

# SHADOW FAMILY JUSTICE BOARD

## Minutes

**Minutes of the Seventeenth Meeting of the shadow Family Justice Board (sFJB) held on 8<sup>th</sup> November 2023 at 4.15pm in Judicial Assembly Room and via WebEx video conferencing.**

**Attendees:** Mr Justice McFarland (Chair)  
Judge Crawford  
District Judge (Magistrates Court) Prytherch  
District Judge Logue  
Master Sweeney  
Eilis McDaniel (DoH)  
Steven Allison (DoJ)  
Karen Ward (NICTS)  
Michael Foster (DoF)  
Paul Andrews (LSA)  
Tom Cassidy (HSCT)  
Dawn Shaw (CCGANI)  
Janice Spence (Law Society)  
Debbie Maclam (LCJO)

**Secretariat:** Michelle Hanna (LCJO)  
Julie McMurray (LCJO)

1. The Chair welcomed everyone to the meeting and thanked members for their attendance.

### Apologies

2. Apologies were noted from Brendan Whittle (HSCB) and Bláithin Cleland (Family Bar Association).

### Minutes of the sFJB meeting on 1<sup>st</sup> March 2023.

3. The minutes of the last meeting were agreed and should be published.

### Business Continuity, Recovery & Modernisation

#### LCJO Operational Update

4. Mrs Maclam updated members on the new [guidance](#) issued on the Judiciary NI website on 6 November 2023 by the Lady Chief Justice's Office. The guidance reflects the recognition that physical attendance is necessary, unless otherwise directed, to serve the interests of justice.

5. Mrs Maclam continued updating members on the current data which shows signs of business recovery, provisional figures for April to June 2023 are shown [here](#).

The figures show that during the quarter there were:

- 479 sittings (1,351 hours).
- 1,199 Children Order Applications received and
- 1,135 Children Order Applications disposed.

In relation to waiting times the average waiting time for applications disposed was:

- 57.9 weeks for public and
- 34.9 weeks for private law.

In comparison with the same quarter in 2022 this was a decrease of 1% in public law (from 58.2 weeks) and for private law a decrease of 8% (from 37.9 weeks). There was also a decrease of 6% in the number of sitting days, from 509 in the same quarter in 2022, to 479 in 2023.

<b>Children Order</b>	<b>Apr - June 2021</b>	<b>Apr - June 2022</b>	<b>Apr - June 2023</b>
Applications received	1265	<b>1022</b>	<b>1199</b>
Applications disposed	1342	<b>1192</b>	<b>1135</b>
Average waiting time for disposal - public law (weeks)	63.1	<b>58.2</b>	<b>57.9</b>
Average waiting time for disposal - private law (weeks)	36.9	<b>37.9</b>	<b>34.9</b>

### Judicial Modernisation

#### Judicial Advisory Group

6. Mrs McMurray provided an update to members on the Judicial Advisory Group. She advised that sub-groups chaired by Mr Justice Huddleston have looked primarily at high level civil and family business. The agreed judicial expectations, assumptions and priorities were communicated at a series of

competitive dialogue workshops over the summer to the three short-listed suppliers and will help inform how the new processes are developed once the contract is awarded in early 2024. Mrs McMurray advised that the chair is meeting with the NICTS in early November to provide next steps.

