Family Justice Council Meeting Minutes

Monday 19 January 2026

Attendees

Chair: Mr Justice Keehan
Sir Andrew McFarlane, President of the Family Division
DJ Stewart Hughan, District Judge
HHJ Madeleine Reardon, Circuit Judge
Jenny Beck KC (hon), Solicitor
Tracy Sortwell, Magistrate
Dr Fiona Straw, Consultant Paediatrician
Dr Sheena Webb, Child Mental Health Specialist
Mrs Justice Morgan
Rebecca Cobbin, HMCTS
Ruth Hay, Family Mediator
Angela Frazer-Wicks [first hour only]
Beatrice Longmore, Children's Commissioner's office
Hannah Penfold, Legal Adviser
Luke Taylor, MoJ
Kate Thomas, Cafcass Cymru
Barry Tilzey, Cafcass

Apologies: Professor Andy Hayward, Louise MacLynn KC, Vinice Cowell, Matt Clayton, Lindy Stephens, Simon Rowbotham, and Louise Duckett.

Agenda Item 1: Welcome and Announcements

1. The Chair announced that Angela Frazer-Wicks will be stepping down from the Council for personal reasons. The Chair reflected on Angela's four years on the Council, including as a member of four working groups, a speaker at the 2023 FJC Conference and a panel member of the 2022 FJC Debate. The Chair said Angela was a dedicated an enthusiastic member of the FRG and that they were sorry that she was stepping down.

2. The PFD said Angela was an impressive and valuable individual and that he was sorry she is stepping down, and that she would be welcome back to the FJC should she be able to in the future.

3. The Chair highlighted that Sir Andrew would be retiring in Easter 2026, and that they are sad to say this will be his last full Council meeting.

4. The Chair passed over to Jenny Beck, who provided a tribute to Sir Andrew's work for the FJC. This included 30 meetings, five debates and six conferences, though his contributions go far beyond these figures. Jenny highlighted how he had navigated

the FJC through the challenging times of the pandemic and the additional resourcing challenges of the past few years.

5. Jenny continued that it takes skill to identify issues and promote progress in a siloed system. She stated that the PFD teased out the heart of contemporary, complex issues and never shied away from them, allowing these issues to be explored. This ensured that the topics focused on by the FJC promoted systems that are fairer, more diverse, and more inclusive, which allowed the system to challenge itself.

6. Jenny stated that the work achieved has moved the system forwards, and the PFD's commitment and gentle steers have resulted in tangible benefits and set the course for continued work for positive system change.

7. The PFD thanked Jenny for her kind words and responded that everything the FJC has achieved has been achieved by the team of FJC members who have empowered people's engagement to bring different voices and experiences to what we do, which in turn has enhanced the large product the FJC produces. The PFD gave his gratitude to the members of the FJC.

Agenda Item 2: Minutes and Actions from the last meeting

8. The Chair asked members to approve the minutes.

9. Hannah Penfold raised that she is mentioned in the previous minutes, but not listed as an attendee, and asked for this to be corrected.

10. The minutes were **approved**.

11. The Chair explained that most actions have either been completed or are contained in the agenda. He listed the ongoing actions that are not covered in the agenda, detailed below.

12. The Secretariat were asked to develop an accessibility checklist for groups, with Jenny Beck asked to reach out to contacts at AT-Autism for top tips to include. This is to be developed, so the action was considered ongoing.

13. The Secretariat collated connections Council members can provide on reaching out to universities in law, social work, and psychology departments. The Chair asked members to continue to send details of their university contacts/networks to the Secretariat.

14. The FJC members were asked to send suggestions for the Public Consultations Criteria to Sophie (Secretariat). The Chair stated this action is ongoing.

15. The FJC members were asked to contact their professional associations to advertise the FJC's work, and to report to the FJC whether they had done so. This action was considered ongoing.

Agena Item 3: Family Justice Board Update

16. The Chair passed over to Luke Taylor (MoJ) to provide an update from the December FJB meeting.

17. Luke stated that the FJB last met in December, and that this was the first time for the new Ministers (Baroness Levitt, MoJ, and Josh MacAlister, DfE) to chair the meeting. Luke stated they hoped for some ministerial continuity going forward, and both Ministers were very engaged on the subject.

