



Family Justice Council Meeting Minutes

Monday 20 April 2026

Attendees

Chair: Mr Justice Keehan
Professor Andy Hayward, Academic
Dr Fiona Straw, Consultant Paediatrician
Hannah Penfold, Legal Advisor
Jenny Beck KC (hon), Solicitor
Kate Thomas, Cafcass Cymru
Lina Liu, Children's Commissioner for Wales
Lindy Stephens, Public Law Solicitor
Lizzie Fussey, Children's Commissioner's Office
DJ Louise Duckett, District Judge
Louise MacLynn KC, Silk
Luke Taylor, MoJ
HHJ Madeleine Reardon, Circuit Judge
Matt Clayton, ADCS
DJ Julian Hussell, District Judge
Rebecca Cobbin, HMCTS
Ruth Hay, Mediator
Dr Sheena Webb, Child Mental Health Specialist
Simon Rowbotham, Barrister
DJ Stewart Hughan, District Judge
Tracy Sortwell, Magistrate

Apologies: Ms Justice Henke, Vinice Cowell, Mrs Justice Morgan, Barry Tilzey

Agenda Item 1: Welcome and Announcements

1. The Chair congratulated Louise Duckett on her appointment as a District Judge and explained that she would continue in her role on the Council until a new Public Law Solicitor had been recruited.
2. The Chair explained that Ruth Hay will not be seeking a second term on the Council will be standing down in November. The Chair thanked Ruth for the work she has done on the Council and Ruth said she is happy to stay on the Working Groups she is a part of if need be.
3. The Chair noted that they are anticipating the announcement of the new President of the Family Division to be made this week.
4. The Chair welcomed Lina Liu from the Welsh Children's Commissioners Office and thanked her for joining the meeting.

Agenda Item 2: Minutes of last meeting, actions, and matters arising

5. The Chair asked for comments on the minutes of the previous meeting.
6. DJ Hugan said there was an additional sentence needed of his comment in relation to FDAC and government funding being put upstream to replicate FDAC, and that he would send this to Sophie Gowans.
7. The Chair asked members to otherwise approve the minutes. The minutes were **approved**.
8. The Chair noted that details of ongoing actions were laid out in the action log.

Agenda Item 3: Family Justice Board Update

9. The Chair handed over to Luke Taylor to provide an update on the Family Justice Board.
10. Luke explained that at the last meeting of the Board on 3rd March, there was the usual review of performance as well as a detailed look at the demand in public and private law, and an item on Child-Focussed Courts (CFCs).
11. Luke explained that on CFCs, the meeting came before the announcement of MoJ's intention to rollout nationally (made on 17th March) and the Board discussed the systemic issues and challenges around implementation to ensure that the system is working to realise the benefits of the model. Luke noted the announcement of the 8 areas that will be implementing the model in 2026-27.
12. Luke referenced the Family Justice Strategy and that MoJ were working to develop content and draft material, and that this was progressing. He explained there will be continuing conversations with members of the Council. He referenced the action to set something up with the Public Law Working Group and explained he had met with Mr Justice Keehan and Mrs Justice Judd and there would be a workshop shortly on the approach to problem solving courts in the context of the Family Justice Strategy.
13. Luke continued that there would be other workshops on how to develop the approach to data and outcomes. He explained that MoJ were aiming to have the strategy largely completed by May. Luke predicted that, by the next FJC meeting, there would be a clearer idea of publication dates.
14. Luke said they had been talking to the Local Family Justice Boards about priorities and targets for 2026-27. He noted that a lot of the measures and targets had not significantly changed from the previous year, but a new measure had been added looking at average case duration on private law cases. This was to align with the rollout on CFCs, and MoJ hoped that over the next 3 years, case durations would be around 26 weeks in private law, rather than the current 35-week duration.
15. Luke continued that MoJ will shortly begin planning in earnest for the next LFJB Conference which would be in London at the end of June.
16. The Chair thanked Luke for his contribution and asked about the Family Justice Strategy, specifically on the workshops looking at outcomes and what that would look

like. Luke responded that the general challenge was how to move towards a more holistic set of outcome measures for the system that doesn't just look at timeliness but also at the success of outcomes. He explained the intention was to set a direction of travel that is long-term and outcomes based and this was an ongoing discussion.

