

Family Proceedings Advisory Service Advisory Group Meeting

19th September 2019 at 3.30pm

MINUTES

Present:

Chief Probation Officer Chair

Family Proceedings Advisory Service Manager

Deputy Children's Convenor

Representative of the Family Bar

Legal Aid Administrator.

Education Officer

1. Apologies

Director of Operations of the Office of the Committee *for* Home Affairs, Chair

Representative of the Royal Court

Children's Convenor

Alderney Greffier

Children's Social Care – CfHSC

2. Minutes of previous meetings

Minutes of the meeting dated 16th May 2019 were approved.

3. Matters arising

Cross Agency forum

The Chair stated that the issue of a cross agency forum for reaching proposals regarding the Family Court system continued to be pursued as any changes recommended by Ofsted could not be made by FPAS alone.

4. Consideration of the remit and function of the group

It was agreed by the group that the remit and the function of the group would be revisited following the policy letter regarding any changes to the Children's Law (Guernsey and Alderney) 2008 amended. The HSC policy letter is anticipated to include the change of the name from Safeguarders to FPAS. It is not known what, if any, other changes specific to FPAS would be included. Following this the advisory group may or may not be needed.

5. Progress of HSC Policy letter and consultation process

The chair informed the group that a representative of CfHSC had stated that the consultation process for the Policy letter had not yet started. This is due to take place in the autumn.

6. McFarlane Reports:-

I. Best practice in the Child Protection & Family Justice systems (Public Law working group)

II. A review of the Child Arrangements Programme (Private Law working group) reports

The FPAS manager advised that the above reports had been published with the recommendations of the working parties.

It was agreed that a link would be included with the minutes in order that the advisory group could look at the reports.

<https://www.judiciary.uk/wp-content/uploads/2019/07/Private-Law-Working-Group-Review-of-the-CAP-June-2019.pdf>

<https://www.judiciary.uk/wp-content/uploads/2019/07/Public-Law-Working-Group-Child-Protection-and-Family-Justice-2019-1.pdf>

7. Discussion paper on Expert reports:-

A discussion paper on the use of experts in private and public law was shared with the group. This had been discussed at the preceding Family Court user group. Ongoing discussion will take place regarding a working party undertaking more research into this.

8. Managers' report:-

The manager presented a short report on the work of FPAS during the proceeding months:-

Workload

FPAS has been appointed on 108 new cases up to 31st August 2019 this comprises of:-

15 CYCT cases

8 Convenor referrals

5 Adoption appointments

23 Children in Public law proceedings

57 Private Law cases

The total caseload open to FPA's as of 31st August is 175 cases

Progress on introducing a triage system and managing the waiting list:

To ensure that no cases are left unallocated, as soon as FPAS are appointed to a case the manager assesses the urgency of the appointment and any work that needs to be carried out immediately.

Information packs are either given to the parties in court or provided within one working day. Agency checks are carried out as soon as we have the necessary information from the parties. There have been delays in obtaining agency checks due to information not being provided to FPAS.

Each party attends an intake meeting within a two week period with an FPA to assess the current situation and explore whether mediation /conflict resolution is suitable. If mediation is not appropriate then a Family Proceedings Advisor is allocated within four weeks wherever possible.

Mediation/Conflict Resolution

We continue to offer mediation to cases that have not been to court and conflict resolution to those parties that are in the court process who wish to meet to work to a resolution.

In mediation all discussions are confidential to the parties and can only be shared with their permission. In conflict resolution it is agreed at the start that information will be shared within the court process and can be used to inform the FPAS report. This saves time and assists with reaching an earlier recommendation to the court.

We have undertaken mediation/conflict resolution with 15 cases in this period and continue to offer and encourage parties to take part in this process where it is appropriate.

Working in partnership

The manager has attended meetings with HSSD, the Convenor's office, The Manager of Roseville Contact centre, Sarnia programme, Safer and Legal Aid.

Future priorities

1. To collate in written form the practice guidance for practitioners setting out the expectations of practitioners and their roles and responsibilities in work for the court and the Tribunal as recommendation 1 of the Ofsted report. This has been an ongoing process with the team.

2. To revisit the possibilities of pre proceedings meetings with parties in both:
Private Law to assist in early conflict resolution and attend professional meetings with Advocates.

Public Law to enable FPAS to be involved in early decision making regarding assessments and information required. This may prevent delay once an application has been made.

There was discussion on matters arising from the manager's report.

The website is currently being updated to ensure that the information provided to the Public is accurate and purposeful. The Representative of the Family Bar suggested that there could be links to resources available to parents on the website.

Action. FPAS to update website and to consider links to useful resources.

9. AOB: None.

10. Date of next meeting

These meetings are scheduled 3 times a year. Generally after a Family Court User Group. Next meeting of this group should be in January 2020.

Meeting date to be circulated.