



**Report on  
Progress  
against  
Business Plan  
2008-09**

**STRATEGIC OBJECTIVE 1**

To establish effective links with and support to the Local Family Justice Councils

Supporting Activity	Owner	Aim	Target Date	Outcome
1. Secretariat to visit all 39 Local Family Justice Councils (LFJCs)	Secretary/ Local Family Justice Council Liaison Manager	To establish and improve effective two way communication between the national FJC and all of the LFJCs	March 2009	Establish effective networking between Secretariat and chairs of LFJCs and their administrators.
Secretariat visited 19 Local FJCs in 2008-09 Over a two year period, 34 of 39 Councils have been visited. Networking and communication with the Local FJCs has improved. All but 3 Councils now send in their minutes regularly.				
2. Secretariat to hold an annual conference for the Secretaries to the LFJCs	Secretary/ LFJC Liaison Manager	To improve awareness of the issues facing Secretaries to the LFJCs, to gain a greater understanding of what the national FJC can do to help and to make clear what is expected of LFJC Secretaries.	Nov 2008	Improved two way communication between LFJC administrators and the Secretariat. Exchange of minutes and complete membership lists.
The Second annual event for Local FJC administrators was held in Manchester on November 4 <sup>th</sup> 2008. The feedback from those administrators who attended was very positive and it is clear that they appreciated the event and derived benefit from it. The disappointing aspect was the poor attendance – only 16 of 39 administrators attended. The most common reason cited for non-attendance was the refusal of managers to release them for the conference due to pressure of work. It may assist if next year if the letter of invitation comes from the President.				
3. To secure responsibility for distributing the budget for funding training events and incidental expenditure for Local FJCs	Secretary/ LFJC Liaison Manager	To improve the control over and transparency of the Local FJC budgets	March 2009	Greater certainty of the monies available to LFJCs for funding their activities, greater ease in securing the monies and better quality management information on the activities of the LFJCs available to the FJC.
Senior management support for holding this budget centrally has been secured and negotiations with HMCS Finance are at an advanced stage for securing the budget for 2009-10				
4. Secretariat to investigate options for increasing the LFJC input to the national FJC website	Secretary/LFJ C Liaison Manager	To increase and improve the website resource that is available for use by LFJCs	Dec 2008	A better quality LFJC contribution to the FJC website
The Secretariat has been in discussion with the Peninsula FJC about a proposal to introduce a web page for each Local FJC on a Local FJC website hosted by the Peninsula FJC. The Secretariat will raise this at the next Local FJC conference and will consult with the Local FJCs after the April 2009 conference.				

**STRATEGIC OBJECTIVE 2**

To understand better the impact of diversity on the Family Justice System and to identify any action required to better meet the needs of children and parents from BME communities coming into contact with the Family Justice System.

Supporting Activity	Owner	Aim	Target Date	Outcome
1. Organise a forum for BME community/NGO groups	Chair of Diversity Committee	To identify the priorities of BME community/NGO groups relating to BME experiences of the family justice system	Oct 2008	Positive engagement with BME groups producing agreed priorities for consideration by the FJC.
The BME forum has taken longer to arrange than anticipated but will take place in June 2009 at the House of Lords. It will focus on the impact of the new domestic violence legislation on BME groups. It will be chaired by Bns Elizabeth Butler-Sloss				
2. Contribute to Diversity audit of MoJ family policies	Chair of Diversity Committee	To advise MoJ on the impact of its family justice policies on ethnic minority communities	Ongoing	Provide input to MoJ Diversity Impact Assessment which will inform future policy development and may require amendment of existing policies.
The Diversity Cmte successfully contributed to the Diversity Impact Assessment of the pilots for the Unified Family Court and have secured a number of changes to improve the service to disabled court users as a result.				
3. To support the implementation of the Forced Marriages (Civil Remedies) Act 2007 and to monitor the effectiveness of its operation.	Chair of Diversity Committee	Provide expert input on implementation issues (e.g. rules of court). Make case for mechanism to monitor the Act	To meet MoJ time table	A successful implementation of the Act followed by early identification of any problems with its operation.
The Committee drafted the FJC response to the public consultation on the rules of court and has been monitoring the early operation of the Act with a view to proposing a review of the legislation after an appropriate period.				
<b>STRATEGIC OBJECTIVE 3:</b> To examine the use and role of experts in the Family Justice System				