18. Luke continued that Dame Nicole Jacobs presented on her Everyday Business report, where she talked about framing system-wide goals and the targets for 2026, and that she was trying to get agreement on what can be done e.g. in improving outstanding caseloads. The Board agreed to introduce a new measure for private law timeliness for the year ahead, given current progress with Pathfinder.

19. Luke said there were initial conversations about problem-solving courts and how to take learning from FDAC. The policy teams had encouragement to go and do more scoping work and policy-thinking, which MoJ have started.

20. Luke said they had progressed work on the Family Justice Strategy, which they've revisited with the Deputy PM and other ministers. The Deputy PM's office said he's very supportive of this work.

21. The PFD said that they had the National LFJB Conference since the last FJC meeting. He said it was a great success where ¾ of the LFJBs were represented. He explained Dame Nicole Jacobs gave an address and there were useful breakout sessions. He suggested this event happens more often. Luke responded that a summer event might be beneficial.

22. The PFD continued that Josh MacAlister stated that FDAC was a very good thing, but he considered that that there should be earlier intervention by social services before care proceedings start. The Minister's proposal was to put more money into social services so they can provide the FDAC services in-house. Therefore, the Minister was not expected to support an increased FDAC roll-out or to include other departments e.g. Home Office.

23. Dr Sheena Webb asked what further scoping was being done regarding FDAC. Luke responded that MoJ were speaking to the Welsh Government about what they had been able to do, including having broader approaches on cohorts and being more flexible. Luke explained that the idea was to get some shared learning, and conversations and roundtables had been planned for later this January.

24. DJ Hughan noted that problem solving relating to FDAC was a highly researched area in the legal space and its effectiveness has been demonstrated with every piece of research done. He continued that it was disappointing to hear views that FDAC could be replicated upstream by social services and local authorities.

25. The PFD agreed and said that FDAC could provide that moment when someone who is not a health worker can engage with the parent and create a unique relationship that couldn't be replicated elsewhere. The Chair agreed that there was a good case for increasing FDAC and then evaluating where else to add additional resources, as a tandem approach.

26. Sheena noted that the plan to create earlier interventions has been discussed since 2015, there have been many innovation fund projects and it having been a focus of public law working groups. She asked how the new work would fit in, and whether this would be looking at how to build on the work of the public law working group.

27. Luke said the MoJ was in an early stage of its thinking, and that the investment is somewhat coming from DfE so MoJ must consider how to work alongside them on this. Luke emphasised that it's not an either/or situation, but a question of how to find more solutions. Luke said he would be keen to pick up on discussions from PLWG and not overlap/re-do thinking.

28. The Chair suggested arranging a meeting with the PLWG and MoJ, and the PFD suggested inviting Lord Justice Peter Jackson.

29. Luke referenced his previous action from the last FJC meeting: to meet with Barry Tizley and the DA Working Group once responses to the DAC Report and Pathfinder were completed. Luke explained that there was a meeting a few months ago with the DA Working Group and that MoJ will continue to keep Barry and colleagues sighted and engaged on relevant developments. He explained they also had overlapping regular engagement with Cafcass and judicial colleagues on Pathfinder and other DA-related activity. He suggested this action is moved to complete after this January meeting.

Agenda Item 4: Business Plan Progress

<u>Activity 2: Comms and Website Working Group</u>

30. The Chair explained that this would be picked up at item 6 of the agenda.

<u>Activity 3: Domestic Abuse Working Group</u>

31. Barry Tilzey explained there were no changed to what the Group was looking at. He explained that the FJC Guidance on Non-Molestation Injunctions for Practitioners was now published and effective, and thanked Jenny Beck for her work leading this.

32. Barry continued that when they last met as a group, Professor Rosemary Hunter presented a synopsis of the DAC Report, but they did not have an opportunity to debate it in depth. He explained the Group planned to discuss the report at the next meeting in February and to consider further aspects to take forward.