### E-Bundles

7. Mrs McMurray advised members that the Lady Chief Justice encourages Judges and Masters to make greater use of e-bundles in specific areas to include authority bundles in the Court of Appeal, Undefended Divorces, and Extradition. The Lady Chief Justice's Office and court staff are monitoring and reporting the use of e-bundles to determine how compliance can be improved. During the first monitoring period:
  - 43 e-bundles were received during the period March – August 2023
  - 44% (19) of these were **not** compliant in format with PD2/22
  - 49% were confirmed as used by judges (NB not all have yet heard/staff may not know in all instances)
  - Potential savings in hard copy pages was just under 26,000; 33% of which were for Court of Appeal; 51% for Judicial Reviews; 12% for Office of Care & Protection
8. Mr Andrews queried how the savings were calculated.
9. Ms Ward advised that the savings would be diluted, and indeed cost would be transferred from the profession, if the ebundles were subsequently printed by NICS for use.
10. The Chair confirmed that the culture is to be changed but it was not realistic in the immediate future. The system would need to be up and running and the Chair shared the process used in Manchester to aid the use of e-bundles as they have removed printers and photocopiers from some offices.
11. The Chair also raised the progress with hard copies in adoption cases which has been recently reviewed where e-bundles are distributed amongst parties.
12. Ms Spence did raise a concern regarding the change for the profession with using e-bundles, saying that only a low number of firms are able to purchase the e-bundle system due to the cost. The Law Society have made available an e-bundle system to firms who are unable to purchase the system themselves but there is still a cost for this service.
13. Mr Andrews agreed that it should be accepted that to prepare e-bundles there is a cost involved and the Taxation Master could potentially take into consideration taxing of copies.

14. Master Sweeney did raise a concern about being dependent on IT systems since the system did 'go down' this week which caused problems.

**Action: Relay comments to Kim Elliott and invite Kim Elliott to next meeting.**

#### Judicial Portal & App

15. Mrs McMurray updated members that the new judicial intranet – the 'Judicial Hub' – is due to launch this month. The Judicial Hub will provide access to Library resources and will also feature new functionality including registration for training events. The planned delivery timescale for the app remains on track for launch on 31<sup>st</sup> December 2023.

#### Modernisation update

#### Service Modernisation Programme Update

16. Ms Ward updated members that the main focus of the Programme has been the completion of Phase 1 of the competitive dialogue which has been carried out with the 3 shortlisted suppliers for the Themis project. Seven dialogue sessions were completed with each supplier and requirements updated. Detailed solutions have been submitted and are currently being evaluated. Phase 2 is due to commence in January 2024 with award of contract still planned for July 2024. The new case management system for OSO/OCP went live in September 2023 following extensive user acceptance testing, data migration and training. Work on the discovery exercise for Enduring Power of Attorney remains paused due to resource constraints and will resume once additional resources become available. Work is also progressing on the implementation of the new judicial portal and app, planned for the end of October and December respectively and a project is commencing shortly to scope out potential technical options to enhance our video hearing solution in courts.

#### Estates Programme

17. Ms Ward advised members that work has progressed on the development of the Outline Business Case for the RCJ Services Upgrade and it is anticipated that it will be approved by the end of January 2024.

The North West Accommodation Project is to be known going forward as the Bishop Street Courthouse Modernisation Project. Engagement has taken place with Historic Environment Division (HED) and a workshop held with the Ministerial Advisory Group (MAG) who endorsed the proposed development of Bishop Street Courthouse.

Four workshops with the NICTS Estate Strategy Advisory Group (ESAG) comprising key stakeholders and justice partners have been completed and the outcomes from these have been reflected in the final draft of the Estates Strategy.

The Strategy was agreed by the Agency Board in September 2023 and it is anticipated that it will be published this month.

18. The Chair queried if the project will be liaising with Judiciary and court users on the refurbishment and extension of Bishop Street Courthouse.
19. Ms Ward confirmed that liaison with Judiciary and court users will take place. She advised that the Lady Chief Justice and the Recorder of Londonderry have already been consulted.
20. The Chair queried about the use of the Old Townhall building.
21. Mrs Ward confirmed that the refurbishment of the RCJ is to be planned before separate accommodation within the Old Townhall building can be considered. She advised that the process is slow and assured members that the Old Townhall building has not been forgotten about.

### **The Mental Capacity Act Judicial Liaison Group.**

22. The Chair updated members that The Mental Capacity Act (NI) 2016 Judicial Liaison Group had its first meeting on 28<sup>th</sup> June 2023. The Chair advised that he is the Chair of the group which is co-chaired by Master Wells.

The Bar, Law Society, Department of Justice, Health and Social Care Trust, NICTS, Official Solicitors, Department of Finance, Office of Attorney General for Northern Ireland and the Lady Chief Justice's Office are represented in the group. The Department of Health have been invited to attend the next meeting.

