



JUDICIARY OF
ENGLAND AND WALES

Newsletter June 2019

Dear all

Well-being

The President of the Family Division is very aware of the pressures facing all practitioners in the family justice system and has asked all DFJ's to consider issuing some guidance about what is reasonably expected of everyone to try and ensure that a proper work-life balance is maintained. To this end, a draft Local Working Practice Protocol for those working in Leicestershire will soon be available for consultation.

Public law cases: the 100-day checklist

In cases that began after 1 April 2019, we are going to pilot for 6-9 months the use of a 100-day checklist. The intention is to try and ensure that any delay occurring in a case is identified earlier than sometimes happens now and steps taken to try and keep the case on track. A copy of the checklist will be sent out by the court to the parties' solicitors on day 86 (week 12). Solicitors for parents/intervenors/Children's Guardians are required to complete their part and send it to the local authority solicitor within 7 days. The local authority solicitor will then collate the replies, add the responses to the questions directed to the authority and send one composite checklist to the court by day 100. On receipt, court staff will refer the completed checklist to the Case Manager Judge/ Legal Advisor with the court file for any directions to be made. We will monitor whether this proves to be a useful tool in reducing delay and improving our capacity to complete more cases within 26 weeks.

Witness Support Service

From 1 July 2019, the witness support service will be available to provide support to domestic abuse victims in the Family court in Leicester under a pilot scheme to run for 9 months. The service will operate from the ground floor of the building at 90 Wellington Street and volunteers will be available every day to support victims of domestic abuse appearing in family cases. They will be particularly looking to support those applying for non-molestation injunctions and in private law child arrangement applications in which domestic abuse is alleged. They will be able to give advice on the court process, special measures that may be available, provide a safe space in a waiting room, support the victim in a hearing and help them access support from other organisations. A leaflet about their service is available from the court. The volunteers can simply be asked to help on the day or referrals can be made in advance by practitioners aware that someone may need assistance.

The next **Leicestershire Family Court User Group** meeting will be held on 4 July 2019 at 4pm in Court 7 @ 90 Wellington Street Leicester. All are welcome. Details of the Agenda are available from Justine.

This year's LFJB Conference is pencilled in for **22 November 2019**. Save the date!

FROM THE PRESIDENT'S OFFICE

The two working groups set up by the President at the beginning of the year to report on the state of family law proceedings and make recommendations for improvements will report soon and the reports will go out to consultation.

The first is the Public Law Group chaired by Keehan J which contains many recommendations for implementation in the short term and some medium to long term recommendations which will require primary legislation and expenditure from central government. There is a focus on pre-proceedings with a proposal for earlier and more funding for parents to take legal advice. There is a (welcome!) suggestion that CMO's can be in shorter form after the first CMH. Indeed, the President has already issued guidance about shorter forms of Orders. See the link below:

<https://www.judiciary.uk/publications/president-of-the-family-divisions-guidance-forms-of-orders-in-children-cases/>

The second committee is the Private Law Group chaired by Cobb J. Amongst its recommendations are likely to be proposals for cases being allocated on issue to one of three tracks and the creation of an alliance of local providers of resources who can offer help to separating families in a bid to reduce conflict and the number of cases coming before the court.

Both groups have worked very hard and produced very readable reports and I would urge you to have a look at them and respond during the consultation process if there are any issues which you feel strongly about or feel you can contribute to. My understanding is that the final reports are likely to be published during the autumn.

The President has recently published Guidance on Reporting in the Family court. See the link below:

<https://www.judiciary.uk/wp-content/uploads/2019/05/Presidents-Guidance-reporting-restrictions.pdf>

There has also been a recent Press Release about the extension of the pilot in the Financial Remedies Court which now includes Leicester. See attached:



press release 19 Jun
19 final.pdf

Finally, a reminder of the Guidance issued about Special Guardianship Orders. See link: <https://www.judiciary.uk/wp-content/uploads/2019/05/fjc-sg-interim-guidance-pfd-approved-draft-21-may-2019-1.pdf>

TRAINING AND RESOURCES

The **Family Law Bar Association** is to offer training to members in the cross-examination of vulnerable witnesses. Those of you who are members may wish to check out what they are offering and sign up to a training session.

Sheila Beckett has written a new book about sibling assessments.

Beyond together or apart - Planning for, assessing and placing sibling groups



'Beyond together or apart' replaces the previous guide 'Together or apart?'

Brothers and sisters have potentially the longest lasting and one of the closest relationships of their lives with each other – connections that have enormous capacity for shared understanding and warmth, and which are expected to last. But looked after children needing permanence – and approximately 60 per cent of looked after children have siblings – are faced with the real possibility that these connections will be weakened or even severed if they are placed separately.....

AND FINALLY

Have a good summer! Take some holiday. Return refreshed.....

HHJ George

DFJ Leicester