

New Ministerial Team

The General Election resulted in a large number of ministerial changes in the arena of Children, Young People and Families, both at the DCA and the DfES. The following gives a brief outline of our new ministerial teams:

Department for Constitutional Affairs

Lord Falconer retains his title as the Secretary of State for Constitutional Affairs and has appointed;

Rt Hon Harriet Harman QC MP as Minister of State for Constitutional Affairs. Her remit includes Criminal Justice, Electoral Reform, House of Lords Reform and Human Rights. Her most recent post was that of Solicitor General to the Government.

Bridget Prentice MP, Parliamentary Under Secretary of State, will be responsible for Legal Aid, Legal Services and Asylum & Immigration. She replaces David Lammy MP, who has taken the title of Parliamentary Under Secretary of State at the Department for Culture, Media and Sport.

Ms Prentice was formerly a member of the Home Affairs Select Committee from 2001-03 and then a Government Whip until April 2005.

Baroness Ashton remains at the DCA as Parliamentary Under Secretary of State. Her responsibilities include Civil Law Policy, Family Justice and Implementation of the Constitutional Reform Act.

Department for Education and Skills

The Department has appointed **Beverley Hughes** as the new Minister of State for Children, Young People and Families. This post was previously held by Margaret Hodge, who has now moved to the Department for Work and Pensions.

Ms Hughes joins the Department from the Home Office, where she was Minister of State for Citizenship, Immigration and Community Cohesion.

Maria Eagle has been appointed as Parliamentary Under Secretary of State for Children, Young People and Families. She replaces Lord Filkin in this role.

Ms Eagle had previously worked as Junior Minister at the Department of Work and Pensions since 2001.

We are in the process of briefing our new ministerial teams in our work and hope to be able to meet with them in due course.

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New Focus for Civil Legal Aid

Legal Aid Minister, David Lammy, unveiled a new package of reforms to legal aid for civil cases on 2nd March, following last year's consultation, New Focus for Civil Legal Aid.

The package includes:

- Increased financial eligibility for advice services
- Incentives for early settlement out of court, particularly in divorce and family cases
- Increased help for victims of domestic violence
- Greater use of existing complaints system before litigation is considered.

Legal Aid Minister, David Lammy said:

These reforms represent a positive move forward for legal aid. They will deliver a long-term settlement in line with the Fundamental Legal Aid Review. We are determined to establish a system of funding which ensures that public funds are spent in the most practical way, so that funds are available to target the most needy and deserving cases. The reforms, in particular those enhancing the role of legal help before resorting to litigation, fit in with a wider government agenda on social exclusion and encouraging access to justice. We are encouraging out-of-court settlement and mediation as an alternative way of resolving disputes.'

A wide range of changes to financial eligibility, family and non-family funding rules will be introduced from April to July this year. The package of reforms has changed significantly in light of the persuasive consultation responses received. However, the thrust of the proposals - to encourage the early settlement of disputes and to treat litigation as the last resort – remains unchanged.

The most controversial proposal, namely the proposed reduction in the £100,000 home equity eligibility exemption, is not proceeding.

LAPG gave a warm welcome to the Government's decisions. Director, Richard Miller, said, 'The Government has clearly listened to the concerns expressed about the possible impact of some of their proposals on vulnerable clients.'

The following is a summary of the changes in financial eligibility and family funding:

Financial eligibility (changes applied from 11th April 2005)

- New uniform upper disposable income limit of £632 (Legal Help increased from £621 and Legal Representation reduced from £707)

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The first children's commissioner for England has been appointed

Great Ormond Street Hospital professor of child health, Al Aynsley-Green, was chosen by the government to take the newly created post of Children's Commissioner for England. The announcement was made on 2nd March and Prof. Aynsley-Green started the job with immediate effect.

He will oversee a £2.5m annual budget and have the power to look into "any matter relating to the interests and well-being of children".

Prof Aynsley-Green has also been the national clinical director for children in the Department of Health. He was a lecturer at Oxford University, trained at Guy's Hospital Medical School, University of London; Oriel College, Oxford; and in Switzerland.