17. Dr Sheena Webb asked whether there were considerations of getting data on mental health needs for children and families, as there was currently a data gap. Luke said he could bring this up in the session they were running later that week, and explained the challenge would be what they could collate and in what timeframe. Luke confirmed that the aspiration to share data and look at what MoJ can do to link data sets is one that MoJ will want to pick up.
18. Jenny Beck noted how the strategy is going to pull together a fragmented system and asked whether it will result in a set list of things to be done, or whether it will produce something to address the overall governance structure and will allow for those in the system to get behind a shared vision. Luke explained that there would be a section on governance and accountability. He said that it would set out how the system works and the expectations on each section of the system. He continued that a lot of it will focus on what MoJ wants to do over the next three years, rather than a 'here is the solution' piece but agreed that the ambition should be a whole-system strategy.
19. Ruth Hay asked about LFJB targets on case completion time lengths, specifically if there would be a way to monitor those diverted back out to non-court dispute resolution (NCDR). She explained that the time might be seen as significantly longer if individuals return to court, despite not having been in court for much of that period. Luke responded that mediation vouchers was a section of the metrics MoJ were looking to understand and explained they had tried to keep LFJB targets quite simple to reduce the reporting burden. Luke said it was not something they were planning this year for the LFJBs, but it could be something to build out in future years.
20. Ruth said that there was a reluctance to send cases back out to NCDRs as it would affect targets. The Chair commented that it begs the question of returning cases in both public and especially private law and that the system was not good at identifying these within the data. Luke said this would be a question for the data workshop later that week, to agree with HMCTS on how to have something more robust.

Agenda Item 4: Business Plan Progress

Activity 2: Comms and Website Working Group

21. The Chair explained that this would be picked up at item 7 of the agenda.

Activity 3: Domestic Abuse Working Group

22. The Chair said that the group last met in March to discuss what this group could do in response to the recommendations of the Domestic Abuse Commissioner's Report and that no firm decisions were made on further work of the Group.
23. The Chair said the Group was waiting for the Rule Committee to consider the question of disclosure of fact-finding judgments. The Chair continued that the Working Group planned to also update the mapping of the domestic abuse landscape which would form part of their next meeting in May.

24. Jenny Beck said that another part of the Group's work had been the Guidance for Practitioners on Making an Application for a Protective Injunction Under the Family Law Act 1996 which came into effect in January 2026, which timed with the PFD's Guidance on Non-Molestation Orders. She shared that the guidance had received a positive response. She had received positive feedback that the guidance had streamlined the process.
25. DJ Hugan said that on QLRs, there has been some consultation on the effectiveness of these.
26. The Chair said this was part of MoJ's work on QLRs and was on the FPRC agenda last Monday and would remain on the agenda over the coming months. The Chair noted that a matter passed onto the MoJ by the FPRC was on having more stringent criteria for having individuals put on the list of QLRs. Currently, if a QLR says they will go on a training course, they can be added to the list, but it is difficult to check whether they do complete the training, so it might become a requirement for training to be completed ahead of being added to the list. The Chair noted an issue that the Law Society did not yet have a training course up and running, but that this was being worked on.

Activity 4: Experts Working Group

27. Dr Fiona Straw said there was little to add outside of the papers, except that they no longer have the 14th of October for the Expert's Symposium and were looking at new dates. Fiona noted that it will be an exciting event to look at what the right questions are for the right experts and that the Group would meet again on Thursday.

Activity 7: Financial Remedies Working Group [paused]

28. No update.

Activity 8: Medical Treatment Working Group

29. The Chair said that Maud Davis (Ex FJC Member and lead on the Medical Treatment Working Group) had provided a final draft of the guidance for review. The Chair explained that, once reviewed, the guidance would be circulated via email by the Secretariat with the Council for approval prior to publication.
30. Simon Rowbotham noted that he remained on the action list to review the guidance sheet for families. Sophie said that this would be to check final amendments, to which Simon agreed to review the final version.