The Judicial Liaison Group will carry out some operational work to progress matters such as agreeing a streamlined process for recognition and registration of both registered Enduring Powers of Attorney and Controller/Controller ad Interim Orders and streamlining the delivery of Court Orders to banks/building societies/credit unions/post office and speedy electronic disclosure of bank statements.

The next meeting of the group is scheduled for Wednesday 31<sup>st</sup> January 2024 at 4pm.

23. The Chair suggested to members that Master Wells should be invited to join the next meeting of the shadow Family Justice Board to provide an update to members.
24. The Chair advised members that progress was still at the preliminary stage and the Mental Capacity Act Judicial Liaison Group will continue to canvas, promote and deliver when required.

**Action: LCJO to invite Master Wells to the next meeting.**

### **Problem-solving courts**

### Family Drug and Alcohol Court (FDAC)

25. Mr Allison updated members that the next steps still remain subject to consideration by both incoming Ministers and budgetary constraints. Mr Allison advised members that the end of the evaluation should be in the next 4 weeks and an update is expected by the end of the year.

### DoJ Expert Witnesses pilot scheme

26. Mr Allison updated members that the evaluation on the DOJ expert witness pilot scheme is now complete. Analysis indicated:

- 98% (204/209) of experts appointed under the terms of the pilot scheme were appointed without the need for an application for prior authority;
- 58% (10/19) psychologists who were active in FPC cases in year prior to the pilot were involved in cases under the pilot with 1 other new psychologist was involved in cases under the pilot;
- 38% (5/13) psychiatrists who were active in FPC cases in year prior to the pilot were involved in cases under the pilot with 2 other new psychiatrists were involved in cases under the pilot; and
- Experts who were not involved in cases in the FPC during the pilot period, but had done reports previously, did not do significant amounts of reports.

Qualitative evidence indicates that there is a potential ongoing and future issue with availability of experts in family cases, and that there are a range of factors underlying this issue, including a significant issue around the timing of payments to experts. The Department will consider whether this issue should be invested further and whether the arrangements should become permanent and rolled out to other court tiers and case and expert types as part of the recently launched foundational review of civil legal aid.

27. The Chair agreed that it this is an ongoing problem but there is very little that the Shadow Family Justice Board can do. He confirmed that payments to experts still seem to be the main issue.

28. Judge Crawford confirmed that the same problems were noted in the Family Care Centre.

### **Voice of the Child and Vulnerable Adults**

#### Registered Intermediaries

29. Mr Allison advised members that decisions still remain a matter for the incoming Minister. In the interim, the Department continues to provide RI's on a case-by-case basis, subject to an assessment of need and a direction of the court with the intention that interim provision will help inform policy development.

30. The Chair advised that there are not many cases within the High Court with RI's.

31. Judge Crawford confirmed that it was the same case in the Family Care Centre.
32. The Chair suggested to members that the item would be removed from the agenda at the next meeting.

**Action: Item to be removed from the agenda at the next meeting.**

### **Resolutions outside court**

#### *DoH & DoJ Private Family Law Early Resolution Action Plan*

33. Mr Allison updated members that good progress continues to be made with a number of tools for separating parents, including unrepresented litigants being readied for launch. Consideration continues to be given to what might be achieved next in the context of current budgetary constraints.

### **Public law system**

#### *Children Court Guardian resources*

34. Ms Shaw advised members that as previously reported, the pressure on the Children's Court Guardian Agency continues. At Monday 6th November the number of unallocated cases on the waiting list was 142 cases. Ms Shaw advised that the agency continues to triage the cases and currently they have 74 which are regarded as top priority and urgent.

At the previous meeting on the 1<sup>st</sup> March 2023, the agency gave an update on the workforce issues, at that time there were four vacancies. Ms Shaw advised members that the agency had tried to alleviate the pressure by increasing hours for some of the existing part time staff and they recruited to three full time Guardian posts to bring them to their usual Full Time Equivalent compliment of Guardians within the Agency. The three new Guardians have commenced into post, have completed their induction, and have started to take cases. It will take some time for them to build to a full case load.