Office Move

The Children & Family Services Division moved premises in February. You should have received details of this in the post. We are now located at:

**Children & Family Services
Legal Services Commission
12 Roger Street
London WC1N 2JL
DX: 328 London**

Please note that all our telephone and fax numbers have also changed. You can find an up-to-date contact list on page 18 of this newsletter.

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- New power to waive the upper limit for domestic violence victims
- No change in gross income caps or contribution scheme for Legal Representation
- Capital limit for Legal Help and Help at Court raised from £3,000 to £8,000
- All clients in receipt of passported benefits will be passported on both income and capital for all types of legal aid
- Pensioner capital disregard to be applied to all types of legal aid
- Self-employed persons' childcare costs to be discounted from their disposable income to bring them in line with other employed persons
- SMOD rule (subject matter of dispute) to be retained but with a ceiling of £100,000 (i.e. assets in dispute will be taken into account in the assessment only to the extent that the clients' interests in the disputed assets exceeds £100,000)
- No change to the £100,000 home equity exemption

Family Funding

- A pilot scheme will be established to test new structures and incentives for Family Legal Aid
- Guidance will impose stricter merit controls over funding for multiple and repeat contact applications
- Legal aid cost protection will be abolished in family cases
- The £3000 Statutory Charge exemption in family cases will be abolished, but will only apply to new applications made from April 2005
- There will be no changes to the scope of Family Legal Aid – divorce petitions and change of name will remain in scope.

CASC Enquiry Report

The House of Commons Constitutional Affairs Committee (CASC) published its report entitled " Family Justice: the operation of the family courts" on 2 March 2005.

The inquiry was announced on 20 September 2004 and was prompted by Government moves for reform as set out in its Green Paper *Parental Separation: Children ' s Needs and Parents ' Responsibilities* . While examining the Government 's own proposals, the inquiry focused on the way in which the courts dealt with child residence and contact cases, covering a number of key issues, namely:

- whether the family court system is being run effectively;
- whether family court judges have sufficient powers;
- court delays caused by the current system;
- whether people using family courts are getting the service they deserve.

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Legal Services Commission increases investment in next generation of legal aid solicitors

Clare Dodgson, LSC Chief Executive, visited the College of Law Legal Advice Centre on 11th March and announced that the LSC training support grants scheme will now operate on a rolling basis, with 100 grants being awarded annually from 2005.

The move guarantees the long-term future of legal aid training grants, first offered to Legal Practice Course students and trainee solicitors by the LSC in 2002.

The training support grants meet:

- The tuition fees of students on the one-year Legal Practice Course, which can cost over £8,000
- 75% of the Law Society's minimum salary and the cost of professional skills courses for successful LPC students on training contracts with a solicitor organisation. This amounts to about £20,000 over a two-year period.

Solicitors can recruit someone who has completed the LPC and can start their training contract immediately. Alternatively, they can recruit an LPC student who, on completion of their course, will join the organisation on a training contract.

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As the inquiry developed, the Committee also considered whether the family court system was too adversarial and whether greater use of mediation and out of court services could reduce conflict between parents.

They received over 165 written submissions. In addition the Committee considered copies of all non-confidential responses to the Government's Green Paper consultation exercise. They heard oral evidence from 27 people including Dame Elizabeth Butler-Sloss, Margaret Hodge and Baroness Ashton of Upholland (Parliamentary Under-Secretary of State).

The Committee made a number of recommendations. These include:

The adversarial system

Recommendation 1 - The courts are not the best place to attempt to resolve complex family disputes. While their involvement will be required in some cases, particularly where there is evidence of domestic violence or abuse or where a consensual approach (including mediation) has failed, the use of the courts should be a matter of last resort. (Paragraph 39)

Mediation and other methods of dispute resolution

Recommendation 15 - The Government has recognised that mediation may be a good way to steer people out of the court system, but there remains an inconsistency whereby those who wish to claim legal aid are required to consider mediation first, whereas those who are privately funded can ignore this process. Where it is safe to do so (and subject to the court's discretion), we believe that all parties should be required to attend a preliminary meeting with a mediator on the basis described in section 13(1) of the Family Law Act 1996. (Paragraph 94)