Activity 9: Disclosure to Children and Young People Working Group

31. The Chair noted apologies from the Secretariat that this had not yet been published on the website, but that this would be completed shortly.

Activity 11: Neurodiversity Working Group

32. DJ Hussell explained that he had submitted the final draft of the judicial version to Sophie and thanked Judge Maclaghlan for her help.
33. Sophie confirmed that the final version was with her and that there had been some discussion around the need to update some sections of the Practitioner Guidance

that are replicated or updated in the judicial version and asked whether the Council is happy for the guidance to be updated. The Council **approved** this proposal.

Activity 12: Diversity and Inclusion Working Group

34. Kate Thomas said that the Group met last week and were beginning the drafting of guidance. She explained that the Group had agreed to split drafting into two phases, where Phase 1 focuses on the sections that set out the landscape, recent research (with credit to Professor Andy Hayward and Rosemary Hunter), psychological impact (with credit to Dr Sheena Webb), and the responsibilities of professionals in the system. Kate continued that the second part would look at specific sections of the system, e.g. working with adults, children, or internationally. Kate continued that she was drafting some initial sections with Augusta Itua (RJFN), and that the Group was liaising with the RJFN on the content.
35. HHJ Reardon asked to be listed as a member of the Group, having recently taken over from DJ Hughan.
36. The Chair referenced papers 4a and 4b on the co-opting guidance produced by the Group and asked if members were happy to approve those documents.
37. Simon Rowbotham suggested including note of any potential conflicts of interests when co-opting members. Otherwise, the Council **approved** the papers.

Activity 13: Voice of the Child Working Group

38. Jenny Beck explained that the two sub-groups were both progressing. She explained that from the judges meeting children sub-group, the judges survey had gone out and had been extended, and that the group was receiving interesting information for analysis. Jenny noted that the survey would be going to magistrates as well.
39. Jenny explained that the other sub-group was looking at revisions to the 2015 Report of the Voice of the Child Dispute Resolution Advisory Group, and that the group had not met as recently.
40. Secretariat noted to follow up with the sub-group Chair. The next full-group meeting would be on the 27th of May.
41. Kate Thomas added that, on judges meeting children, she and Sarah Dickinson had agreed a set of questions to go out to family court advisors on the experience of judges meeting children.
42. Hannah Penfold asked about the draft questions for magistrates and said they should go to legal advisors in the first instance. Sophie noted that they were awaiting a response on the draft questions from Harris J.
43. DJ Hughan noted that the Judges Writing to Children Toolkit was updated in March and thought it was an excellent resource that could be referenced in any update to the Guidelines on Judges meeting children.
44. Simon Rowbotham asked around timescales and offered to help go through the responses on the judges' survey. Jenny Beck thanked Simon and suggested

speaking offline. Jenny noted that on timeframes, they needed to bring the two sub-groups back together. In terms of reviewing the guidelines, Jenny said they're at the stage of hearing what the issues are and have looked at the international context and are identifying what might be needed by way of a toolkit.

45. The Chair queried whether the review of the Guidelines and any proposed amendments would be drafted for the end of the year, to which Jenny said that would be a realistic timeframe.
46. Dr Sheena Webb said that one of the barriers is the worry from professionals around distress and responding to distress, and that the writing to children toolkit addresses this quite nicely and suggests there would be some elements to transfer into the guidance.

Activity 14: Trauma Informed Approaches in the Family Justice System Working Group

47. HHJ Reardon said the group last met in January and agreed the structure of the guidance and the plan for drafting, but do not yet have a first draft. Judge Reardon noted that they had discussed the target audience for the guidance and agreed it would be best to have a comprehensive guidance for all professionals in the system, as they are all included in the process.
48. The Chair asked about problem-solving courts and the overlap with care proceedings. Judge Reardon and Dr Sheena Webb agreed that the guidance would touch on these points.
49. Hannah Penfold asked if the guidance would mention emotional readiness. Sheena said that the guidance would discuss emotional regulation and how the courts can create a sense of emotional safety.
50. Ruth mentioned MIAM assessments and how, afterwards, individuals may not go into mediation as they don't feel ready to, which results in the case going to court. Ruth suggested having a section in the guidance around the pre-court space and the trauma responses that might be exhibited there. Sheena said mediation is another area where trauma-informed practice is relevant and that the guidance would investigate potential reasons why someone might be struggling to participate in legal processes.