Unfortunately, the agency continues to have a higher than usual level of long-term sickness absence within the Guardians. Currently there are 4 staff off on long term sickness which results in the agency having to transfer cases to existing Guardians to try and meet the court deadlines, which increases the pressures on the staff.

In addition, the agency is still subject to ongoing industrial action which commenced in December 2022, this is continuing through until at least the end of December 2023.

Ms Shaw advised that the agency continues to monitor and review the situation over allocation, including transfers, on a daily basis to try and ensure they meet the most urgent of situations. The Agency has not been immune to the regional

recruitment issues experienced within Social Work across Northern Ireland. As part of the Agency's transformation agenda and as a response to the ongoing pressures they have introduced an entry level Guardian post which should assist in the difficulties they have had in recruiting staff with the right level of experience into the Agency. The Agency is pleased to report, that following the required consultation processes with staff and the Unions, they have been able to progress this. In addition, because of the transformation strategy within the Agency, they have secured additional funding which will enable them to recruit an additional six Guardians at this new level. The Agency had an excellent response to the recruitment and is now in a position to offer posts to six individuals who were successful at interview. It is hoped the new staff will commence before the end of December 2023, depending on the notice period they are required to work.

Ms Shaw advised that whilst this will not have an immediate impact, longer term this will substantially improve the capacity within the Agency and should enable the Agency to provide a much better service to children and families who are subject to public law proceedings.

35. The Chair queried the average time to appoint a Children's Court Guardian and what was the role of the solicitor for the Guardian without a Guardian being appointed.
36. Ms Shaw advised that the average time was not possible to give. She also advised that the solicitor for the Guardian is briefed with papers and they take instructions from the Agency in the absence of a Guardian.
37. Judge Prytherch advised members of the massive impact within the Family Proceedings Court when a Guardian is not allocated. She advised that solicitors for the Guardian are attending with papers but have no instructions. She advised that urgent cases are being left for weeks. Judge Prytherch advised that the removal of Interim Care Orders are being dealt with without a Guardian. She understands that solicitors for the Guardian are not expected from CCGANI to seek wishes and feelings from children but Judge Prytherch advised members that she has requested them to do so if the solicitors themselves have not offered.
38. The Chair queried if it was a money issue which was causing these problems.
39. Ms Shaw advised that it was not. She advised that the Agency cannot recruit a Guardian straight away as there is a long recruitment process which needs to be followed. Since the number of cases being lodged are increased, resources are being stretched.
40. The Chair queried if the Shadow Family Justice Board could assist in any way.



41. Ms Shaw advised that she was 'at a loss' as everything possible is being done. Ms Shaw confirmed that stress is the main reason for sickness within the Agency.
42. Judge Prytherch raised concerns over the cases which need to be reallocated due to the Guardian being on sick leave.
43. Judge Crawford suggested that the Guardian could be asked to put together a quick paper when they are allocated as the initial analysis is being lost due to the time taken to allocate a Guardian.
44. Judge Prytherch agreed that most of the work is completed by the time the Guardian is allocated so initial analysis is lost within Family Proceedings as well.

#### Children's Court Guardian Agency Solicitors Panel

45. Ms Shaw advised members that the Agency has recently met with the Law Society as they also had concerns about the lack of Guardians and the potential impact on their members in these circumstances. The Agency has agreed that a short guide which outlines the requirements in cases for solicitors would be helpful for all concerned. A draft of this has been agreed by the panel and has been signed off and disseminated to solicitors, guardians and the family court judiciary to provide clarity on expectations of the roles.
46. Ms Spence agreed that the Law Society had a constructive meeting with the CCGANI during the summer and a clear and open line of communication is in place between them.

#### CCGANI Annual Report and Five Year Strategy

47. Ms Shaw updated members that since the last meeting of the Shadow Family Justice Board, the Agency has produced its Annual report and Accounts and the new Five Year Strategy. These were circulated to members prior to the meeting.

