

**TRANSPARENCY IN THE FAMILY COURTS IMPLEMENTATION GROUP  
DATA COLLECTION WORKING GROUP**

**First Group Meeting on Thursday January 27<sup>th</sup> 2022 at 08.00 (on MS Teams)**

**Attending**

Nicola Shaw (Chair)  
Olivia Kirkbride (Coram Chambers) (Secretary)  
Dr Natalie Byrom (The Legal Education Foundation)  
Lisa Harker (Nuffield Family Justice Observatory)  
Dr Julie Doughty (Cardiff University Law School)  
Olive Craig (Rights of Women)  
Her Majesty's Court & Tribunal Service,  
Private Law Service Manager [HMCTS Official]  
Ministry of Justice, Family Policy Official [MoJ Official]  
Clare Walsh (Kinship Carer)  
Worcestershire County Council/Worcester Children First Official [Worcestershire CC Official]  
Judicial Office, President's Private Secretary (President's PS)

**Apologies**

Femi Ogunlende (No5 Chambers)  
Cafcass Analyst [Cafcass Official]  
Department of Education Official, Family Justice Team [DoE Official]  
Family Justice and Young People's Board, Co-ordinator [FJYPB Official]  
Member of the FJYPB

**MINUTES**

**1. Welcome and introductions**

The Chair welcomed everyone to this first meeting and thanked them for making the time. Each person introduced themselves to the group. The Chair recognised the scale of the ambition for the work and noted that she would ask members of the Group to assist between meetings as necessary in order to make swift progress.

**2. Objective of the Group**

*Proposed objective*

*"to establish the arrangements for the collection of the data required to achieve the President's aim of creating educational opportunities for the professionals involved in family justice whilst protecting the children involved."*

The group had a wide ranging discussion about its proposed objective and sought to establish some common understanding of the issue and associated challenges. The discussion included:

- What data to collect (including what is already collected by HMTCS and how the new core case data platform will operate).

- Where to collect the data (Potentially in the new CCD system depending on its structure and the feasibility of extending it should there be additional requirements given the the CCD programme is expected to complete in September and is not funded for subsequent development).
- Minimising the burden associated with data collection in order to ensure that the system was kept up to date and complete and that the process continued over time rather than becoming neglected
- How to capture end to end views of people's experiences within the family justice system not just of an individual case.
- Who has access to the system.
- The extent to which there were lessons to learn or synergies to be had from other parts of the judiciary such as the Civil Jurisdiction and Domestic Abuse Commissioner.
- The Nuffield Family Justice Observatory offered to share their wish list of the data they would like to be captured.

It was agreed that the proposed objective should be enhanced to include references to ensure that the system

- 1) could be easily developed and maintained
- 2) minimised the burden of data collection
- 3) considered how access was permitted or the data was shared (for example through the proposed annual report)

The revised objective is therefore:

*“to establish the arrangements for the collection of the data required to achieve the President’s aim of creating educational opportunities for the professionals involved in family justice whilst protecting the children involved. The arrangements should seek to minimise the burden of data collection, consider how to ensure ease of development and maintenance of the system and ensure that the system can be used appropriately for both research and learning and general transparency of the family justice system”*

**Actions:**

- HMCTS Official to provide details of the fields of data that are currently collected by FamilyMan and what will be collected by CCD.
- Natalie Byrom and HMCTS Official to have a pre-meet before the next meeting to discuss the data fields on CCD and how it operates.
- HMCTS Official to demo how the current data is collected and will be collected on CCD at the next meeting.
- Natalie Byrom to set out what information she considers would be needed from HMCTS and the approach other jurisdictions (inc. Civil) have had towards data collection.
- Natalie Byrom to set out how the Shadow Senior Data Governance Panel approaches data.
- Lisa Harker to provide the NFJO list of data fields they would like to be collected to aid their research.
- Olive Craig to provide list of data that Rights of Women would like access to for their work.
- President’s PS to invite a member of the Domestic Abuse Commissioner’s staff to join the group.

**3. Questions we need to answer:**

Discussed questions we will need to answer and any underlying themes such as how the process will be resourced / the time it will take.

Some questions we may need to cover:

- 1) What data is currently captured by HMCTS?
- 2) What fields of data are completed?
- 3) Which data is required to be captured at the end of each case?
- 4) Who should enter the data into the database?
- 5) How should the data be captured in the data base — e.g. should it be free form text, numeric, or options based?
- 6) What automation is in place?
- 7) Do we need a data strategy?
- 8) What funding is required?
- 9) Who can access the database for the annual report and for research or training?

#### **4. Areas for cross working group collaboration or potential overlap**

Group members volunteered to be the link between the other TiG Sub-groups:

- Media sub-group – Olivia Kirkbride
- Anonymisation – Clare Walsh
- Pilots – Julie Doughty

#### **5. Timescales**

The Chair considered that it would be beneficial to have data collection proposals ready for the pilots as they go live in May, and for any requirements to be included in the guidance on anonymisation in July, bearing in mind feedback from the pilots.

There was a word of caution on the timeframe for the pilots as they would need to go through the Family Procedure Rules Committee, and then need sign off from a Minister. It was noted that the previous pilot for legal bloggers took quite a long time to set up and receive approval.

There was some uncertainty on the time frame proposed for the anonymisation guidance being July. This would need to be clarified.

It was noted that HMCTS and MoJ legal policy and legal advisors were currently focused on the Private Law Services pilot due in April. Anything additional being fed into the delivery plan of the Private law tool would be outside the current scope and would require approval to be added.

#### **Actions:**

- Julie Doughty to ascertain the projected timeline for the pilots and the anonymisation guidance and report back.
- Chair to liaise with other Working Group chairs to understand their approaches

#### **6. Any other business**

The Transparency Review talked about the family justice system having an increased online presence to give court users information about how the family court operates. It needed to be clarified which sub-group would take this action forward.

It was mentioned that sometimes it was better to improve user pathways and handoffs rather than build a new website.

One of the aims of the review was to increase public confidence in the system, therefore consideration needed to be given as to how could be measured and which sub-group would take the lead.

**Actions:**

- Oliva Kirkbride to raise at the Media Sub-group the point regarding improving user pathways to access information on the family justice system.

**7. Date and time of next meeting**

Group decided that they would meet at 16.45 for future meetings.

The next meeting would focus on the Core Case Data system, with a demo from HMCTS.

**The next meeting will take place on MS Teams at 1645 on 15 February 2022.**