Supporting Activity	Owner	Aim	Target Date	Outcome
Monitor the impact of the Public Law Outline (PLO) on the use of experts	Chair of Experts Committee	To identify any early difficulties with the PLO in so far as it impacts on experts	Ongoing	To provide advice on resolving any difficulties identified in the operation of the PLO
The Committee has not been made aware of any early problems with the PLO in so far as it impacts on experts.				
To examine feasibility of introducing a system for giving feedback to experts on the quality of their evidence	Chair of Experts Committee	To provide experts with feedback on the usefulness of their evidence to the court in order to improve future performance	December 2008	If feasible, to produce proposals for feedback mechanism for experts for consideration by FJC.
A paper with initial proposals has been discussed by the Committee and a revised version is currently being drafted for the Committee's future consideration.				
To examine options for researching the quality of experts' written reports in partnership with other stakeholders	Chair of Experts Committee	To secure evidence on the standard and quality of the written evidence provided by experts in the course of family proceedings.	March 2009	If feasible, to produce a specification for a research project examining the quality of written reports.
The Committee has approved a research proposal from Prof Jane Ireland and John Pinschof to examine the quality of psychologists' reports used in family cases. The proposal has been endorsed by the Executive Committee and once it has been formally approved by the Council, the research project is expected to commence shortly.				
4. To play full role in taking forward the Government's response to the Chief Medical	Chair of Experts Committee/	To assist NHS and DH colleagues in setting up the new system.	Ongoing	A new system for provision of expert evidence which better meets the needs of

Officer's report	Chair of Children in Safeguarding Proceedings Committee			the family courts for high quality & timely expert evidence
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The Committee has not been able to contribute to this important area of work during this reporting period because of the delays in taking the project forward. The pilots are now underway and DoH has undertaken to keep stakeholders better informed of progress in future.

#### STRATEGIC OBJECTIVE 4:

To identify and address major issues of concern in proceedings safeguarding children (Public Law and Adoption)

Supporting Activity	Owner	Aim	Target Date	Outcome
1. To support improvements in the conduct of care and adoption proceedings in the interests of children and families	Chair of Children in Safeguarding Proceedings Committee	To support the PLO by: 1) advising on the commissioning of research into the operation of the PLO 2) identifying data gaps & quality issues relating to public law proceedings & looked after children & advising MoJ, DCSF & WAG accordingly. 3) providing guidance to practitioners via LFJCs and the JSB as to how placement order applications can best be managed in the PLO context 4) gathering information on good practice issues in order to consider the preparation of a good practice handbook. 5) devising agreed formats for documents prepared by local authorities for use in court supported by the Integrated Children's System (ICS)	In accordance with dept timetables except:  ICS Proformas agreed by June 2008  Guidance on placement order applics by August 2008.	Changes to care proceedings which reflect the views and priorities of the FJC.

The Committee completed its work on ICS Proformas in summer 2008 and circulated guidance on placement order applications by the target of August 2008. The work on a good practice handbook is still at an early stage and the Committee has yet to be asked for its advice on research into the PLO as a longer period of operation is required.

2. To consider other developments to improve the conduct of care and adoption proceedings	Chairs of Children in Safeguarding Proceedings Committee, Experts Committee and ADR	Examining and making recommendations on the following: The impact of local authority panels on delay in decision making; the development and use of Family Group	March 2009	Changes to care proceedings which reflect the views and priorities of the FJC.
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	Committee	Conferences; the protection and welfare of children accommodated under S.20 and their families; the use of kinship placements.		
The Committee has begun to take this work forward and has produced a paper that was discussed at its last meeting in 2008-09. The paper is currently being revised for further consideration by the Committee.				
3. To play full role in taking forward the Government's response to the Chief Medical Officer's report	Chair of Experts Committee/ Chair of Children in Safeguarding Proceedings Committee	To assist NHS and DH colleagues in setting up the new system.	In accordance with DH timetable	A new system for provision of expert evidence which better meets the needs of the family courts for high quality & timely expert evidence.
The Committee has not been able to carry forward this work because the project has been delayed. The pilots are now under way and DoH has undertaken to keep stakeholders better informed in the future.				
4. To examine the range of residential & non-residential assessments used in public law proceedings.	Chair of Children in Safeguarding Proceedings Committee/ Chair of Experts Committee	To formulate questions about the quality of evidence provided by assessments especially in relation to parental capacity to change .	March 2009	To identify those assessments which provide valuable evidence to the courts, assist the judiciary in making appropriate decisions in the child's best interests and, therefore, represent value for money.
The Committee is yet to commence work on this project.				
5. To retain oversight of the impact of LSC reforms on public law proceedings.	Chair of Children in Safeguarding Proceedings Committee lead/ Chair of Children in families Cmte/ Chair of ADR Cmte	To press for a legal aid regime which provides for high quality legal advice and representation for children and parents in family proceedings	First stage: March 2009	Ready availability of high quality legal advice & representation for parents and children.
The Committee has provided full contributions to the FJC responses to five LSC consultations published during this reporting period.				
6. To engage with Government and professional organisations to promote the recruitment and retention of high quality of social workers	Chair of Children in Safeguarding Proceedings Committee/ Chair of the Education & Training Cmte	1) to contribute to DCSF & WAG policy on these issues 2) to encourage LFJCs to develop programmes of inter-disciplinary training for social workers 3) to examine the role & practice of IROs in public law cases, including monitoring the proposed reforms currently before Parliament 4) to engage with ADCS with particular focus on evidence based practice and consistency of	March 2009	To improve the quality of social work evidence in care and adoption proceedings & express support for social work professionals