#### CCGANI Review Pilot

48. Ms Shaw advised members that the delay pilot which has been commissioned by the Delay subgroup of the sFJB, and led by the Children's Court Guardian Agency, working with all Five HSCTs has now got to the draft report stage. The report has been circulated for factual accuracy and is due to be presented to the Delay subgroup at their next meeting in December 2023. The delay subgroup will agree on the best way to disseminate the report, the findings and share the recommendations.

#### Shadow Family Justice Board Sub-Committee on Delay in Public Law Children Order Proceedings

49. Judge Crawford advised members that the CCGANI Review Pilot will be considered by the sub-committee on delay at its next meeting on Monday 4<sup>th</sup> December 2023 and will report to the Board thereafter.

Social Worker resources

50. Ms McDaniel updated members that the Social Work Workforce Implementation Board (SWWIB) continues to meet quarterly to oversee the delivery of the recommendations arising from the Social Work Workforce Review. An action plan which aims to increase the pathways into Social Work training, improve HSC recruitment practices and take steps to retain social workers in post has been developed, and progress of the plan will be monitored by the Implementation Board.

Since 30<sup>th</sup> June 2023, the Department of Health policy is now that there should be no recruitment agency social work use in HSC Trusts. Ending the use of agency social workers has helped to create a more stable and sustainable social work workforce and complements other measures taken by Trusts to improve the recruitment and retention of social workers. The majority of social workers who had been working in an agency capacity have chosen to apply for HSC posts and most have been successfully appointed to a position in a Trust. A targeted campaign has also been very successful in recruiting the June 2023 cohort of newly qualified social workers into HSC Trusts without delay. However, all Trusts are still reporting significant vacancy rates and it is anticipated that a further 2-3 years of the same approach will be required to stabilise the workforce. Additional training places for social work will also be required to meet the demands of new legislation and policy developments. This includes the demand created by the Adoption and Children Act, forthcoming adult protection legislation, the inclusion of social workers in multi-disciplinary teams in GP practices and the introduction of safer staffing legislation. Additional training places will require additional funding.

Under the auspices of the SWWIB, the Department of Health has instigated a safe staffing for social work project. The project, established earlier this year, will progress an evidence base for safe staffing guidance, which will be followed by safe staffing legislation. The work is jointly led by social work academics from Ulster University and Queen's University Belfast, and Professional Social Work Officers in the Department of Health. This first year of the project is looking at social work in children's services, mental health services and older people's services with projects on other programmes of care to follow in year 2. This first phase will report in December 2023. Departmental guidance will follow thereafter. However, implementation of any guidance will be heavily dependent on funding and availability of social workers.

Registration of social workers with Coru in the Republic of Ireland, for those NI social workers whose practice may take them over the border, remains

challenging. The process is reported as lengthy and complex. The Department of Health, HSCTs and the Northern Ireland Social Care Council continue to engage with Coru to try to sort out the difficulties. The Department is also liaising with the Department of Health in the Republic of Ireland to try to address the issue. It has been agreed to further explore the possibility of bringing in an arrangement for temporary and occasional practice and/or for a humanitarian arrangement for cross border social work.

### **Delays in Children Order Cases/Performance Monitoring**

#### *Review of the COAC Best Practice Guidance*

51. Ms McDaniel advised members that work to develop a draft business case to progress the Review has been delayed due to other competing priorities and in the context of significant budget constraints facing all departments in 2023/24. It is the intention to complete the draft business case as soon as possible, to enable consideration and agreement of the preferred option to progress the Review during 2024/25, subject to the necessary resources.

#### *Criminal Investigations Working Group*

52. The Chair updated members that the working group involving the PSNI and the legal profession has focused on issues arising from criminal investigations related to Children Order cases in particular issues with the existing protocol for requesting information from the PSNI. The group prepared the following documents, which were rolled out to stakeholders to commence on the 30 September 2022.

- PSNI Disclosure Schedule
- Pathway regarding PSNI Disclosure Protocol for Concurrent Care and Criminal Proceedings in Family Courts
- Guidance to Practitioners Regarding the PSNI Disclosure Protocol for
- Concurrent Care and Criminal Proceedings in Family Courts

53. The Chair advised members that the system works well although there is a hold up with Achieving Best Evidence (ABE) interviews which adds to delay.