Activity 15: Hair Strand Testing Working Group

51. DJ Hugan said the group was poised to circulate the draft guidance, but a changeover of chairs delayed the process. DJ Hugan thanked Sheena and Victoria Warden for their help and said that they hoped to share the first draft with Council in May/June.
52. The Council discussed whether the guidance would be consulted on with key stakeholders or publicly. Noting concerns around commercial interests in this field.
53. The Chair agreed that it would be important to have external input whilst ensuring the commercial element is removed and wondered if academia could assist with the toxicology element. Dr Fiona Straw suggested including the Faculty of Forensic and

Legal Medical Examiners, who have guidance on taking hair in a forensic examination.

54. The Chair noted that it could be useful for the group to propose a list of those key stakeholders to approach in consultation.

55. Sheena noted the BBC had approached the Judicial Office regarding the topic of Hair Strand Testing in Family Justice and the FJC Working Group.

Activity 16: Reunification of Families and Children Working Group

56. Matt Clayton said the group was making good progress and had had some useful presentations including one on FDAC. Matt noted that he and Jenny were going to create a plan for next steps to share with the PFD and Keehan J.

New Workstreams

Intra-familial sexual abuse scoping group

57. The Chair said the first meeting of the group took place on 26th March, and thanked District Judge Hussell for volunteering to chair the Group, with Jenny Beck offering informal assistance.

58. The Chair noted that the group was joined by two members from the Centre for Expertise on Child Sexual Abuse (CECSA) and that the group started discussing the scope and remit of the guidance. The Chair continued that it was suggested that the guidance should provide a clear procedural route for child sexual abuse cases, including gatekeeping allocation and signposting to relevant resources.

59. The Chair said that the group thought it would be beneficial to include a professional from child social services and either a legal adviser or magistrate. It was also noted the need for input from the criminal justice system, possibly via a presentation from someone that was part of the Family/Crime interface protocol.

60. Sophie said that she will be going to Matt Clayton for suggestions for social services member, and to Andy on academics.

61. Sheena asked about individuals with lived experience. Sophie said the group will be looking at how lived experience could be included in any guidance.

62. Hannah Penfold and Tracy Sortwell volunteered to join as a Legal Advisor/Magistrate. Sophie thanked them and said the group may only need one, so Sophie will get back to both on their offer.

63. The Chair noted that, with regards to all Working Groups, when a Working Group is considering a new piece of guidance, to send a scoping report to the PFD and Keehan J so that the exec can consider it before the work began. The Council **agreed** to this approach.

Agenda Item 5: Guest Speaker – Lisa Harker, Director of the Nuffield Family Justice Observatory

64. The Chair welcomed Lisa, who thanked the Family Justice Council for the invitation to speak.
65. The Council received an excellent presentation from Lisa Harker on the Nuffield Family Justice Observatory (NFJO) Strategy, which would guide its priorities for the next 5 years, with the strategy's goals being the changes the NFJO wants to see in the family justice system and how the NFJO can support these changes.
66. Lisa explained that the NFJO intended to move away from its role of shining light on the problems in the family justice system and take on a role of supporting changes in practice and policy. Lisa said this would still be in a data and research capacity.

Agenda Item 6: Events

FJC Conference

67. The Chair said the Conference was very successful and the feedback received was encouragingly positive. Feedback stated the Conference was very informative and thought-provoking, and attendees were pleased with the depths and nuance of discussion. The Chair noted that the key strengths identified were the range of speakers, the relevance of the theme, and the focus on the voice of the child.
68. The Chair explained that suggested improvements included scheduling in more networking opportunities, such as longer coffee breaks or opportunities to network following the close of the conference, which will be taken on board by the FJC for future planning.
69. The Chair noted the quality of Lisa Harker's Bridget Lindley Memorial Lecture and stated that the recording was now live on the FJC website.

