



What is a Rule 16.4 guardian and what does this mean for me?

What is a 16.4 guardian appointment?

If the family court decides it is needed for you it will ask Cafcass to choose one of its social workers to get to know you and speak on your behalf to the Judge. This is called a children's guardian.

The family court will ask a guardian to help you if it thinks it will solve some of the things that are happening for you and your family.

If someone from Cafcass is already working with your family, then they may continue and become known as the guardian.

The guardian will work with you and your family to try and find the best possible way forward and, if possible, help everyone agree a plan that meets your needs. Where an agreement cannot be reached, the guardian helps the family court judge decide about your future arrangements.

The guardian will tell the court what it thinks is best for you and will also tell the court what you think, the guardian will do this by writing a report to the judge.

The guardian's role ends when the court has made the final decision or if the family court decide that having a guardian is no longer necessary.

What happens next?

Following the court's decision for you to have a guardian, Cafcass will tell you who that person is. The guardian will ask someone called a solicitor to tell the Judge / court what the guardian thinks should happen and who you should spend time with and live with. The guardian will choose the solicitor for you, so you don't have to worry about this.

The guardian will meet with you within 15 days. They will explain what they do and what you might expect. They will also meet your parents or carers to talk about their role in your life. Your guardian will begin to understand your life and who is important to you.

This may include speaking to your school, other people in your family or anyone else who knows you and may be able to help them understand you better



How will a 16.4 be helpful for me?

The guardian will be kind to you and your family and will always tell you about what they are thinking.

The guardian's job is to make sure everyone knows how important you are.

Every family is different and Cafcass will always think about what makes your family unique.

Your guardian will work to make sure that there is a clear plan so that you will know as soon as possible what is going to happen for you. Your family will help create this plan. It is hoped that decisions will be made within 6 months.

Your guardian will ask you how you want to speak to them and see them. You can talk to your guardian about where you would prefer to meet with them. You can also decide if you would like to keep in touch by letter, text, or video calls.

When they are working with you, your guardian will try and make sure that:

- ✓ you feel listened to and that they understand your life.
- ✓ you understand what they are saying to the Judge about you and what you think.
- ✓ you understand any decisions made about you and this is explained to you.
- ✓ they will tell the important people in your life, and the family court judge what you want. Where possible, they will use your exact words to the judge.
- ✓ they can help you write a letter to the judge.
- ✓ they will be honest with you.
- ✓ they will always be thinking about your safety and will talk to you about this too.
- ✓ you will also be able to tell us what you are happy with and things you would like to change.

Where can I find out more information?

You can find out more on the [Cafcass website](#) and by asking any questions you may have when you meet with the children's guardian and solicitor. It may be helpful to write down any questions you have so you can bring these up when you meet.

