



JUDICIARY OF  
ENGLAND AND WALES

# The Family Justice Modernisation Programme

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Second update from Mr Justice  
Ryder

February  
2012

## Second update from Mr Justice Ryder

I am pleased to publish information which has been gathered since my first update in January.

As I indicated then, the Family Justice Modernisation Programme is intended to proceed alongside any changes that may be introduced by Government. The proposals that I have highlighted as my ten key workstreams are being developed by the judiciary in consultation with a broad range of colleagues in the inter-disciplinary environment of family justice.

It is my preliminary view that some of these proposals need not wait for legislative change or for any additional confirmation that they are necessary if, together, we are agreed as to how to make the best use of resources to secure improved outcomes for those who use the family justice system and in particular children whose cases are brought before the family courts.

In the 100 hours of discussion I have already undertaken, I have been very impressed by the positive response to the need for change in the ten key areas we have identified. Many of the judicial and professional groups to whom I have been talking have already given careful thought to the identification of solutions to particular problems and there is also a significant consensus about the detail we are discussing.

I intend to continue with these discussions and to have further meetings with many of you following upon the publication of the Government's response to the Family Justice Review.

I now have a detailed timetable that is intended to lead to the publication of agreed proposals and a plan for their implementation by the end of July.

It has become clear in our discussions that what the overwhelming majority of you would wish for is practical guidance on the issues arising under each of the key workstreams.

I intend to publish this guidance in the form of plain language 'pathways' which identify solutions to particular problems which can then be put into practice. The guidance ought to form a coherent whole so that parties

to family proceedings, their representatives, advisors and independent experts can all understand what is expected of them and what they should expect of the family justice system and the family courts that operate within it. The guidance will be published electronically so that it can be reviewed and updated whenever necessary and so that it can also provide links to more extensive professional guidance and direction.

For guidance to be credible and effective it needs to be developed with the practitioners who will use it.

I have received generous offers of help which I have gratefully taken up. Each of the representative associations of the judiciary and magistracy together with the Law Society, the Family Law Bar Association and the specialist family law practitioner groups are contributing.

The Designated Family Judges together with individual judges, justices' clerks and family Magistrates have provided me with a wealth of ideas.

The Family Justice Council both through its individual members and its secretariat are providing a unique inter-disciplinary resource. We are also maintaining a regular dialogue with the other agencies who contribute to family justice.

Although I remain very interested in receiving representations from any interested organisation or person, the timescale for the drafting of guidance is very tight and as soon as Government produces its response to the Family Justice Review I must focus my attention on the way in which the Government's proposals will link together with judicial proposals for the modernisation of family justice.

The timetable for my work involves discussing some of our thoughts in the public domain during March with a view to presenting more formed ideas to the Family Procedure Rules Committee in April. I intend to present all of my proposals to the Designated Family Judges and the Family Division Liaison Judges at the President's Annual Conference in May.

In parallel with the work on guidance, we are sponsoring a separate discussion to encourage an aligned approach by the trainers for the Judicial College, the training organisation for judicial office-holders, and trainers from other inter-disciplinary environments. We hope to provide materials for everyone to use both to explain the proposals after July 2012 when they are announced and then to allow everybody to be trained consistently, with the inclusion of relevant inter-disciplinary elements.

Once the Government's response to the Family Justice Review is published I hope to be able to provide further details of our proposals in these updates and I continue to welcome the assistance of the many groups and individuals who have volunteered.

Mr Justice Ryder, Judge in Charge of the Modernisation of Family Justice