Conclusion

Recommendation 33 - While there is disagreement as to whether all the criticism of the system of Family Justice is justified, it is widely agreed that reform is needed. There is some divergence of opinion about whether the proposals contained in the Government's Green Paper are an evolution of previous policy rather than a major change. We welcome the Government's acceptance of the general need to remove as many cases as possible from the court system. It is not clear that the Green Paper proposals will by themselves achieve this. A coherent statement of the Government's overall strategy is needed combining established initiatives, such as mediation, with experimental approaches. The system at present is focused on the resolution of disputes between adults: the interests of children should be paramount. (Paragraph 155)

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The grants are provided on the grounds that the newly qualified solicitor remains in the employment of the solicitor organisation, and engaged in legal aid work, for at least two years after completing their training contract.

Organisations wishing to apply for a training grant should call 0207 759 0304 or email contract.design@legalservices.gov.uk

Family Help

There was a consultation on changes to the Family Decision Making Guidance, which will come into effect in July 2005. There are changes to the use of Help with Mediation.

The costs limitation for children cases (HM001) has been increased from £150 to £200. The use of Help with Mediation may now include the attendance of a solicitor at a mediation session in certain limited circumstances. The proposed wording of the change is:

Note that the definition does not include negotiations with the other side. It is most important during mediation that solicitors only advise their own client, and do not directly or indirectly intervene in the mediation by discussing matters subject to mediation with the other party or his or her solicitor. A solicitor may attend at one or more mediation sessions to advise their client during the mediation process. This will however, only be allowed under exceptional circumstances, and prior authority should be obtained from the mediation team in Children and Family Services Division at LSC Head Office.

Private Law Programme

The President of the Family Division has issued guidance on a new framework for private law Children Act cases. The programme will be rolled out gradually and you can see the guidance on the website for the Department for Constitutional Affairs and Court Service at www.dca.gov.uk or www.courtservice.gov.uk.

The essential elements of the programme are:-

- An early **First Hearing dispute resolution appointment** (FHDRA) before the District Judge between 4 and 6 weeks of an application being issued.
- The use of that first appointment for **in-court conciliation** using CAFCASS practitioners to assist wherever 'in-court conciliation' schemes are in place and where CAFCASS and Her Majesty's Courts Service resources are available.
- Detailed **case management** at the FHDRA to identify those issues that still need to be determined and a timetable for the case.
- The **focus of CAFCASS reports** on the issues that are identified.
- **Judicial continuity** and the continuity of CAFCASS practitioners wherever possible.
- Access to the allocated judge for an **urgent hearing** to review and, where necessary, enforce orders within 10 working days of any request by CAFCASS or a party.

Parenting Plans should be available at all family courts and the intention is that parents FHDRA. For Family Graduated Fee purposes the FHDRA will be an F3 hearing unless the case is concluded at that hearing when it would become the F5 main hearing.

The programme envisages that CAFCASS will review appropriate cases to ensure compliance with orders made. Certificates will require an amendment to cover work in connection with any review. You may, if justified, amend an emergency certificate granted under devolved powers to cover work up to and including the review and/or enforcement hearing. For family graduated fee purposes such hearings would fall within F3.

The existence of the programme does not affect the availability and use of publicly will be asked at the FHDRA whether they have read the Plan which can be used to encourage cases to be resolved.

The usual arrangements regarding public funding will apply. The grant of an emergency certificate may be justified, having regard to the existing guidance published in Volume 3 of the Legal Services Commission Manual (page 157 onwards). Emergency certificates should, however, be limited to all steps up to and including representation at the funded Family Mediation. Parties may or may not have mediated prior to proceedings being issued and proceedings may be adjourned to enable the parties to mediate away from the court (with a mediator as opposed to a CAFCASS officer). The usual requirements regarding the consideration of mediation will continue to apply.

Launch of Forced Marriage Unit

The Forced Marriage Unit (FMU) was officially launched on the 26th January 2005, and is the Government's central unit dealing with casework, policy and projects in respect of forced marriage.