33. Barry continued that they haven't had a replacement for Angela Fraser-Wicks but have reached out to Safer Lives colleagues to see if Michelle Phillips would like to join.

34. The Chair asked if the Council agreed to the DA Working Group taking on a new member. The Council **agreed.**

35. Jenny Beck noted that the Guidance had been well received and asked if there was a way to see how it feels on the ground and monitor the impact.

36. The PFD noted that Dame Nicole Jacobs was on the Roundtable for this topic and might have people who could provide feedback. The PFD also suggested asking the Victims Commissioner.

37. HHJ Reardon noted that the Guidance had landed well with HMCTS, and that she had heard positive feedback from court managers, including on new job card and that it was making a difference.

Activity 4: Experts Working Group

38. Dr Fiona Straw explained that the Group was in the early stages of planning the Experts' Symposium and was uncertain whether it would be hybrid or in-person. She continued that the Group was hosting its first Schwartz Round on 29th January 2026.

39. Fiona continued that Mr Justice Williams would be coming to Royal College of Paediatrics and Child Health's Conference in May to do a plenary session on the FJS and demystifying the process of giving evidence.

40. Fiona said the Group was continuing its work on the Experts' Handbook and ensuring that each Royal College had a dedicated lead on family justice.

41. Sheena stated that the Experts Symposium planning group was looking at asking the right experts the right questions, and that they planned to start with the family and then go to the experts afterwards.

Activity 7: Financial Remedies Working Group

42. No update.

Activity 8: Medical Treatment Working Group

43. The Chair explained that the Guidance was in the process of being updated following the additional points raised by the Official Solicitor and the members of the Council.

Activity 9: Disclosure to Children and Young People Working Group

44. Barry Tilzey explained that the versions that will be published on the FJC website shortly were attached to this meeting as Papers 4a-4d.

45. Barry explained that this guidance would be relevant for most stakeholders and would be sent to all once published. Following publication, the Working Group plans to close.

Activity 11: Neurodiversity Working Group

46. Jenny Beck thanked Judge Julian Hussell and Judge Esther McLachlan for their work in drafting the judicial version of the Neurodiversity guidance. The final draft was shared with members as a late paper on Friday (Paper 10).

47. Jenny explained that they were going to send the final draft to the Voice of the Child and Diversity & Inclusion Working Groups for final checks.

48. The Chair stated that they welcomed any comments from members with a view to signing off the guidance in principle, ahead of circulation with the VoC and D&I Working Groups.

49. The PFD explained that he planned to look at the forward of the Guidance by the end of the week.

50. Tracy Sortwell queried whether it was appropriate to say 'lay' magistrates. The PFD said it was appropriate to state that magistrates were not lawyers.

51. Hannah Penfold said that other members of the process (judges, lawyers etc.) might also be neurodiverse and suggested it was worth acknowledging somewhere in the Guidance that this was the case. She also suggested referencing Appendix B of the Equal Treatment Bench Book alongside where the Guidance refers to Chapter 14 of the Bench Book.

<u>Activity 12: Diversity & Inclusion Working Group</u>

52. Kate Thomas said that the Group had reviewed the feedback received and any suggestions from attendees as to what the group could focus on next and noted that race was the common theme.

53. Kate explained that the Group had drafted Terms of Reference for a new piece of Guidance on the impact of race, ethnicity, culture and faith in the Family Justice System (Paper 5). She continued that the Group had grown, and that they plan to seek consultation as they go along with the drafting process.

54. The Council **agreed** to the terms of reference. Kate explained that the Group aims for the first draft to be done by the end of the calendar year, with consultations to occur along the way.

55. Kate explained that she and Dora (Secretariat) were working on a draft package of materials on co-opting new members and the Group had discussed what materials to include to make the Council inviting and its work clearer to new members/co-opts. They aim to send their thoughts to the wider Council ahead of the next meeting.

56. Kate explained that the Group also debated having a member with lived experiencer. Grant Williams and Barry Tilzey suggested Cafcass' Parents Forum. This would be agreed by the Council at a later date.

