

THE VOICE OF THE CHILD – HOW IS IT TO BE HEARD?

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How is the
voice of the
child
currently
heard?

Is the voice
of the child
really being
heard?

Why is it
important
to hear the
voice of the
child?

What are
the risks
here?

How can
we ensure
the voice of
the child is
heard
better?



HOW IS THE VOICE OF THE CHILD CURRENTLY HEARD?



Mediation



Working with family consultant – maybe in collaborative practice?



Therapeutic support – through school or privately



Court process – Cafcass, ISW, psychologist and other professionals



Child inclusive model involving other legal professionals



ARE WE LISTENING?

Article 12 UN Convention

“Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child”

Family Mediation Council 2025 Survey

Child Inclusive Mediation only used in 16% of cases involving children aged 10 and above.

Yet according to analysis of Family Mediation Voucher scheme, 74% of cases resolved where children are consulted.



“Family courts must do more to hear children’s voices, study says”

**University of Manchester
research, published 21 July 2026.**

“Children involved in private family law proceedings in England can experience serious harm to their mental and physical health because their voices are too often ignored or dismissed”

Findings:

- Children are frequently treated as passive participants in family court proceedings, with their accounts of abuse, distress and fear often minimised or misinterpreted
- Children experienced a wide range of psychological, emotional and physical impacts during family law proceedings as a consequence of their voices not being heard, including anxiety, depression, trauma responses, eating disorders, disrupted school, developmental regression and other health problems.
- Many children who expressed fear or reluctance to spend time with an abusive parent were viewed as unreliable or as having been influenced by their mother whilst children who appeared compliant were often assumed to be safe, though silence may have affected their trauma. Researchers found “institutional silencing”



RECOMMENDATIONS

Ensure children's voices are routinely and meaningfully heard throughout family court proceedings

Embed the principles of the UN Convention on the Rights of the Child more fully into domestic law

Reform family court practice so children's views genuinely influence decisions affecting them – children's wishes and feelings often not given sufficient weight and outweighed by restorative culture/adult wishes

Specialist training for judges, legal professionals and safeguarding practitioners on children's rights, trauma and domestic abuse including coercive control

Expand access to child-centred, trauma-informed interventions such as play therapy and specialist counselling.



WHY IS IT IMPORTANT TO HEAR THE VOICE OF THE CHILD?

Family Solutions Group Report, “Putting Children Report” – chapter 5 “The Voice of the Child”

[Dr Angharad Rudkin](#)

“Children are a disenfranchised group who live in an adult world and do as adults say. When their lives are turned upside down and they have little or no say or control over it, they can feel helpless, despondent, sad and angry.

A parental separation directly impacts a child, and research has documented a host of negative outcomes for children as a result of a conflicted and difficult separation”

Questions

- Why do you say children are a disenfranchised group?
- What is the research here and what are the negative outcomes of conflicted/difficult separation?



“Giving children an opportunity to be listened to during a parental separation is an important step towards giving these children agency and hope.”

“Children have a lot to say and particularly at times of family upheaval, we owe them the opportunity to be listened to. While this can help them feel better in the short term, it also gives them a sense of ownership and helps them feel like they did something, which can be of benefit to them as adults looking back”

Questions

- What do you mean by agency and hope?
- What are the short term and long-term benefits to children of ensuring they have a voice?



CHILD INCLUSIVE MEDIATION

Mediator meets parents individually and then together. The mediator or another mediator meets with children once parents have given consent to process.

Child/children invited to meet mediator – in person or online. Children seen separately or together

A defined role, to assist the parents in listening to their children's wishes and encourage them to reach an agreement.

At meeting, the mediator reassures child/children that whilst their parents would like them to have a voice in the mediation process, decision making remains with the parents

The mediator confirms to child/children that he/she will only feedback to the parents what the child/children agree

The mediator checks back with the child/children at the end of the meeting the message/information that he/she wants to be conveyed to the parents



ADVANTAGES OF CIM

Speed – given court/Cafcass delays



Children meet a neutral person able to hear their wishes and feelings whose role is just that



Respectful of children – the mediator only feeds back what the children expressly agree to



Can be used in solicitor inclusive/hybrid mediation



Continuity - mediator can meet children in future



CONCERNS/WORRIES ABOUT LISTENING TO THE VOICE OF THE CHILD

“A child is just that. Heavy reliance on what a child wants when the majority of the time they want their parents reunited is reductive. They won’t always know what’s in their best interests and can be influenced by a number of factors; unhelpful for resolution”

“It would be harmful to ask them (children) to make a choice and unfair to put them in that position.”