		approach by social workers		
The Committee has secured FJC representation on the Key Partners' Group of the Social Work Taskforce charged with reforming the professional qualifications and development of social workers. The Committee has also begun to take forward work on the IROs and has engaged with the relevant DCSF officials who are currently conducting a review of the role of IROs – the Committee has met with them and expressed its initial views on how the role can be made more effective.				
<b>STRATEGIC OBJECTIVE 5:</b> To promote better outcomes for parties and children in Private Law Proceedings				

Supporting Activity	Owner	Aim	Target Date	Outcome
1. To support the introduction of the new Practice Direction on consent orders in cases with a history of domestic violence	Chair of Domestic Violence Working Group lead	To encourage LFJC awareness and discussion of the implications of the new Practice Direction	Dec 2008	A high level of compliance with the new Practice Direction
Members of the Committee drafted articles for the legal press to mark the coming into force of the Practice Direction. Feedback from the Local FJCs indicates that finding of fact hearings have increased substantially.				
2. To respond to the MoJ consultation on the draft Family Procedure Rules on private law cases	Chair of Children in Families Committee	To provide expert input on the rules.	To meet MoJ timetable	To help produce workable and effective rules for private law cases.
The Committee provided detailed and extensive input to the court forms, which the MoJ took on board, and its advice on the content of the rules was largely followed.				
3. By liaison with local Family Justice Councils and member agencies collate and disseminate practice information and research evidence	Chair of Children in Families Committee	To promote the development of good practice models, supported by research evidence, in private law proceedings	March 2009	Greater compliance with best practice models in private law proceedings
The Committee did not take this strand of work forward in 2008-09				
4. To examine the feasibility of enabling the family courts to refer cases to Multi-Agency Risk Assessment Conferences (MARACs)	Chair of the Domestic Violence Working Group	To promote a multi-agency approach to DV risk assessment	December 2008	To work with CAADA to produce costed proposals on extending MARACs to the family courts for consideration by the FJC
The DV Working Group engaged with CAADA, discussed the issues and referred it to the Family Criminal Interface Committee which is better placed to take this forward.				
5. To seek an interdisciplinary view on the content and implementation of the 'contact activities' provided for in the Children and Adoption Act 2006	Chair of the Children in Families Committee	To influence and stimulate the development of policy on contact activities	March 2009	To put the views of the Committee and Council to DCSF ministers on the appropriate content of 'contact activities'
The Committee has worked closely with the DCSF and Cafcass officials responsible for taking forward the implementation of the 2006 Act and has communicated its views on contact activities to the relevant policy leads.				
6. To seek input from the LFJCs on the effective promotion of	Chair of the Children in	To influence the direction of policy on	March 2009	To feed the views of the Committee and Council to the

family mediation generally and, specifically, on the use of the Family Procedure Rules to achieve this.	Families Committee	the rules of court so that they give the greatest possible encouragement to family mediation in appropriate cases.		FPR during the rule drafting process and on consultation.
The Committee completed this task by the target date. The Committee's views were communicated to the officials drafting the new Family Procedure Rules and to the Rules Committee.				
7. To examine the availability, waiting times and value for money of perpetrator programmes	Chair of the Domestic Violence Working Group	To assess the effectiveness of perpetrator programmes	March 2009	A mapping exercise showing the accessibility of perpetrator programmes and an analysis of outcomes.
The Working group did not commence this project in 2008-09.				
8. To examine the quantity and quality of judicial training on DV, HBV and forced marriage	Chair of the Domestic Violence Working Group	To identify the strengths and weaknesses of current provision	December 2008	To engage with the JSB and to work with them on improving training in this area if weaknesses are identified.
The Working Group has satisfied itself as to the appropriateness of the content of the training for the professional judiciary but has yet to examine the new training for family magistrates.				

#### **STRATEGIC OBJECTIVE 6:**

To identify and address major issues which affect families in relation to financial and property matters.