Experts Symposium

70. The Chair noted that the Experts Symposium had been previously covered under Agenda Item 4.

Agenda Item 7: Recruitment

71. The Chair explained that the FJC would be recruiting a new Parent and Family Representative to replace Angela Fraser Wick, a new Public Law Solicitor in private practice to replace DJ Louise Duckett and, in due course, a new Family Mediator to replace Ruth Hay.
72. The Chair explained the exercise to recruit would be launched in April/May and that the FJC were proposing to hold 1-2 online webinars between to encourage individuals to reply.
73. The Chair asked whether any member would be willing to volunteer to liaise with the Family Rights Group to assist with the parent webinar. The Chair further asked whether any members of the Council would be willing to take part in the webinar with respect to the public law solicitor and family mediator roles.
74. Matt Clayton offered to liaise with the Family Rights Group. DJ Duckett, Louise MacLynn and Ruth Hay offered to contribute to the webinar.

75. The Chair explained that, time permitting, one of the webinars would be for the parent and family representative, and the other would be for the public law solicitor and the family mediator.

76. Dr Sheena Webb asked whether there were specific criteria for the parent and family representative. Sophie Gowans said there were criteria for all roles and offered to send it round to the Council.

Agenda Item 8: FJC Comms Strategy

77. The Chair explained that the current members of the working group were Matt Clayton, Andy Hayward, DJ Duckett (for now), Natalia Schiffrin and Vinice Cowell. The Chair asked if any other members of the Council would be willing to volunteer to join this group and to let the Secretariat know.

Agenda Item 9: Research Update

78. Andy reminded members to email him if they can't access full copies of any research he highlights. He also mentioned that if he gets invited to any conferences that might be of relevance to the Council, he will include those in the updates.

79. Andy noted an emerging trend around neurodiversity research and noted a piece of research on neurodiversity in NCDR.

80. Andy said general observations on the research included points around funding, open justice and transparency in court, neurodiversity, criminal justice and the age of responsibility, and noted a voice of the parent in care proceedings which he recommended to the VoC Working Group. Andy highlighted Sheena's article 'Beyond the Timescale' which focused on trauma informed responses to care proceedings.

81. Andy noted that, for private law, there were interesting comparative pieces such as on parental alienation in Brazil (the first country to legally recognise and penalise parental alienation), and a piece comparing Norway to England and Wales with regards to PR, where Norway is more progressive in granting PR irrespective of marriage.

82. Andy extended his services to any working groups that would benefit from a research update. He referenced the Hair Strand Testing Working Group and asked whether they had co-opted academics onto the Working Group. Dr Sheena Webb said they were trying to keep the guidance practical, but that it would be interesting to know how drug testing is used by professionals and research on professional judgement (e.g. who gets tested and why) and relate this to diversity and inclusion issues.

83. The Chair said it will be very important to get the Hair Strand Testing guidance right as it will be a useful resource.

84. Louise MacLynn noted that there had been useful judgements on hair strand testing over the years and asked whether those had been considered, to which DJ Hugan agreed and said they had.

85. Sophie suggested that Andy recommends to the HST Group on which academics to consult, to which Andy agreed. Sheena noted the diverging opinions in academia on HST, and that the guidance is aiming to give a realistic picture of system. DJ Hugan said the focus should be on the practice and procedure and how the tests are used, but there will be instances where the guidance will have to say this is something to be aware of, rather than give a separate recommendation.
86. HHJ Reardon queried whether there was research outside of the law field, e.g. in sports or employment, to be used. Andy agreed there was a limited number of academics in law looking at this, with most research coming from sociology or medicine.
87. Ruth asked whether Andy could keep track of the alienating behaviours research, as it would be important for the FJC to stay aware of what is occurring in other countries.