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**family
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Family Solutions Group: Child Welfare and Reform



THE REPORT 12 MARCH 2026

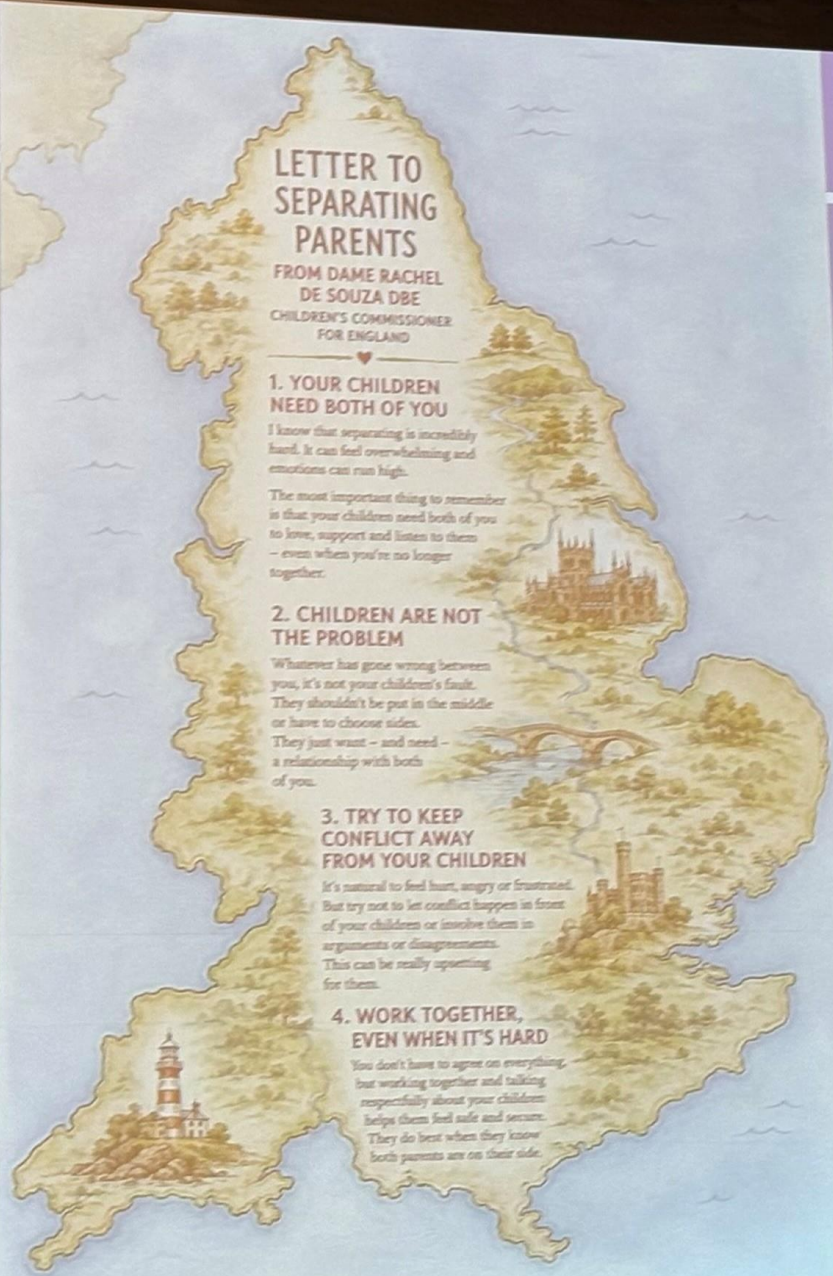
PUTTING CHILDREN FIRST – THE EVOLVING ROLE OF THE FAMILY LEGAL PROFESSIONAL

- 2025 survey – 546 responded (467 professionals, 79 parents)
 - Role and Responsibilities of the Family legal professional
 - The Voice of the Child
 - Training
 - Reflective Supervision/Practice (only in main survey, not parents' survey)
- Data and optional comments
- Wider consultation – 48 interviews on these 4 areas



THE COMMISSIONERS

- Support of the Children's Commissioner, Dame Rachel de Souza (letter to separating parents)
- Recommendation for a Commissioner for Separating Families (briefing paper on website)
 - Provide coordinated oversight for family separation (to oversee system and private, public and not-for-profit services)
 - Ensure children's right and needs are represented
 - Consider best practice and systems in other jurisdictions



LETTER TO SEPARATING PARENTS

FROM DAME RACHEL
DE SOUZA DBE
CHILDREN'S COMMISSIONER
FOR ENGLAND

1. YOUR CHILDREN NEED BOTH OF YOU

I know that separating is incredibly hard. It can feel overwhelming and emotions can run high.

The most important thing to remember is that your children need both of you to love, support and listen to them – even when you're no longer together.

2. CHILDREN ARE NOT THE PROBLEM

Whatever has gone wrong between you, it's not your children's fault. They shouldn't be put in the middle or have to choose sides. They just want – and need – a relationship with both of you.

3. TRY TO KEEP CONFLICT AWAY FROM YOUR CHILDREN

It's natural to feel hurt, angry or frustrated. But try not to let conflict happen in front of your children or involve them in arguments or disagreements. This can be really upsetting for them.

4. WORK TOGETHER, EVEN WHEN IT'S HARD

You don't have to agree on everything, but working together and talking respectfully about your children helps them feel safe and secure. They do best when they know both parents are on their side.

12th
March
2026



WELFARE

- The thread that weaves through the consultation (led to Chapter 4)
- Inconsistent definition of welfare across key areas of Family Law
- Why is this important? – welfare in practice
- Key Recommendations (now developed by our new welfare ‘sub-group’)
 - Welfare paramountcy principle to be extended in Children Act 1989 to arrangements outside court orders
 - First consideration to welfare – Financial remedy (divorce) cases
 - Schedule 1 – financial provision for the unmarried parents, include reference to welfare in statute
 - Invitation to consider welfare in imminent government consultations (led by Commissioner for Separated Families)



NEW WELFARE FSG SUB-GROUP TO TAKE FORWARD AND EXPAND RECOMMENDATIONS

- Multi-disciplinary sub-group
 - Caroline Bowden
 - Stephen Wildblood KC
 - Sophie Connors
 - Dr Jan Ewing
 - James Pirrie
 - Dr Freda Gardener
 - Helen Adam OBE
 - Carlie Norris
 - Lisa Robertson
- First project – to prepare FSG response to recent government consultation



RESPONSE TO FAIRER END TO RELATIONSHIPS CONSULTATION SUMMARY OF KEY PROPOSALS

- Only responded to areas that affect children and directly impacted on welfare and needs of them and their carers
- Word 'welfare' should be given more definition and scope, to ensure that the welfare of the child is properly examined
- Current S.25(1) MCA wording should be changed to make the welfare of minor children the 'primary' consideration, instead of the 'first' consideration (reflects Article 3 of the UNCRC)
- S.25(3) factors (about children) should be expanded
- S.25(2) and S.25(3) factors should be merged, with the S.25(3) factors listed first and prioritised
- Stage 2 and 3 needs distinction for Cohabitation and PNAs to be removed (and the stages merged)

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