

Family Justice Board Meeting

22 February 2022

Attendees

Members

Will Quince MP (*Parliamentary Under Secretary of State, Department for Education*) **Co-Chair**

Lord Wolfson of Tredegar (*Parliamentary Under Secretary of State, Ministry of Justice*) – **Co-Chair**

Albert Heaney (*Director, Social Services, Welsh Government*)

Jacky Tiotto (*Chief Executive, Cafcass*)

Jason Latham (*Head of Business Architecture, HM Courts and Tribunals Service*)

Jeremy Gleaden (*Senior HMI, Ofsted*)

Krish Kandiah (*Chair of the Adoption and Special Guardianship Leadership Board*)

Helen Lincoln (*Executive Director for Children, Families and Education, Essex County Council, representing Association of Directors of Children's Services*)

Nigel Brown (*Chief Executive, Cafcass Cymru*)

Sally Ann Jenkins (*Head of Children's Services, Association of Directors of Social Services Cymru - ADSS Cymru*)

Ed Lidington (*Director, Family and Criminal Justice Policy, Ministry of Justice*)

Apologies

Yvette Stanley (*National Director for Social Care, Ofsted*)

Isabelle Trowler (*Chief Social Worker for Children and Families*)

Katy Roberts (*Department for Work and Pensions*)

Sophie Langdale (*Director – Children's Social Care, Department for Education*)

Jake Morgan (*ADSS Cymru*)

Ian Walker (*Director of Safeguarding and Early Help at Bolton Council, representing Association of Directors of Children's Services*)

Observers

Sir Andrew McFarlane (*President of the Family Division*)

Representatives of the Family Justice Young People's Board (FJYPB)

Meeting

Co-Chairs' Introduction and Opening Remarks

1. Lord Wolfson (LW) welcomed attendees to the meeting and noted the value of bringing together stakeholders from across the sector to boost productivity and reduce demand and delays within the Family Justice System (FJS).
2. Minister Quince (WQ) thanked stakeholders for their work in keeping the FJS running through difficult circumstances. He highlighted that DfE's key priority continues to be providing the right outcomes for children and families in a timely way.
3. WQ described DfE's first priority in the public law space as identifying and addressing those children's cases that have been in the FJS the longest. He further reflected on the importance of the President's work on transparency in the family courts, on improving judges' access to feedback, and on how valuable he and LW found the launch event for the FJYPB's 'In Our Shoes' book.

Update from the Family Justice Young People's Board

4. The FJYPB representatives presented excerpts from their new 'In Our Shoes' book, describing their experiences of public and private law proceedings, and drawing out lessons for FJS stakeholders after each experience. The excerpts included attending court as a child, the removal of parental contact and the importance of communication. Key considerations for FJS stakeholders included supporting children's understanding of interventions to prevent further harm. They concluded by challenging the Board to consider fully the testimony from 'In Our Shoes' and to keep the experience of young people central to discussions.
5. LW and Board members thanked the FJYPB for their collective testimony and noted the impactful nature of the accounts shared.

Presentation of the Family Justice Priorities - Private Law

6. LW introduced the presentations and slides on Private and Public Family Law priorities, developed in collaboration with members. LW noted it was important that these priorities had collective ownership, with actions, timelines and metrics attached to ensure success.
7. MoJ Policy introduced both the overarching pillars of focus for FJB and the three private law priorities. These priorities are i) government and all partners understanding and influencing wider societal views on separation and the use of the courts; ii) increasing efficiencies in the private law process and iii) better support for local areas to scrutinise their performance challenges and share best practice.

8. The ambition to make dispute resolution mainstream was emphasised, which will require a major change in how it is currently viewed by society. This is part of wider work to support parents in resolving issues earlier.
9. To drive this, feedback and next steps on sub-themes around understanding and influencing societal views on separation and courts' use were presented, supported by comms options developed by the Cabinet Office Behavioural Science team.
10. There was strong agreement amongst members that delays must feature within priorities. LW confirmed delays fit within priority ii) given its link to efficiencies.
11. Some members raised concern on the role for family hubs in parental separation, stating mediation services were out of their scope and that significant investment from government would be required. There was concern that involvement could be a source of confusion between families who needed protection and those who simply needed dispute resolution services.
12. Some members questioned whether there was enough force behind the drive towards alternative forms of dispute resolution in the proposed comms approaches. It was noted stronger messaging was agreed at the previous FJRIG to help combat delays in the FJS.

Presentation of the Family Justice Priorities - Public Law

13. WQ introduced the presentation on the Public Law priorities, stressing there was a real chance to influence the system to improve the outcomes and experiences of children before and after court proceedings.
14. DfE Policy noted the Public Law priorities were the result of a great deal of consultation and collaboration and thanked stakeholders for shaping them. DfE shared three public law priorities. These priorities are i) identifying and addressing the drivers and impact of children's cases that are in the family justice system the longest; ii) understanding data and practice around short-notice applications and iii) improving practice at the pre-proceedings stage.
15. DfE shared initial evidence and data around delays in children's cases, alongside insights from members, acknowledging the complexity of the issues and multiplicity of factors driving delays. WQ noted, alongside the drivers for delays cited in the presentation, that there was a lack of experts available in public law and criminal proceedings.
16. The three public law priorities, and the timeline presented for taking the work forward, were agreed by Board members.
17. Members briefly discussed kinship and special guardianship arrangements, in the context of whether these options have an impact on the likelihood of future parental reunification.

18. Members also highlighted that, although demand issues predate COVID-19, the pandemic has impacted all elements of the FJS.
19. LW thanked the presenters and the Board for the discussion, noting the hard work that has taken place to work through the priorities.

Update on Private Law pilots launch

20. MoJ Policy provided an update on the launch of the private law pilots in Bournemouth and North Wales on 21 February, noting the vast cross-FJS work that had taken place to design the core model and turn it into operational reality. MoJ Policy outlined the new approach which moves certain applications to a less adversarial and more investigative approach featuring improved collaboration across agencies. The ambition to deliver a streamlined process that improves experiences and outcomes for children and parents was outlined.

Update on high-profile cases

21. DfE Policy shared priority actions arising from the recent high-profile cases involving children. They noted forthcoming cases coming to criminal courts that will require further discussion.

Any other business

22. LW and WQ shared their thanks for the breadth of material covered at the Board and the continuing partnership between members.