54. Judge Crawford and Judge Prytherch confirmed this was the same in the Family Care Centre and Family Proceedings.

### **Private law system**

#### *Introduction of Domestic Abuse and Civil Proceedings Act 2021 in Northern Ireland*

55. Mr Allison updated members that the Department continues to monitor uptake and operation of the section 28 waiver of financial eligibility limits for victims of

domestic abuse to inform decisions of other evidence which might be used to demonstrate eligibility and identify potential opportunities to maximise usage.

The Department is considering the draft section 29 Report. The Report will be subject to Ministerial consideration before being laid before the Assembly.

The rules of court to enhance the availability of special measures to victims of abuse in family proceedings and ensure they can give their best evidence came into force in November. Work is ongoing to implement prohibition of cross-examination by perpetrators.

56. Mr Andrews advised members that he met with the Law Society and no-one could understand why the uptake figures were so low.
57. Ms Spence agreed that there was not a massive uptake. She also advised members that Judge Keown had launched the Domestic Abuse Courts with criminal cases this week. Ms Spence confirmed that members of the Law Society are continually reminded that the special measures and legal aid are available.
58. The Chair said that the numbers coming through might show that there is not a significant requirement for the initiative.

#### Family Resolution Hearings

59. The Chair updated members that the Family Resolution Hearing pilot which was launched in September 2022 had undergone a 12 month review. It had been noted that there were some difficulties in identifying suitable cases and it was therefore decided that the pilot should be discontinued in the High Court.
60. The Chair advised members that the possible reason for the low numbers would be that the type of private cases in the High Court did not suit the model of the pilot.
61. The Chair said that although the initiative hadn't been successful in the High Court the Lady Chief Justice may consider piloting it in the lower tiers in the future.
62. Ms Spence confirmed that she would find it beneficial in the Family Proceedings Court.
63. The Chair advised that the main issue would be Judicial resources as Judges would need to be allocated to the resolution courts.

**Action: Item to be removed from the agenda at the next meeting.**

#### Litigants in Person

##### LIP Reference Group

64. Mr Allison updated members that the Reference Group and its work continues to evolve. A number of new LiP members have joined the Group, who have experience of a number of different areas of the justice system, widening its perspective. The Group is currently considering a new prospective work programme, including establishment of a subgroup to consider new support / advice mechanisms. Following the success of the Groups webinar in March on supports for LiPs in England and Wales a further event is being planned for Spring 2024. As usual, members of the profession and the judiciary and others who provide support to LiPs are likely to be invited to attend.

## **Other Business**

### *Regional Care and Justice Campus Programme*

65. Ms McDaniel advised members that the work of the Regional Care and Justice Campus Programme is focused on 2 key areas – the harmonisation of care across Lakewood Secure Care Centre and Woodlands Juvenile Justice Centre and the prevention of admission (or readmission) to a secure facility.

In relation to the harmonisation of care across the secure facilities, additional resource has been secured to enable the establishment of a new primary care nursing service across the 2 sites. It is hoped that this service will be in place by Spring 2024 and will work alongside the ACORN therapeutic service that is now operational across Lakewood and Woodlands. The first phase of a project to share vocational training facilities at Woodlands was successful and the project is now being expanded. Young people from Lakewood are now using the swimming pool within JJC on a regular basis. Work on the development of shared standards for secure care is also continuing.

In terms of prevention of admission to secure care, implementation of the Northern Ireland Framework for Integrated Therapeutic Care (FITC) in residential care continues to progress focused on 6 specific areas – individual health and wellbeing planning; workforce development; reflective governance; staff support; lifestory work and alignment of the HSCT peripatetic services. The FITC is being implemented initially in Lakewood and Woodlands and in a small number of children's homes.

## **Any other Business**

### *Open Justice*

66. The Chair updated members that the sFJB is maintaining a watching brief on the Transparency Implementation Group in England and Wales and members have been kept up to date with developments. The pilot is still running until January 2024 and an update should be available by the next meeting.