A Forced Marriage is one where people are coerced into a marriage against their will and under duress. Duress includes both physical and emotional pressure. Forced marriage is an abuse of human rights and cannot be justified on any religious or cultural basis. It is, of course, very different from arranged marriage, where the consent of both parties is present. The tradition of arranged marriages has operated successfully within many communities and many countries for a very long time.

The FMU provides confidential information and assistance to potential victims, their friends and concerned professionals. It can offer advice and assistance to individuals who:

- Fear they are going to be forced into a marriage (in the UK or overseas)
- Fear for a friend or relative who may be forced into a marriage (at home or overseas)
- Have been forced into a marriage and want to escape
- Have been forced into a marriage and do not want to support their spouse's visa application

The FMU can also:

- Provide information about existing networks within the UK, including police, social services and NGOs
- Provide advice about legal remedies in the UK and overseas

The Unit has produced separate guidance documents for the Police, for Social Workers and for Education Professionals, and copies can be obtained direct from the FMU.

You can contact the FMU on 0207 008 0135 / 0230 / 8706 (Monday to Friday 9am – 5pm) or email them on fmu@fco.gov.uk. For out of hours emergencies call 0207 008 1500 and ask to speak to the Foreign and Commonwealth Office Response Centre.

Forced Marriage- Public Funding

Against the background of the launch of the FMU and the heightened focus on Forced marriage as a serious and significant issue within government, we thought it might be helpful to remind you of the availability of public funding for urgent proceedings in this area.

Most applications are dealt with by specialist staff in the London Regional Office but this will not necessarily be the case as there may be such cases

outside London. Should you wish to obtain a certificate for proceedings around forced marriage, you may want to contact the Legal Team in the Children and Family Services Division at Head Office

(jane.worsey@legalservices.gov.uk or lynn.graham@legalservices.gov.uk).

It is important to recognise the vulnerability of these clients, both in England and Wales and abroad and that there may be difficulties around applying the usual procedures, for example in relation to receiving full instructions.

Raising Awareness of Domestic Violence in South Gloucestershire

A major event aimed at raising awareness of domestic violence was held in Kingswood, South Gloucestershire on Monday 7th March 2005.

The conference was organised jointly by the South Western Legal Services Commission, South Gloucestershire Domestic Violence Forum and Survive – a local Women's Aid organisation. The high profile event was able to attract funding from the Home Office via the Government Office for the South West and enjoyed the sponsorship of retail giant 'Body Shop'.

The conference was specifically aimed at people who come into regular contact with the public but would not normally be aware of domestic violence issues. Over 60 people attended the event, including people from such varied jobs as taxi drivers, dinner ladies, school crossing patrol teams and health professionals.

The aim of the event was to raise people's awareness of domestic violence. Delegates were given an insight into some

of the common indicators of domestic violence occurrences, and made aware of how they could help and what they could do if they suspected that there were problems of domestic violence.

The Geese Theatre Group provided the highlight of the day through the enactment of a drama called "Stay". This hard-hitting play brought home to delegates the pain and the misery caused particularly to women and children by domestic violence. At least 1 in 4 women will experience domestic violence at some stage in their adult lives.

Two survivors of domestic abuse also addressed the conference. Delegates heard from personal experience the harrowing experiences of these women and their children, which took the issue away from theory and into reality.

The event attracted good media coverage. On the morning of the event BBC Radio Bristol ran a feature on domestic violence including interviews with one of the survivors and also Janet Morris, Community Legal Services Manager from the South Western LSC. The Bristol Evening post did a feature article on domestic violence including reports from the conference. South Gloucestershire Council will also run an article about domestic violence in their Council newspaper.

After the conference Janet Morris said: "The conference was a tremendous success. The theatre group and the way they encouraged audience participation particularly impressed me. Speaking to many of the delegates afterwards it was clear that they

had been very moved by what they had seen and heard. It was an emotive and moving day that certainly increased people's awareness of domestic violence....we will now be evaluating the day more closely and hopefully it will provide a springboard for a concerted campaign and other similar events across the region."

At the end of the conference delegates were presented with a pack including useful advice and a directory of agencies able to help with domestic violence issues. The aim is that if they come across domestic abuse in the future, they will be in a much better position to assist in getting help.



