

**Family Proceedings Advisory Service Committee Meeting
Wednesday 14th September 2016 at 2.00pm**

Royal Court Library

MINUTES

1. FPASC Present:

Chief Secretary of the Office of the Committee *for* Home Affairs - Chair
Chief Probation Officer
Head of Family Proceedings Advisory Service
Advocate from Randell & Loveridge
Representative of the Royal Court
Law Officer of the Crown
Service Manager, Assessment & Intervention Team, HSC
Convenor, CYCT
Legal Aid Administrator

2. FPASC Apologies:

NGO representative
Education Development Officer
Deputy Convenor (CYCT)
Deputy Greffier
Greffier, Alderney

3. Minutes of previous meetings agreed, the Committee were advised that the minutes will now be accessible on the gov.gg website.

4. Action points from previous meetings:

- Mediation Prior to Court – The Chief Probation Office and Head of FPAS had a meeting with Law Officers. The ordinance states consider providing Mediation. There is no legal impediment to have to wait to be appointed by the Court. CF1 forms have tick box to say consent to being sent to FPAS for consideration of Mediation. If receive a self-referral the thought was to ask clients to sign CF1 to keep on file.
- Judges observing Children First – As the Children First programme has changed since its introduction it would be beneficial for the Judges to see the up to date programme. It was also noted that Advocates and CHSC would like to be invited

again so that anyone who missed out on this year's presentation could attend. A cost would now be incurred.

- The Head of FPAS was due to talk to the CAB on 5th September but this was cancelled due to staffing at CAB and will be rescheduled.
- Proposal that the filing date of Annual Report is changed – Due date is January but would be more suitable to be April/May. This will be included in other changes to the Ordinance.
- Photographic I.D – A general discussion took place, as to who does/does not ask for photo i.d from clients. It was felt that the FPAS knew their clients but as additional security, could ask for photo i.d from family members who support contact who the FPAS had not met before. There is work in progress on new data protection laws which would mean tighter procedures.

5. Meeting with Law Officers – The Head of FPAS and the Chief Probation Officer had productive meeting to clarify position of FPAS in regards to cases in Sark. FPAS only get involved by invitation from Sark Chief Pleas.

It was noted that a policy letter is needed to change the name of Safeguarder to FPAS in the Ordinance.

6. Family Proceedings Advisory Service Committee

Head of Service Report

19th May 2016 – 14th September 2016

In order to ensure consistency in the reporting of the statistical information and ease of comparison, it is proposed that the statistics will be reported by dividing the year into three. The September meeting will reflect the May/June/July and August stats, September/October/November and December stats are reported in January and finally January/February/March and April will be reported in May. Meetings could therefore take place in January, May and September.

This meeting will present the statistics from the 1st May until August 31st

COMPARATIVE STATISTICS FOR THE PERIOD 1st MAY- 31st AUGUST 2016 & 2015 FOR THE ADVISORY COMMITTEE MEETING ON 14.09.16

Number of new cases referred by:	2016	2015
Magistrate's Court	18	15
Royal Court	1	9 (includes 3 adoptions)
CYCT	5	6
Juvenile Court	3	8
Mediation cases referred by:		

Royal Court	1	3
Magistrate's Court	1	1
Greffe	1	1
Advocate	1	1
Self	6	1
Short notice hearings		
No. attended	6	0
Time spent	9 hours	
Work on closed cases		
Time spent	6.25 hours	Not captured
Specific work (at request of Court)		Not captured
Number of cases	3	
Time spent	5 hours	
Complaints received	2	0

Workloads

The number of new cases referred to the FPAS since the 1st May 2016 up to the 31st August are reflected in the table above. The number of new referrals in total are 37 in 2016 compared to 45 in the same period last year.

There has been a rise in the number of self-referrals for mediation 6 compared to 1 for the same period last year.

There has been a reduction in Juvenile Court cases, 3 compared to 8 the previous year. One of the Juvenile Court cases was a Secure Order Application. This is an Application that is of short duration but requires a great deal of time.

One of the difficulties for the Service has been the waiting list for space at the Contact Centre. This has meant a delay in the assessment of contact and on occasion FPA's have facilitated contact.

The Contact Centre is currently managing a number of complex cases which has had an impact on the length of time cases have stayed at the Centre.

Staffing Developments

A Family Proceedings Advisor is due to leave the Service on the 30th September, a new FPA will join the Service on the 26th September 2016.

Training

Since May 2016 the Family Proceedings Advisers have attended a workshop on Peer led recovery.

Family Proceedings Service Action Plan

Recommendation 1 – Consideration should be given to extending recruitment beyond the Social Work profession.

This recommendation has been actioned.

Recommendation 2 - The minutes of the Family Proceedings Advisory Service committee should be published on the website. This would include training received by Family Proceedings Advisers.

This recommendation has been actioned and the minutes including the report from the Head of the Family Proceedings Advisory Service are published on the website.

Recommendation 3 – The template for the Safeguarders reports to include the relevant welfare principals.

This recommendation was actioned on receipt of Dr Marshall's report.

Recommendation 4 – The Family Proceedings Advisory Service should be subject to regular external inspection.

This recommendation is agreed, the Chief Probation Officer is currently completing terms of reference.

Recommendation 5 – The Home Department should review the staffing, resources and expectation of the Family Proceedings Advisory Service to ensure that it is equipped to fulfil its responsibilities.

The Review of Services is ongoing and will also be informed by the external inspection and a benchmarking exercise.

Recommendation 6 - Consideration should be given to providing Legal Aid for mediation by suitably trained advocates.

It was agreed that this recommendation would be taken by the Advisory Committee which is attended by the Legal Aid Administrator for consideration.

Recommendation 7 – The Family Proceedings should seek to embed within its mediation service the principle of taking account of the wishes, feelings and views of children.

This recommendation has been acted upon and consideration is given to include children where appropriate. It is also planned that Family Proceedings Advisers are going to access follow up training on Direct Consultation with Children being provided by Jackie Norton of National Family Matters.

Recommendation 8 – Consideration should be given as to whether the Child, Youth and Community Tribunal should have a role to play in some private law disputes.

It was agreed in the meeting of the 18th February that this recommendation needed to be discussed with the Convenor and those responsible for amending the law.

Recommendation 9 – Consideration should be given to providing a resource for helping parents and children to resolve difficulties that arisen after Court case has ended. At the meeting of the 18th February it was agreed that the Advisory Committee would discuss this issue to explore the best way to take this forward.

Recommendation 20 – The Royal Court could be invited to consider the proportionality of Rule 58. Meetings are taking place at the Court to discuss this recommendation, the Family Proceedings Advisory Service is represented by the Head of the Service.

Recommendation 21 – Consideration should be given to setting up an independent avenue of complaints, such as an Ombudsman. The complaints procedure is available online.

Discussion on Head of FPAS report.

Comments were made about the Contact Centre having additional capacity for supported contact but additional funding would be required to fund it.

The Family Proceedings Service action plan (Scrutiny report) was discussed in regards to the following:-

- Recommendation 8 – The Convenor advised no discussion had taken place as yet.
- Recommendation 9 – It was agreed that the Committee would need more discussion to explore the best way to take this forward.

7. AOB

Agenda item for next meeting: review of focus and function of the FPAS Advisory group, including appropriate membership.

8. DONM

Next meeting Wednesday 18th January 2pm at the Royal Court Library.