

Family Justice Review

The Family Justice Review panel was appointed to review the whole of the family justice system in England and Wales, looking at all aspects of the system from court decisions on taking children into care, to disputes over contact with children when parents divorce. It was commissioned by the Ministry of Justice, the Department for Education, and the Welsh Government.

The family justice system is a network of organizations and individuals from many different professions all working co-operatively and collaboratively so that the system achieves its aims.

The government has decided to try to improve the system so that it is quicker, simpler, more cost-effective and fairer whilst continuing to protect children and vulnerable adults from risk of harm.

The [panel's final report](#) was published on 3 November 2011. This took into account the views expressed during the consultation on the interim report and the call for evidence from lots of different people. It made a number of recommendations to improve public and private law and looked at how the agencies within the family justice system could work together more effectively to improve the experience for children and families.

Kenneth Clark and Michael Gove made a joint ministerial statement about the Family Justice Review, and this is what they said:

“The family justice system makes life-changing decisions which affect many thousands of couples, children and families every year. But, as the Family Justice Review has pointed out, it is too often characterised by delay, expense, bureaucracy and lack of trust. It is absolutely right that the public should expect more.

For this reason, we are very pleased to be able to respond so positively to the Family Justice Review. The reform of family justice and child protection is a critical priority for Government. We are grateful to all those who work so hard within the current system, in the face of real pressure. We want to join with them to improve the system and to listen and act on the things that they have said. The messages here, and recommendations we make, apply to every bit of the system – all must play their part.

Delay blights lives. It is a troubling statistic that every 2 month delay for a young child represents 1% of their whole childhood. Yet the average care case now takes 55 weeks to complete – and many cases take a good deal longer. These are some of the most vulnerable children in our society. It is absolutely unacceptable that delay is common in so many areas.

Problems within private family law are also troubling. Too often, divorcing couples end up arguing over deeply sensitive and emotional issues in the adversarial environment of the courtroom, when they might have resolved their disputes more quickly, simply and consensually outside it. And when judges do hand down judgments – particularly decisions which determine how separated parents share responsibility for their children – compliance is too low and enforcement ineffective. Change is essential to address these concerns.”

The Family Justice Board has published its [action plan](#) for the implementation of the Government's reforms of the family justice system. As you begin to practice family law you will notice these changes that have been made and you will probably be aware that they will be made over the next few years.

The Family Justice Board's overall aim is to drive significant improvements in the performance of the family justice system, where performance is defined in terms of how effective (and efficient) the system is in supporting the delivery of the best possible outcomes for children who come into contact with it.

In the action plan, the FJB states that it will play a key role in supporting the delivery of the Government's vision by putting in place a system where, by March 2015:

- a child's welfare continues to be demonstrably the paramount consideration in any proceedings determining the upbringing of a child and that the system
- and its practice better reflects this;
- that all agencies and individuals within the family justice system work together to achieve the best possible outcomes for children;
- case duration in public law cases is significantly reduced, with care and supervision cases completed within 26 weeks, apart from when the court determines that there is a need to extend beyond this as it is in the child's best interests;
- separating parents are encouraged and supported to resolve issues concerning their children's arrangements out of court, using mediation or parenting support services, unless it is really necessary for the courts to become involved;
- the wishes and feelings of children are actively sought and given careful
- consideration in the process of determining the outcome of court applications about them;
- variations in local performance are narrowed by bringing the worst performing
- local systems up to the level of the best;
- good practice and innovation are identified and shared widely to help facilitate a continuous process of system-wide improvement supported by feedback to the courts on the impact of decisions made on the outcomes for children.

It is hoped that these reforms prove successful.