Domestic Violence Conference South Gloucestershire

Collaborative Law

The Green Paper, Relationship Breakdown; Children's Needs and Parents' Responsibilities, outlines the provision of collaborative law as part of the package of services that should be in place to help resolve family dispute and family breakdown. Collaborative law sits alongside family mediation, as one of a range of options available to clients wishing to resolve their disputes without resorting to court-based procedures.

Collaborative Law is a relatively new concept in family dispute resolution. It started in North America in 1990 and has developed into a whole movement. It is now being noticed more widely as a viable and effective alternative in consensual resolution of family disputes.

The Collaborative Law process differs from the conventional ways of dealing with divorce in several respects:

- All parties, that is solicitors and clients, sign a participation agreement, stating that they will not go to Court
- Face-to-face discussions between the spouses and their lawyers (four-way meetings) lead to an agreement
- A respectful, problem-solving approach, often with the assistance of trained financial experts, child specialists and family specialists, replaces the often adversarial aspect of conventional divorce
- If the collaborative process breaks down, the collaborative lawyers must withdraw and their clients seek new solicitors to represent their case in a traditional manner

Collaborative family lawyers help their clients shape a fair agreement based on the values of commitment, transparency, flexibility and responsiveness and recognition of limitations.

In 2003, Collaborative Law was introduced to the UK for the first time and has sparked considerable interest in family practitioners, inspired by its approach in resolving family disputes.

Family Mediators Association (FMA) members will be aware of the recent article in the FMA Journal, on the role that family mediators can play as 'Family Consultants' in the collaborative process. Interested parties should contact FMA for more information.

Currently all training in Collaborative Law is managed by Resolution. There have been numerous training opportunities in the UK to date. Coverage of trained collaborative family practitioners in the UK remains patchy but is increasing rapidly, and there are now approximately 400 trained practitioners. More training sessions are planned for this year and you can find out more about these from www.resolution.org.uk

Using FAInS as a vehicle, the Legal Services Commission will be managing and developing a small scale pilot to look at how a publicly funded model for delivering collaborative law could be established. This is very much a developmental pilot and will, initially, be working with FAInS practitioners in Nottingham and Mansfield. It is hoped that additional areas will join the pilot as it gets underway.

We will be working closely with the UK Collaborative Law Steering Group and the practitioners themselves and aim to run a pre-pilot in the latter half of 2005.

For further information on Collaborative Law generally, please refer to the Collaborative Family Law Group website at <http://www.collablaw.org.uk>

If you are interested in participating in future Collaborative Law training events, please contact Resolution for more information.

If you have any queries about the LSC pilot, please contact fiona.dagenais@legalservices.gov.uk

Family Decision Making Guidance

New Focus Reforms and Re-structuring

We have consulted on the restructuring and re-presentation of our Family Decision Making Guidance which appears in Volume 3 of the Legal Services Commission Manual.

We asked for comments from external stakeholders as well as staff. The aims were to make the guidance more accessible and user friendly by re-ordering it so that the topics appear in a more logical sequence and also by writing it so that each section has been drafted along the lines of the domestic violence guidance. This was re-written in a more narrative format in 2004.

The restructured and amended guidance, which has a new, separate index, will be included in the next update of the Legal Services Commission Manual, which is due to be published in July.

We consulted on the idea and format of a Desk Top Aid which could be used by solicitors and staff when considering applications for emergency certificates covering family work. This could make life easier for those considering applications and would improve consistency in the use of standard wordings. In relation to standard wordings themselves, work is being done to improve the wordings in the area of family work. The intention is to remove any wordings which are unclear and create any additional wordings which are required.

We have also consulted on, and included changes, to the guidance to reflect the reforms to be taken forward following on from the New Focus consultation earlier in the year. The outcomes were summarised in an article in Focus 47 (April 2005), and Regional Offices will be taking forward supplier training before the implementation – scheduled for July 2005. For further details you can view the guidance at <http://www.legalservices.gov.uk/civil/guidance/index.asp>

Public Law Children Act Proceedings - Experts

An important article on the use of Experts in Public Law Children Act Proceedings appeared in Focus 47. This has now been overtaken by the jurisprudence of *Ryder J in Lambeth London Borough Council v S and others* (The Times, 19.05.05).