<b>Supporting Activity</b>	<b>Owner</b>	<b>Aim</b>	<b>Target Date</b>	<b>Outcome</b>
1. To monitor the operation of the legislation in Scotland on cohabitants	Chair of the Money and Property Committee	To learn lessons from the operation of the Scottish legislation and to feed them into the debate in England and Wales	March 2009	A better informed debate on the merits of implementing the Law Commission's report on cohabitation in England and Wales
The Committee will need to extend this activity into 2009-10 to allow a sufficient period for the Scottish legislation to bed in.				
2. To consider the role of court led dispute resolution in financial proceedings, including the dissemination of best practice from and through LFJCs	Chair of the Money and Property Committee	To advise and assist the LFJCs to promote best practice in financial proceedings	March 2009	Greater consistency of practice in Financial Dispute Resolution hearings and other areas of financial proceedings.
The Committee is preparing a paper on best practice in financial proceedings for discussion at its next meeting.				
3. To make the case for reform of the law on pre-nuptial agreements as part of a wider reform of Section 25 MCA.	Chair of Money and Property Committee	To ask the Law Commission to include enforcement of pre-nuptial agreements as part of a wider review of Section 25 MCA in its 10 programme of law reform.	December 2008	Inclusion of a wide ranging review of Section 25 MCA in the Law Commission's 10 programme of Law reform.
The Committee wrote to the Law Commission urging it to include a review of pre-nuptial agreements in its 10 <sup>th</sup> programme of law reform and this was included when the new programme was announced.				

**STRATEGIC OBJECTIVE 7:**

To identify changes in policy, practice and procedure that will enable the family justice system to listen more effectively to the Voice of the Child.

Supporting Activity	Owner	Aim	Target Date	Outcome
1. To hold a debate at an appropriate venue on the FJC's Family Law article on Enhancing the Participation of Children in Family Proceedings	Chair of Voice of the Child Committee	To encourage debate among family judiciary and practitioners on the issues raised in the article	September 2008	Raised awareness of the arguments in favour of enhancing the participation of children in family proceedings among judiciary and practitioners.
The debate was held in October and achieved considerable coverage in the legal and social care media. The event was well attended and the feedback from those who attended was positive. The event was recorded and a downloadable podcast is available on the FJC website.				
2. To examine the scope for early interventions for children available under the Children and Adoption Act 2006	Chair of Voice of the Child Committee	To identify any new opportunities for early interventions under the new legislation	March 2009	To disseminate information to LFJCs and practitioners on the availability of any new opportunities for early interventions for children involved in private and public law proceedings.
The Sub Committee was not able to start this workstream in 2008-09				
3. To tender for a new partner organisation to run the FJC's Children and Young People's Group	Chair of Voice of the Child Committee	To identify an appropriate organisation with expertise in communicating with children to run the Children and Young People's Group	September 2008	The Children and Young People's Group to be reconstituted, and providing the FJC with input on a range of issues, as soon as possible.
The tendering process took much longer than anticipated but a new partner to run the Children and Young People's Group has been identified.				

**STRATEGIC OBJECTIVE 8:**

To identify opportunities to develop and deliver inter-disciplinary education and training to key professional groups working in the family justice system

Supporting Activity	Owner	Aim	Target Date	Outcome
1. To map the provision of education and training provided for or available to professionals beginning to work in the family justice system	Chair of Education & Training Committee	To advise the Council about the likely current levels of knowledge and understanding of those starting to work in the family justice system.	May 2008	Report on the current qualifications and training of new professionals working in the family justice system
This objective has been completed successfully. The information is now available on the FJC website.				
2. To examine the feasibility of producing a DVD on court skills	Chair of Education &	To produce costed proposals for FJC	December 2008	To improve the performance of social workers in preparing



for social workers	Training Committee	consideration to produce and distribute a training DVD		for, and giving evidence in, public hearings
The Committee decided not to proceed with this objective on discovering that a video on this subject had been produced recently by SCIE – the Committee then began to explore joint working with SCIE to try to improve social worker training.				
3. To examine the merits of producing a training events toolkit for LFJCs	Chair of Education & Training Committee	To provide LFJCs with appropriate advice on organising effective inter-disciplinary training events	March 2009	To improve the quality of LFJC training events
This has been subsumed in the drafting of a new handbook for the members of LFJCs being taken forward by the Secretariat.				
4. To identify the scope for training on mental health issues	Chair of Education & Training Committee	To promote training on dealing with challenging and Borderline Personality Disorder clients in the family justice system	March 2009	To improve access to inter-disciplinary training for professionals in the family justice system dealing with challenging/BPD clients
The Committee was not able to take this forward in 2008-09 however it will remain relevant in 2009-10 because mental health is the theme of the Dartington Conference.				