

# **Minutes of the FLBA Committee Meeting Held in 4 Paper Buildings, Temple on 8<sup>th</sup> February 2018**

**Present:** **Frances Judd QC (Chair)**  
Cyrus Larizadeh (Vice-Chair)  
Malek Wan Daud (Secretary)  
Katy Rensten  
Greg Williams  
James Holmes  
Mehvish Chaudhry  
Victoria Wilson  
Joy Brereton  
Timothy Scott QC  
Morgan Sirikanda  
Charlotte Hartley  
Samantha Singer

The following joined the meeting by video/telephone link:

Cleo Perry, Sam King, Victoria Flowers, Dan Nother for Corinne Iten, Justin Gray, Siân Gough, Sandra Eze, Victoria Miller and Kate Burnell.

## **Item 1. Apologies for absence**

James Roberts (Treasurer), Mark Twomey QC, Peter Newman, Sam Momtaz QC, Mandy Tanner, Jacqui Wall, Katherine Duncan, Olivia Magennis (on maternity leave), John Wilson QC, Leanne Targett-Parker and Daniel Sheridan.

### **Non-attendance:**

Tim Parker, Chris Bryden, Jeremy Weston QC, Jayne Pye, Susan Grocott QC, Caroline Topping, Tanya Zabihi, Ruth Henke QC, Katharine Bundell, Neil Owen-Casey, Maria Hancock Nigel Page and James Rees.

## **Item 2. Minutes of the meeting of 10<sup>th</sup> January:**

i) For approval + posting on the website

The minutes were approved as drafted for posting.

ii) Matters arising from the minutes:

These will be dealt with in the rest of the agenda.

**Item 3. Confirmation of Malek Wan Daud as secretary following Ian Bugg's appointment**

The chair confirmed that Malek Wan Daud's (MWD) has been approved as Secretary. Ian Bugg's welcome is on 26<sup>th</sup> February. The Vice-Chair confirmed that he would attend and the Chair said that she would also do so.

**Item 4. Children sub-committee update**

Katy Rensten (KR) reported that Sian Gough (SG) has everything under control with the Vulnerable Witness training. The Vice-Chair has provided her with hand over notes and they are keeping their eye on a number of developments. KR reported that Oliver Cyriax is instrumental in early intervention with regards to contact. KR expressed concerns about getting involved at this stage and this was discussed amongst the committee. It was observed that there was nothing to do at this time, but we should remain aware of it.

**Item 5. Finance sub-committee**

The Chair thanked Morgan Sirikanda (MS) for his finance sub-committee report. There was a brief discussion about the FRU proposals, which are being piloted in Wales, West Midlands and London. MS asked the Chair whether she thought it was a good idea to set out details of the pilot and ask for feedback from our members in her next FLBMail. The Chair agreed and encouraged the committee to let her know if they would like her to raise any further matters. It was observed that there is general support for the proposals, but the Chair gets the sense that there is also some opposition.

**Item 6. Vulnerable witnesses – roll out, assistance from the Western Circuit**

Sian Gough (SG) reported that the Western Circuit are assisting and that she should have a detailed plan to present to the committee in March. The Vice-Chair considered that as many members do not know that the FLBA are putting together a national programme of training and therefore we should send an email to the membership about this and say that if their circuit is already planning to put something together, to co-ordinate it through the FLBA.

**Item 7. Meetings attended since 10.01.18 and feedback**

The Chair asked Timothy Scott QC (TSQC) to provide the committee with a Brexit update. TSQC reported that last summer, a number of people got together to form a Brexit family law working group and they have had a number of meetings since then. A paper was prepared by Eleri Jones of 1 Garden Court last summer which has attracted the attention of a number of members from the House of Lords. Baroness Sherlock gave a speech the other week regarding concerns around Brexit and family law, which raised the issues about the effect of the Withdrawal Bill. TSQC explained that whilst the group are strictly neutral, they would like to put forward a few amendments which he anticipates may be resisted by hard-core Brexiteers. TSQC

reported that he was recently contacted by Evanna Fruithof of the Bar Council Brussels office. She and Hugh Mercer, who chairs the Bar Council Brexit working group, had meetings with the UK's permanent representation in Brussels, who have shown an interest in the technical legal side of things. Accordingly, Ms Fruithof asked TSQC to collate some scenarios whereby Brexit would prejudice the EU 27 and/or citizens of the EU 27. TSQC would be grateful for feedback and any input or observations in this area. The Vice-Chair suggested that at some point, we could put together a short email to the membership requesting their opinions and feedback.

a) Ruth Henke QC/Joy Brereton – care crisis 10<sup>th</sup> and 17<sup>th</sup> January.

