

## **Norfolk Local Family Justice Board Respect Charter, February 2025**

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### **1. Aim and key principles**

All of us who work and volunteer in the family courts do so with the goal of achieving the best outcomes for the children and families with whom we work. It is relatively unusual for children and young people themselves to attend the hearings, but we always remember that the court's primary consideration is their welfare. We aim for a collaborative approach to achieve this, but realise that those involved, both family members and professionals, will not always agree with one another.

The purpose of this charter is that everyone involved, irrespective of differing roles, views and opinions, is treated with respect, feels that their voice is being heard and feels safe to voice their opinion. This applies to all court users, lawyers, judges, magistrates, local authority social workers, Cafcass officers, court staff, interpreters, witnesses, volunteers and anyone else involved in the court process. The family justice system is powerful and those who work in it should always aim to model an approach that is respectful, sensitive, open and trustworthy.

### **2. Constructive practice and language**

- Always be polite, kind and courteous to others. Take responsibility for maintaining positive relationships with everyone you interact with.
- Listen to each other (the family and professionals), treat everyone with respect and avoid using inflammatory language.
- Speak up when professionals interact or behave in a way that is disrespectful or unacceptable.

- Give praise and due credit to positive work done by parents, children, social workers, Cafcass officers, lawyers and others.
- Criticism needs to be delivered in a constructive and respectful way, allowing for disagreement, robust challenge and holding people and organisations to account, without being unduly harsh or undermining of individuals.

### **3. Anti-racist practice and language**

- Always consider the race, ethnicity and cultural needs of each child, family and adult in the family justice system.
- Always ask children and families how they wish to be identified, in terms of their ethnicity/ethnic background.
- Be aware of prejudices within ourselves, in others and in the court system. Anti-racist practice encourages us to educate ourselves about different cultural practices, customs and norms that may be unfamiliar to us, and to ask questions as opposed to acting on beliefs.
- Be aware of the potential for stereotyping and bias. Do not make assumptions about someone's role, beliefs or behaviour based on their race, ethnicity or culture.
- Families from black and minoritised communities will have experience of racism, which may impact on how they present. (Judges and lawyers should note that FPR 2010 PD 3AA, on vulnerable parties and witnesses, specifies 'racial and/or cultural abuse or discrimination' as factors to be taken into consideration.)
- Even when someone's spoken English is good, always consider the need for an interpreter in court to enable legal terms and decisions to be fully understood in the child and family's first language.
- Provide time to ensure that the translation /interpretation of any necessary technical language or law is accurate, and understood.
- *Microaggressions* are commonplace verbal and non-verbal slights, whether intentional or unintentional, that convey hostile, derogatory, or negative attitudes towards people from marginalised groups, notably those of different races, cultures and beliefs, but can also affect women, disabled people, LGBTQ+ people and others. With regard to race, they put white people into a dominant position without being obviously hostile and are a subtle form of racism. We can avoid making them by being mindful of what we are saying, how it could be received and the impact it would have (e.g. 'you are very well spoken for a black person'; 'who have you come to see?', assuming from the colour of a person's skin that they are not barristers, social workers or other professionals; 'where are you from.... no, but where are you really from?')
- Everyone in court should feel free to raise concerns about less favourable treatment and everybody should listen to and consider these claims. It is important that no-

one is prevented from doing this. We need to be open to being challenged and should recognise that this might feel difficult and uncomfortable.

#### **4. Professional respect**

- Recognise, respect and support the professional roles of others. This includes recognising that the court environment and processes may be unfamiliar and daunting to those who participate infrequently. Any court user should be enabled to participate fully.
- Whilst professionals can expect their professional opinion to be challenged during court hearings, they should not be subjected to abuse, personalised remarks or disrespectful comments.
- Respond and take sensitive and appropriate action when others interact or behave in a way that is disrespectful or unacceptable to others.
- There should be no expectation that professionals, practitioners and judges will work late into the night or for significant parts of a weekend or while on leave, to deal with their workload or meet deadlines.
- A 'last minute' work culture increases stress. The availability of electronic communication does not justify the late delivery of instructions, evidence, information etc. This creates a high level of pressure on professionals, court staff and judges and increases the need to work outside what are reasonably regarded as work hours.
- Do not expect that emails will be responded to outside normal office hours (9am – 5pm).
- Language used in correspondence should be professional. Take time to review your written communications (letters and e-mails).
- Ensure that all those involved in court proceedings prepare thoroughly for each hearing, so that hearings are as effective as possible and make efficient use of everyone's time.

#### **5. Awareness of families' needs and circumstances**

- Be mindful of the adversities experienced by many of the children and families involved in family court proceedings – poverty, poor housing, mental and physical ill-health, learning disability, domestic abuse, addictions, discrimination, and neurodiverse conditions such as autism, ADHD and dyslexia. Be empathetic and respectful.
- Be aware of the 'protected characteristics' in the Equality Act 2010 – age, gender reassignment, being married or in a civil partnership, being pregnant or on maternity leave, disability, race (including colour, nationality, ethnic or national origin),

religion or belief, sex, sexual orientation. Consider what ‘reasonable adjustments’ would enable people to participate effectively. Be mindful of your language (see the point above about microaggressions) and ask people what they would find helpful.

- Written and spoken language should be clear and direct, avoiding professional jargon/ words. When professional / legal terms are required, provide explanations and examples.
- It is important that all families are given time and help to understand our court processes/rules, but more so if they have additional learning needs, neurodiversity, are new to the country and unfamiliar with our systems, or if English is not their first language.
- Consider using visual aids or having an advocate, an intermediary, an interpreter or support worker who can help families to read documents, attend meetings and participate in hearings.
- Treat information and data relating to participants within family proceedings with the utmost respect and confidentiality. Names of participants and their families should not be visible on documentation or audible in discussions. Be especially mindful of remarks made in any public area which might lead to the identification of a person involved.

## **6. Sources of useful material**

- [‘Language that Cares’](#) from TACT
- [Cafcass](#)
- [Family Justice Young People’s Board \(FJYPB\)](#), especially their [‘top tips’](#)
- [The Transparency Project](#)
- [Family Rights Group](#)
- [Equal Treatment Benchbook](#)

## **7. Acknowledgements**

This charter borrows from similar documents produced by other LFJBs. We are grateful to them for sharing their work. They are East London LFJB; Sussex LFJB; Derby and Derbyshire LFJB; Birmingham LFJB.

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