Amended guidance is being consulted upon with practitioner bodies and other stakeholders. This will be put on the LSC website, and included in the next Legal Services Commission Manual update (to be published in July 2005).

If you have any queries regarding the article and /or judgement, please contact Jane Worsey or Lynn Graham in the Children & Family Services Division.

Letters to the Editor

Future newsletters will include a Letters To the Editor page, for you to share your thoughts with other suppliers or raise particular topics that you would like clarification on. We are happy to accept letters on any topic, save to say that we will not print letters that relate to individual clients or their cases. All letters printed will include a response from the Children & Family Services Team. The success of the page will, of course, depend on there being letters to share, so please get writing!!

We look forward to receiving your letters, which you can send by post (to the address shown above), fax - 0207 759 1149, or email – family@legalservices.gov.uk Please mark all letters NEWSLETTER and we will include letters received in the following edition of the newsletter.

Eligibility changes for Mediation

Following the consultation " A New Focus for Civil Legal Aid" published jointly by the DCA and the LSC in July 2004, the Community Legal Service (Financial) (Amendment) Regulations 2005 provide for a wide range of changes to financial eligibility. Not many of them will apply to mediation. These changes came into effect on 11 April 2005.

The change to the eligibility for mediation is that the disposable income limit has been REDUCED to £632 per month. The capital limit remains the same.

Increases to Dependants Allowance

- Partner - Increased from £137.53 to £138.83
- Child aged 15 or under - Increased from £183.67 to £190.67
- Child aged 16 or over - Increased from £183.67 to £190.67

Self Employed Child Care Costs

Prior to 11 April 2005, the allowance for childcare costs was targeted on those in paid employment i.e. employees receiving a wage or salary. For applications after 11 April 2005, the childcare cost allowance will also be available to the self-employed. The deduction can be made in respect of actual monthly expenditure on child-minding fees incurred as a result of the self-employed

person's absence from the home whilst engaged in his trade / business.

Unless there are exceptional circumstances e.g. disability of the child, it would only be reasonable to make such a deduction in respect of a dependant child aged 15 or under. It would also be unreasonable to make such an allowance where one or other of a couple was available to look after that child.

Satisfactory Evidence

Where the client states expenditure on child care which is more than £600 per month for someone working full time i.e. 35 hours per week (or part-time equivalent) then documentary evidence (e.g. copy of bank statement, copy of agreement/contract with childminder) to support the figures stated should be obtained.

Where an aggregated assessment is being undertaken for a couple who incur childcare costs during their absence from the home due to either waged / salaried employment or self employment, please note that only one deduction should be provided for reasonable child minding fees within the assessment (to avoid 'double-counting').

Full details are available in the guidance (Section 2F of the

LSC Manual volume 2) accompanying the Supplier calculator on the Commission's website.

Pensioners Capital Disregard.

These are additional capital disregards on assessments where either the client (or spouse / partner where an aggregated assessment is carried out) is aged 60 years or over at the date of computation and their disposable income is less than £272 per month.

The supplier calculator has been amended to complete this calculation for you where the client's disposable income falls within these limits. This can be found in on the Commission's website.

Updated forms masterpacks will be available from July, these will be sent to suppliers. Updated forms will also be posted on the LSC website. The current version of the means assessment form (i.e. CLSMEANS7 form) should continue to be used in the intervening period.

FAInS Practitioner Forum Update

The FAInS Practitioner Forum has met twice since the last publication of Children and Family News, in both December and April.

The FAInS Practitioner Forum has been set up to provide information and advice to the Children and Family Services Division (CFSD) in relation to the Family Advice and Information Service (FAInS) pilot. Matters raised by FAInS suppliers are fed into the meetings and information about the pilot and new initiatives using FAInS suppliers is shared. The forum helps to inform the CFSD in its decision making

The meeting in December allowed the opportunity to discuss the Tailored Fixed Fee and Peer Review schemes and how they impact on firms. It was clarified that FAInS contracted suppliers are outside the Tailored Fixed Fee for their family work although other categories of law within FAInS firms are included.