The Chair thanked both Ruth Henke QC (RHQC) and Joy Brereton (JB) for attending the care crisis meetings on the 10<sup>th</sup> and 17<sup>th</sup> of January. THE FLBA emailed the link to the survey as part of the Care Crisis Review call for evidence to the membership twice. JB reported that it was more like a brainstorming session and the panel was formed of Judges, Solicitors and Barristers. It was largely a discussion about what we can do, why care applications have peaked again and if there anything we can do to make it better. Social work training and how that should be reviewed was considered and there was discussion about why we are not sharing ideas and practices in other circuits.

b) James Holmes Cafcass open board meeting

James Holmes (JH) prepared a note about the meeting, which was shown to the committee. The theme of the meeting was 'How to help children's voices be heard loud and clear throughout the family court process'. Amongst other matters, there was discussion about the Adolescent Court Project, which was partly set up to address concerns about young people who end up in the care of Local Authorities because they feel excluded from the process and therefore disengage. The Chair thanked JH for attending the meeting.

c) Cleo Perry – presentation on the common platform programme sub-committees - composition.

CP reported that the meeting was largely about crime but there were aspects that related to family proceedings, such as dealing with sensitive material.

## **Item 8. Wellbeing:**

The Vice-Chair reported that both he and Victoria Wilson (VW) attended the Wellbeing at the Bar Working Group recently. They are currently looking for a new Chair, which will be for a 2-year term. He has received a lot of feedback from Chambers who have said that they are implementing the wellbeing policy. The Vice-Chair welcomed ideas from the committee in respect of what sort of workshops they would like to see and what projects to invest in.

## **Item 9. Fees:**

Greg Williams (GW) reported that we are currently waiting to see if the government is going to review LASPO. If and when the consultation comes out, we need to be in a position to respond and he advised that we should start collecting evidence sooner rather than later. GW further reported that he and Sam Momtaz QC (SMQC) are

currently working on looking in to the pilot scheme for high cost cases, which was withdrawn sometime ago, allegedly because of a lack of interest and take up from Chambers. They are going to invite responses from chambers and hope to find out why they did not engage with the scheme and what was unhelpful about it.

## **Item 10. Consultations**

- a) DWP reform? Completed, thanks to Charles Hale QC and Morgan Sirikanda.

The Chair thanked CHQC and MS for preparing the response to this.

- b) Call for evidence, care proceedings

This was dealt with earlier on in the meeting.

- c) Court closures?

The Chair reported that we have received a list of potential court closures, which will be distributed to the committee. She would be happy to receive the committee's views about whether they wish us to take this forward.

## **Item 11. Pilots**

- a) Flexible operating hours

The Chair reported that Susan Grocott QC (SGQC) will keep her posted and she will update the committee.

- b) Private law initiative – Manchester

Once again, the Chair reported that SGQC will keep her posted about this.

## **Item 12. Volunteers**

The Vice-Chair reported that both he and JB will be attending the care crisis round table meeting on 15<sup>th</sup> March. KR will be attending the review meeting on Cafcass use of time on 16<sup>th</sup> February. JB reported that she has been attending meetings at the MoJ about digitisation of Form C100, which is aimed to divert people away from court into mediation. It will be piloted soon and JB believes it may be implemented in April/May.

## **Item 13. Events**

- a) Annual Dinner

KK reported that numbers were looking good at this stage and would continue to send reminders to the membership. The Chair asked the committee to send an email round to members of their chambers, encouraging them to attend.

b) Scottish Conference

Samantha Singer (SS) reported that progress was being made and updated the committee as to what had been achieved so far.

c) Cumberland Lodge

The Chair reported that the programme was coming together and that we have already got quite a few speakers. The Chair welcomed suggestions about what we should do on the Sunday morning this year.

d) Regional officers meeting

The Chair was keen to set a date for this and confirmed that she would circulate some dates soon.

e) Autumn Lecture Series

There was nothing to report on this occasion.

**Item 14. State of court buildings**

The Chair asked the committee for their views on this and to email her thoughts and views.

**Item 15. Deadline for Family Affairs 16<sup>th</sup> February**

The Chair asked the committee whether they would like her to include anything in her Chairman's column, to contact her.

**Item 16. AOB**

The Chair was very keen to hear people's views about what we should do on the Sunday at Cumberland Lodge. She thought that the panel last year worked well and perhaps we should have something similar this year. Ideas and thoughts were passed around and discussed.

KR reported the sad passing of Tessa Moorhouse. The Chair will circulate details of her memorial once they are known and it should certainly be mentioned in 'Family Affairs'.

There was finally a short discussion about the current exhibition, 'Protect and Respect', in the CFC and that a swastika is displayed in the main area. There was concern about its lack of appropriateness and KR suggested that someone should raise this with HHJ Tolson QC.

Meeting concluded at 6.05 p.m.

**Date of next meeting:** The next meeting of the Committee will take place on 7<sup>th</sup> March 2018 at 5 pm in the conference room at 4PB

Khadija Khan  
FLBA Administrator