisis support

- **NHS 111:** urgent mental health support in England, any time. Call 111 and choose the mental health option. nhs.uk
- **CALM:** helpline for anyone having suicidal thoughts, 0800 58 58 58, 5pm to midnight every day. thecalmzone.net
- **Samaritans:** someone to listen, free, any time, 116 123. samaritans.org
- **ANDYSMANCLUB:** free weekly peer support groups for men. andysmanclub.co.uk
- **NHS Talking Therapies:** you can refer yourself in most areas. Find a service
- **Your GP:** for anything affecting your sleep, mood, eating or drinking.

Concerns about a child

- **Emergency:** if a child is in immediate danger, call 999. Otherwise, the police on 101.
- **NSPCC helpline:** 0808 800 5000. nspcc.org.uk

- **Children's social care (social services)** where your child lives, if you're worried about their safety.

None of these services can tell you what will happen in your case. What they can do is make sure you're not carrying it on your own.

Sources

The small numbers in the text point to these sources. Information and links checked November 2026.

1. Administration of Justice Act 1960, section 12; HM Courts and Tribunals Service, Sharing information outside of court in family proceedings (2025); Contempt of Court Act 1981, section 9.

2. Children Act 1989, section 1 (the welfare checklist is section 1(3)), and sections 2, 3, 4, 7, 8 and 11(4) (orders for a child to live with both parents); GOV.UK, Parental rights and responsibilities.

3. Children Act 1989, section 1(2A) and (6), inserted by the Children and Families Act 2014, section 11; Ministry of Justice announcement on repeal of the presumption of parental involvement (22 October 2025); Courts and Tribunals Bill, still before Parliament in November 2026.

4. Family Procedure Rules 2010, Practice Direction 12J: child arrangements and contact orders, domestic abuse and harm.

5. Ministry of Justice, Children to get swifter justice as new family court approach expands nationally (17 March 2026); Cafcass Cymru, Child Focused Courts announced for national rollout (March 2026).

6. Cafcass, Planning Together for Children and parenting plan resources.

7. Family Procedure Rules 2010, Part 3 and Practice Direction 3A: non-court dispute resolution and MIAMs, as amended from 29 April 2024.

8. Family Mediation Council and Ministry of Justice, Family Mediation Voucher Scheme, extended into 2027.

9. HM Courts and Tribunals Service, Form C100 and guidance CB1 and CB7.

0. HM Courts and Tribunals Service, EX50: Civil and family court fees (from 13 July 2026); EX160: Help with Fees.

1. Child Abduction Act 1984, section 1; Children Act 1989, section 13.

2. Domestic Abuse Act 2021, Part 4; Matrimonial and Family Proceedings Act 1984, sections 31Q to 31W.

3. Legal Aid, Sentencing and Punishment of Offenders Act 2012, Part 1 and Schedule 1; Civil Legal Aid (Procedure) Regulations 2012, regulation 33.

4. Children Act 1989, sections 11A to 11P (activity directions, monitoring, warning notices, enforcement orders and compensation); Family Procedure Rules 2010, Part 37 (committal).

5. Children Act 1989, sections 11J and 11K (when an enforcement order can be made, and the warning notice requirement).

6. Children Act 1989, sections 91(14) and 91A, as amended by the Domestic Abuse Act 2021, section 67; Practice Direction 12Q.

7. Family Justice Council, Covert recordings in family law proceedings concerning children (15 May 2025).

8. The law of defamation: absolute privilege for statements made in the course of court proceedings; Family Procedure Rules 2010, Part 17 (statements of truth).

9. Judiciary of England and Wales, Open reporting provisions extended to all family courts (27 January 2025).

Glossary

Absolute privilege

The legal protection for what's said in court proceedings. Nobody can be sued over what they say or write in the case, so people, including victims of abuse, can tell the court the truth without fear.

Balance of probabilities

The test the family court uses to decide disputed facts: whether something is more likely than not to have happened. It's a lower bar than the criminal standard of beyond reasonable doubt.

Bundle

The indexed, page-numbered set of documents the court works from at a hearing.

C100

The application form for a child arrangements, prohibited steps or specific issue order, or to vary one.

C1A

The supplementary form for setting out allegations of harm or domestic abuse.

C79

The application form relating to enforcement of a child arrangements order.

C8

The form used to keep an address or contact details confidential.

Cafcass

The Children and Family Court Advisory and Support Service, which advises the family court on children's welfare in England. Cafcass Cymru does the same in Wales.

CB1

The court service guide to making an application involving children, including who can apply and the orders you can ask for.

CB5

The court service guide to applying to enforce a child arrangements order. The application form is C79.

CB7

The court service guide for separated parents on child arrangements and what to expect at family court.

Child arrangements order

An order deciding who a child lives with and who they spend time with, and when.

Child Focused Model

The reformed way of running private law children cases, formerly the Private Law Pathfinder, being rolled out across England and Wales.

Child Impact Report

A report prepared early in the case in Child Focused Courts, informed by speaking with the child and both parents.

Consent order

An order the court makes approving an agreement, for example about child arrangements or finances after divorce.

Direct access barrister

A barrister you can instruct directly, without going through a solicitor.

Dispute Resolution Appointment (DRA)

A hearing, usually after a report, to try to narrow or resolve the issues.

Enforcement order

An order requiring unpaid work where a child arrangements order has been breached without reasonable excuse.

EX160

The form to apply for Help with Fees, if you're on a low income or certain benefits.

EX50

The guidance that lists the current civil and family court fees.

Fact-finding hearing

A hearing where the court decides whether disputed allegations are proved on the balance of probabilities.

FHDRA

First Hearing Dispute Resolution Appointment, the first hearing in most private children cases.

Help with Fees

A scheme that can reduce or cover eligible court fees. EX160 is the paper application form.

Litigant in person

Someone who represents themselves in court.

McKenzie friend

Someone who supports a litigant in person in court, taking notes and quietly helping, but who does not normally speak for them.

MIAM

Mediation Information and Assessment Meeting. A meeting to find out whether mediation or another way of resolving a dispute could help. It is usually required before certain family court applications, unless an exemption applies.

Parental responsibility

The legal rights, duties and authority a parent has in relation to a child. It does not on its own guarantee a set amount of time with the child.

Parenting plan

A written, non-binding agreement between parents about arrangements for their child.

Penal notice

A warning on an order that breaching it may be a contempt of court punishable by a fine or imprisonment.

Position statement

A short document setting out a parent's position and proposals before a hearing.

Practice Direction 12J

The rules the court must follow where domestic abuse is alleged or admitted.

Prohibited steps order

An order stopping a parent from taking a particular step without the court's permission.

Qualified legal representative

A lawyer appointed by the court to cross-examine a witness where a party is prevented from doing so in person.

Reasonable excuse

A good reason for not complying with an order, which can prevent an enforcement order being made.

Safeguarding letter

A Cafcass letter that summarises early safeguarding checks, concerns about the child and advice to the court on what should happen next.

Section 37 investigation / section 37 report

An investigation the family court can ask the local authority to carry out when a care or supervision order might be appropriate.

Section 7 report

A welfare report ordered by the court and prepared by Cafcass or the local authority.

Section 91(14) order

An order preventing a party from making further applications without the court's permission.

Special measures

Practical arrangements to help someone take part in court, such as a screen or video link when giving evidence.

Specific issue order

An order deciding a particular question about a child's upbringing, such as schooling.

Warning notice

A notice attached to a child arrangements order setting out the consequences of not complying with it.

Welfare checklist

The list of factors in section 1(3) of the Children Act 1989 the court considers when deciding what is best for a child.