67. The Chair advised members that the Lady Chief Justice is less enthusiastic about the pilot and how it might operate in Northern Ireland.

Correspondence from the Domestic & Sexual Violence and Abuse Partnership

68. The Chair updated members that following correspondence from the Chair of the Protection and Justice Working Group the Shadow Family Justice Board agreed to keep the figures on Non-Molestation Orders on the agenda. The figures were circulated to members prior to the meeting.

69. There was nothing remarkable noted by members in the figures produced for the meeting.

70. Judge Prytherch confirmed that not many cases are dealt with in Family Proceedings.

**Action: Item to be removed from the agenda at the next meeting.**

Cross Border Protocol

71. The Chair reminded members that the purpose of the Cross Border Conference Group is to promote better judicial co-operation between England and Wales, Scotland and Northern Ireland. Northern Ireland will host the next meeting of the Group on the 16<sup>th</sup> and 17<sup>th</sup> April 2024.

72. The Chair confirmed that Judges from the Republic of Ireland have been invited to the Cross Border Conference for the first time. Provisions will be put in place if the Judges from the Republic of Ireland are not able to attend with a possible North/South meeting being accommodated.

Northern Ireland Section to Existing Handbook

73. The final version of the handbook on family law relating to children in Northern Ireland was shared with members on 26 July 2023. The handbook provides a helpful outline of procedures in the jurisdiction.

Review of undefended divorces being dealt with by Masters

74. Mrs McMurray advised members that a full review was carried out in April 2023 with letters for feedback distributed amongst all parties initially involved in the consultation process. Positive feedback was received although the Bar of NI raised an area of concern from members that the new arrangements did not give the younger members of the Bar the opportunity to demonstrate their advocacy skills before a Judge of the High Court.

A letter of response has been sent to the Bar.

75. Master Sweeney updated members of Ms Marie Kempson's imminent retirement within the office. She advised members that Ms Kempson gave a very helpful

talk and shared advice with the Law Society. It is noted that her knowledge and experience will be a great loss to the office.

**Action: Item to be removed from agenda for the next meeting.**

Recognition of Social Worker qualifications in the Republic of Ireland.

76. The Chair confirmed that Mr Cassidy provided data which was shared with members on 18<sup>th</sup> May 2023 regarding social workers recognised in the Republic of Ireland.

Delay of GP notes and records from GP practices

77. The Chair said that Janice Spence had raised a concern about the delay in the release of GP notes and records from various practices. It has become increasingly difficult to engage with GP surgeries to have paperwork released in a cohesive and prompt fashion. Ms Spence had questioned whether there should be a set number of days for a response to a Freedom of Information request made from a solicitor's office aside from the general target.

78. Ms McDaniel said this was a reflection of general pressures in primary care.

79. The Chair said a streamlined system would assist. He also pointed out that redaction of medical records causes a major delay in cases.

**Action: Ms McDaniel to speak to the director of primary care to see if anything can be done and to raise the redaction point regarding medical records.**

Professor Jones Report

80. The Chair advised members that the review by Professor Jones was formally commissioned by the then Minister for Health with Terms of Reference prepared within the Department of Health. The review started in February 2022 and was to be completed within sixteen months.

The [report](#) was published in June 2023.

The majority of the recommendations are for the Department of Health to take forward, but it also encourages progress on the recommendations made by Sir John Gillen and these are to be considered.

Disclosure Practice Direction

81. Mrs McMurray updated members that as agreed at the last meeting work has commenced to consider the recommendation that a draft Practice Direction along the English lines for Northern Ireland in line with recommendation FJ124 should be produced.

Progress will be reported at the next meeting.

### Child Abduction Recommendations

82. Mrs McMurray updated members that some scoping work has commenced with a view to taking forward the recommendations relating to child abduction [FJ100-FJ113]. Progress will be reported at future meetings.

### Next Meeting

83. It was agreed the next meeting of the Shadow Family Justice Board would take place on the 28<sup>th</sup> February 2024 at 4:15pm.