Question:

Is it appropriate to listen to the child where there is a high level of conflict between the parents?

Concerns:

- The child may be coached by their parents
- It might amplify any alienating behaviours of the parent
- It may make children feel unsafe both in the session and after
- Can we truly ensure children will be ok before, during and after our conversation
- That we may inadvertently give children the message that they are “broken” and need “fixing” through therapy
- Children under the age of 10 are excluded from this opportunity – this rather arbitrary cut off may mean articulate, insightful children are not given the chance to process their experiences.
- That there are pre-existing mental health difficulties which may impact on the benefits of the process of CIM
- Risk of pathologising child/doing harm where other professionals involved.?



Additional mental health/emotional support input for young people (not an exhaustive list).

Clinical Psychologist, Counselling Psychologist, Educational Psychologist – long course of academic training including high levels of research and critical analysis of evidence. Must be registered with the HCPC as a Registered Psychological Practitioner. Their learning body are the BPS. Child Psychologist is not an official title – anyone can use this title.

Counsellor – multiple training routes and models. No one body of registration. Not a legally protected term but can choose to be registered with bodies such as the BACP, UKCP

Therapist/psychotherapist – some are required to register with the HCPC (e.g. art therapist, music therapist)

Family and Systemic Psychotherapists – complete a 4 year training course and are then registered with the UKCP and their learning body are the AFT. ‘Family therapist’ is not a legally protected title.

Divorce coach – not yet a legal title or a unified training pathway

Psychiatrist – medically trained and specialise in mental health/illness. Have to be registered with the GMC

Emotional Literacy Support Assistant (ELSA) – optional for schools to have. Usually a Teaching Assistant who has attended training with the local Educational Psychology service. Can be geographically dependent.

The BPS holds a register of Expert Witnesses (<https://www.bpd.org.uk/register-expert-witnesses>) created to “meet the court’s specific requirements for expert witnesses and to protect the public by ensuring that legal professionals and the public can easily locate psychologists who are competent to act as an expert witness.”



TRAINING FOR LEGAL PROFESSIONALS TO BRING IN THE VOICE OF THE CHILD

FSG report “Putting Children First” says that some legal professionals feel out of their comfort zone in how to address the voice of the child with their parent clients. What sort of training might be helpful?

Basic child development training

Information on therapeutic models e.g. EMDR, CBT, play therapy, humanistic counselling

How to talk to children workshop (not as easy as it looks!)

Specific awareness raising about neurodiversity, trauma, addiction, mental health, and how these can impact on communication, feelings, expectations, behaviour

Training on FSG Child Inclusive model involving legal professionals (Appendix I, Putting Children First report (FSG))

Example of lack of understanding: CIM not a substitute for court – frequent referrals of cases to mediators where the parents are already in court asking for preparation of report to the court.



INTERNATIONAL COMPARISONS

Australia – Professor Jennifer McIntosh

		
Child Inclusive Mediation And Counselling: Child Consultant Course (18 Hours)	Child Inclusive Mediation And Counselling: Introduction	Child Interview Skills Refresher
Child Inclusive Mediation & Counselling (CIMC) is an evidence based intervention for separated parents in dispute, designed to support and powerfully realign co-parenting, by focusing on the experiences...	This unit provides a general overview of child inclusive practices, and includes Unit 1 of the full CIMC course.	This option is designed for experienced practitioners who have previously done the McIntosh training, and wish to refresh on child interview methods).
Click here for further details	Click here for further details	Click here for further details
\$775.00 for 92 days	\$25.00 for 92 days	\$195.00 for 92 days
Add to cart	Add to cart	Add to cart

Family Bridges Institute (<https://www.familybridgesinstitute.com/workshop-and-aftercare>)