57. The PFD said that the FJC doesn't include anyone from the FJYPB on a regular basis, and that this is something to consider. Sophie noted that it is quite difficult for

them to join meetings, so the best approach we agreed was to consult them when relevant. The Chair agreed with this approach.

58. Kate agreed that they would consult the FJYPB on the Diversity & Inclusion Guidance.

Activity 13: Voice of the Child Working Group

59. Jenny explained that the group will be sending a survey to all Family Judges (Paper 6) to ascertain how much judges are currently meeting with children, what assists them to do so, and are there any barriers. She noted that NFJO researchers had provided advice on the survey questions.

60. Hannah noted the Group should ensure that the Magistrates tier was part of the survey and offered to join the Group to discuss this. She explained that magistrates are meeting with children in some areas.

61. Tracy asked if the questionnaire can be changed so that magistrates are not referenced as ‘other’.

62. Sophie suggested a tailored survey for magistrates, given that the guidance doesn’t reference them in this way.

63. Hannah queried whether it should go to legal advisors, rather than magistrates.

Activity 14: Trauma Informed approach in the Family Justice System Scoping Group

64. HHJ Reardon explained that drafting of the guidance is in progress and members are working on their various sections as agreed. She noted that Rights of Women had made guidance for judiciary on trauma-informed care in context of domestic abuse, and the Group was now considering how to integrate what they’re doing with what’s already out there, and how best to signpost.

65. HHJ Reardon explained that the introduction and scene setting has a first draft, and that group member Zoe Cheng is working on accessible flow charts, glossaries and demystifying the court process. She also referred to Matt Clayton’s initial conversations with the FJYPB.

66. Rebecca Cobbin stated that HMCTS were running a special measures pilot looking at how special measures are implemented and their consistency. She explained that the pilot of special measures would begin in Newport that day and run for 3 months, followed by Truro and Nottingham in the next few weeks. The judiciary had been involved in the planning for the pilot and will be invited to take part in the lessons learnt sessions.

Activity 15: Hair Strand Testing Scoping Group

67. Dr Sheena Webb noted that quite a lot is currently in draft, and that she and Victoria Warden had written an introduction and a setting the scene section.

68. She continued that Birth Companions had been in touch and would like to meet again and asked what the protocol would be here. She explained they would need to have an initial consultation with stakeholders. She noted that the original proposal for the group had come from the letter led by Birth Companions. The PFD said that it would be ok to meet with them to provide an update with a member of the FJC team present.

69. DJ Hughan explained that the aim was to have a draft ready for the April FJC meeting.

70. Sheena added that what it highlights was that users should be cautious on the interpretations and should not just use the headline. She explained that awareness of these issues were low. She continued it would include issues on race and on the broader issues around the way things are timed and interpreted, including the difference between a toxicological and clinical opinion, and how this affects implications for parenting.

<u>Scoping Group: Reunification of Children and Families</u>

71. The Chair explained that the Terms of Reference for the group were signed off in November and that the group were collating research and guidance that exists on reunification.

72. Jenny Beck said this had been an iterative process including research gathering, and that next steps will be decided on the 22 January.

<u>New Work streams:</u>

<u>Intra-familial sexual abuse</u>

73. The Chair explained that the secretariat will start this as a scoping group before the next Council meeting and that potential dates will be sent out shortly to those Council members that volunteered to join the group.

74. The Chair explained that the secretariat will also contact the Centre for Expertise on Child Sexual Abuse inviting them to nominate a representative to join the work stream.

75. Dr Sheena Webb offered to provide input, even if not as a formal member of the Working Group.

Agenda Item 5: Events

<u>FJC University Outreach Event</u>

76. The Chair explained that this event would take place on 26 January and would be a hybrid event, with in-person attendance at Durham Law School. The Chair said that full details could be found in Paper 7.

77. The Chair continued that the FJC had received 155 sign-ups so far and explained that the President would host the panel. The Chair thanked FJC members Jenny Beck and Vinice Cowell for agreeing to take part in the panel.

