



## **Minutes of the inaugural meeting of the Nuffield Family Justice Observatory's Stakeholder Advisory Council**

**23 September 2019, Jury's Inn Hotel, Cardiff**

### **Present:**

Sally Ann Jenkins (Chair), Lisa Harker & Martin Burns (NFJO), Rob Street & Carey Oppenheim (Nuffield Foundation), HHJ Lesley Newton, Sir James Munby, Teresa Williams, Andrew Webb (all NFJO Board members)

Ben McCormick, Family Justice Young People's Board

Cathy Ashley, Family Rights Group

Chris Simmonds, Judicial College

Corienne Strange, National Adoption Service for Wales

Dr Julie Doughty, Transparency Project

Jenny Coles, ADCS

Jo Easton, Magistrates Association

John Simmonds, Coram Baaf

Jonathan Scourfield, Cascade Cymru

Katie Goldstraw, Family Justice Young People's Board

Matthew Pinnell, Cafcass Cymru

Michael Lewkowicz, Families need Fathers

Nav Mirza, Dads Unlimited

Olive Craig, Rights of Women

Rachel Rogers, Resolution

Rachel Thomas, Office of the Children's Commissioner, Wales

Sarah Coldrick, Association for Fostering and Adoption AFA Cymru

Sue Evans, Social Care Wales

## **1. Welcome from the Chair, Sally Ann Jenkins**

The Chair welcomed everyone to Cardiff and requested a brief introduction from each of the attendees.

## **2. Terms of Reference**

The ToR, circulated in advance of the meeting, were put to the group for any suggestions or comments.

Cathy Ashley commented on membership of the Stakeholder Advisory Council by the Family Rights Group and whether it would be more appropriate for a member of their kinship care panel to attend.

Teresa Williams asked whether there would be regular communication from the NFJO with the Stakeholder Advisory Council; since there would be it was agreed that the Terms of Reference would be amended to reflect this.

Action: The Chair asked for any further comments to be communicated to the NFJO.

## **3. NNFJO Workplan**

Lisa Harker, NFJO Director, gave a short presentation about the NFJO itself and outlined the initial workplan.

John Simmonds, Coram Baaf, emphasized the need to work to achieve impact and changes in practice, not just increasing awareness of research.

Nav Mirza, of Kent-based charity Dad's Unlimited, raised the issue of male suicide in Family Law cases and that this is an area missing from the NFJO's Workplan. Family breakdown is recognized as one of the triggers for male suicide and poor parental mental health also has an impact on the mental health of children. He also commented that the workplan omitted study of 'why' people are ending up in court (and others do not).

Michael Lewkowicz, Families Need Fathers, raised the issue of repeat litigation and delays in the FJS which are compounding circumstances in which conflict continues. Michael referred to sizeable differences in the percentage of couples going through a relationship breakdown who end up accessing court services. In the UK and Sweden, these figures stand at 38 percent and 2 percent respectively.

Sir James Munby, NFJO Chair, stressed the importance of the NFJO focusing on private law as well as public law, as it is an area which has not received as much attention as public law. In a similar manner, there is increased attention being paid to domestic abuse as a large and seemingly growing issue within the FJS, yet there is a relatively weak evidence base around this issue.

Andrew Webb, NFJO Board member, referred to the reason for using 'Observatory' in the NFJO's name. Whilst the workplan focuses on the evidence that is needed, the NFJO will need to get into the implementation science and work in partnership with others to achieve

change on the ground. Andrew noted that he hoped the SAC would assist the NFJO in picking up methods that may be more effective than publishing reports, and that the focus should be on getting behaviours to change.

Sir James Munby suggested that SAC delegates contact the NFJO with suggestions on who should we target, and how to contact the key people in the 172 Local Authorities across England and Wales.

Katie Goldstraw, representing the Family Justice Young People's Board, noted that having children in court is not the ideal scenario and that the situation shouldn't get to that as it is a combative experience for children.

Teresa Williams, NFJO Board member and Director of Strategy at Cafcass, noted the power of data and of bringing different professional groups together to look afresh at issues using data.

Dr Julie Doughty, from Cardiff University and the Transparency Project, highlighted a recent evidence review on contact regarding siblings, and of the importance of not overlooking the significance of sibling contact.

#### **4. Report on SGO: Presentation by John Simmonds**

John went through a brief history of special guardianship and outlined the findings of the rapid evidence review recently published by the Nuffield Family Justice Observatory.

Matthew Pinnell, Cafcass Cymru, asked John about what his study revealed about the differences between England and Wales in terms of the use of SGOs and the regulations. Matthew specifically asked John if the 21,000 referenced in the study was reflective of both England and Wales or England only. John acknowledged the data used in the report was specific to England, including reference to the regulations, but also pointed out that there had been no specific research studies focusing on Wales.

Jonathan Scourfield, Cascade Cymru, suggested that in view of the devolved nature of many of the aspects affecting the use of SGOs in Wales including the regulations, the study needed to make explicit reference to this at the outset. This was acknowledged by John.

Cathy Ashley reported that the Family Rights Group had released a survey of kinship carers that day. She commented on cases where kinship carers had in the past been given incorrect information by Local Authorities which had resulted in finance hardship for families.

#### **5. Data Gaps:**

Lisa Harker presented a draft set of infographics on knowledge gaps about children in the family justice system, recently produced by NFJO Researcher Jordan Rehill.

Katie Goldstraw commented on the slide featuring the duration of cases, noting this information did not reflect the fact that cases do not just end when they leave the court.

Referring to the second slide in the set of infographics, Andrew Webb noted that it would be interesting to learn more about the unknown information in the black boxes (Parents' ages, Parents' mental and physical health, Parents' income etc.) but was not sure if this would be possible as we won't get that data from a social worker's case file. He queried whether the NFJO should have the debate about i) what is interesting to know and ii) how far should we go to get that, i.e. how much should you expect everyone to record? Lisa noted that there was already a lot of administrative data held by the SAIL databank in Wales which would enable us to explore these issues without requiring further data collection.

Nav Mirza stated that his organization already has this data for private law cases in Kent.

Sir James Munby noted that the NFJO would be publishing the infographic as a 'draft' and suggested the SAC contact the NFJO if they felt other information was missing or could be added/amended.

Re the final slide in the infographic, Katie Goldstraw questioned the definition of 'healthy' when it came to 'forming healthy relationships', and noted that this should also include relationships between the wider family as a whole, as these are just as important. Katie Goldstraw also queried the definition of a 'decent living' on the same page and noted that when it came to education, university wasn't mentioned in the slides, only KS2 and GCSE.

Dr Julie Doughty commented as regards mediation and how difficult it is to get that information because the services are fragmented. She asked if there were opportunities to request this data following on from the observations from the President's Private Law working Group.

Jonathan Scourfield of Cascade Cymru suggested that, regarding the first page of the Data Gaps infographics, interventions would ideally be repeated on the right-hand side of the diagram too.

## **6. AOB:**

The NFJO Director noted upcoming recruitment to the Nuffield Family Justice Observatory.

## **7. Closing Remarks:**

The Chair thanked everyone for attending and directed anyone with any further comments, queries or suggestions to contact the NFJO directly on [ContactFJO@nuffieldfoundation.org](mailto:ContactFJO@nuffieldfoundation.org)