78. Jenny raised that she had contacts with London Universities if the FJC would like it to be advertised further. Dora Hannyngton noted that the registration had closed, but that these networks could be useful for future student events.

Experts Group: National Schwartz Round

79. The Chair noted that the event would take place on 29 January via Microsoft Teams and had 124 sign-ups.

80. The Chair explained that it had been advertised on the FJC website and was open to professionals in the family justice system to attend including experts, legal practitioners, social workers, and judges. He continued that there will be three contributors who will share an abstracted story about their own experience on an agreed theme – the current suggestion is "*When your best doesn't feel good enough – working in the family court".*

Conference 5 March 2026

81. The Chair reminded the Group of the FJC's Annual Conference, which would take place on 5 March 2026 in Birmingham, with the title: *The Role of Technology & AI in Modern Family Law: Opportunities and Challenges.*

82. The Chair explained that a save the date was sent out to all stakeholders before Christmas, and the sign-up forms for both the Conference and the Bridget Lindley Lecture would circulated shortly.

83. The Chair listed the speakers already booked, which included Lisa Harker (NFJO) as the Bridget Lindley Memorial Lecturer, who will focus on the evolution of technology, its impact on children, and how this affects children within the family justice system.

84. Other speakers included the FJYPB to present on young people's experiences of social media, tech and AI within Family proceedings; the Ada Lovelace Institute to present an overview of AI, pitfalls and potential benefits, with examples from their research into the use of AI transcription tools in social work; and Julie Young to discuss post adoption contact in a digital age.

85. The Chair explained that the FJC team were still looking for speakers on AI ethics, and a possible session on digital disadvantage. Sheena Webb stated that she thinks digital disadvantage was an important issue, especially for those using FDAC.

86. The Chair asked members for any comments on the current proposals. **No comments were made.**

Agenda Item 6: Communications Strategy

87. The Chair provided an update on the implementation of the FJC Comms Strategy. One suggestion was to improve mechanisms for feedback. The Chair explained this was implemented for the Debate and the FJC received 34 responses to a digital feedback form and will share the results with the Exec Committee in the first instance.

88. The Chair continued that the Secretariat is setting up a way for individuals to sign up to receive information about events and publications and that the university engagement event in Durham is an action from the Comms strategy.

89. The Chair continued that Paper 8a shows the FJC events page had more views in the build up to the Debate and the two January events. The Chair explained that Paper 8b provided an overview of the comms activity of the Council and thanked members that were able to share the work of the Council.

Agenda Item 7: Research Update

90. The Chair explained that Professor Andy Hayward, who authored Paper 9, was on leave and provided a summary of the paper on his behalf. Highlights included 'Diverse Voices in Family Law', 'Grandparents and the Law', 'Rethinking International Kinship Care', Intimate Image Abuse as Coercive Control in Private Law Family Proceedings', 'Parenthood in Law' and 'Understanding Children's Objections to Contact'.

91. Ruth Hay responded that presumption of contact had had a very negative public reaction. Jenny Beck said it was a very complex message that was easy to misunderstand.

92. Ruth continued that there is a narrative that goes with this topic and a view that it's one-sided, which has caused groups to get active on social media. Sheena agreed it was an easy for this topic to be polarising and that this could feed across the system.

93. Hannah Penfold suggested looking at the Harm Panel report and its findings about how best to review this.

94. Jenny Beck suggested using the Conference to look at how technology can spin a narrative, how the courts operate and how decision-making takes place e.g. in the keynote address.

95. Sheena said AI can be a safeguard sometimes against unreliable human error.

Agenda Item 8: AOB

96. HHJ Reardon offered to step in as a Circuit Judge on any Working Groups that required one.

97. Ruth Hay noted that the mediation voucher scheme would be ending in March, as it's a year-on-year commitment and they hadn't heard whether it would continue.

98. Jenny explained that the Legal Aid Agency was starting to recoup the contingency payments for firms and barristers and warned that there will be fallout. The PFD requested that he be informed in detail on this. Jenny offered to forward a summary.

99. Jenny asked if the NFJO Strategy could be featured on the next FJC Agenda.