The CFSD raised that they had found that few cases of certificated work were being reported. Through discussion the forum came to the consensus that this is due not to cases concluding out of court but because practitioners do not always complete this section of the Matter Start Report Form. This information is vital for researching on the pilot. Please could you ensure that the relevant people in your firm are aware of this when completing and returning forms.

There have been ongoing discussions around various practitioner concerns including the fragmentation of family departments, succession planning for firms and the criteria for participation in FAInS Potential short and long-term options were discussed and this will continue to inform our work both internally and externally.

An update was given in April on the Peer Review process and information was shared about what will happen when the Peer Review results are available following external verification.

This meeting also provided us with the chance to discuss the potential structure for the forthcoming Family Help pilot which will offer a new structure of payment. The proposed model and rates are still being decided but is likely to be based on standard fees with one fee for simple cases and a range of fees for other matters.

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Devolved Power Guidance Update

According to page 18 of your FAInS 'Guidance for Claims and Other Operational Issues', guidance on using your Devolved Powers is reported to be located at Section 3C-353.1. Appropriate use of General Family Help is also stated as being in section 3C-240.

Following the update of the LSC Manual last year, these section references have changed and are no longer accurate.

Guidance on using devolved powers can now be found at point 12.8, section C3-095 on page 169. Information regarding when it is appropriate to use General Family Help is now located at point 20.8, section C3-174 on page 254.

The Manual will be subject to a further update in July 2005. Although this will not alter the guidance contained about devolved powers or General Family Help, page references may be subject to review.

The Children and Family Services Division will endeavour to keep you informed of any changes.

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There will also be different fees for FAlnS fee-earners and non-FAlnS fee-earners although everyone will be able to undertake work. The pilot will be undertaken with FAlnS suppliers and a non-FAlnS area to act as a control group. The areas are still being finalised.

If you have any issues to contribute to the practitioner forum, please contact your local representative who will feed your views into the group. If you are unsure who your representative is or are in an area without a forum representative and are interested in volunteering, please contact Caroline Jones by email on caroline.jones@legalservices.gov.uk.

Who can work on FAlnS cases?

We continue to receive queries about what those fee earners who do not meet the criteria for participation in FAlnS are able to do under the FAlnS umbrella. In order to provide some clarity on this matter, please refer to the following guidelines:

A FAlnS fee earner:

- Must be a solicitor and have a minimum of 2 years PQE
- Must have attended and completed the FAlnS Professional Development programme.
- Will have been issued with a unique identifying number (UFID) in order to claim payment under FAlnS

Members of the family department who do not meet these criteria can work within the following:

- Can do Legal Help work within their firm, but cannot claim this as FAlnS work, and, therefore, cannot claim the FAlnS payments. They can claim any Legal Help work they do in the normal way.
- Cannot conduct client meetings under FAlnS
- Can assist their FAlnS colleagues in working on a case, including any follow up work on the file that is covered by Legal Help, but cannot open FAlnS cases themselves.

We hope this addresses any confusion in this matter. If you would like to discuss it further, please contact Caroline Jones on tel: 0207 7591128 or by email: caroline.jones@legalservices.gov.uk

Current FAlnS Practitioner Forum members

We are pleased to welcome new representatives to the forum from London but are sad to lose Ann Williams as the Nottingham representative. We wish her well in her new role at the Bar.

Cardiff

Jo Purnell, Nicol, Denvir & Purnell

Exeter

Emma Benyon-Tinker, Tozers

Hartlepool/Stockton

Phil Mitchell, McArdles

Leeds

Emma Harrison, Harrison Bunday

Lincoln

Rachel MacLean, Sills & Betteridge

Mansfield

Sara Davis, Bryan & Armstrong

Oldham

Nicola McInnes, Gruber Garratt

St Helens/Sefton/Knowsley

Angela Holligan, Haygarth Jones

Telford

Sheeba Eeswaramoorthy, Lanyon Bowdler

London (Camden)

Elizabeth Fearn, Hodge Jones & Allen

London (Harrow)

Elizabeth Sulkin, Levine Mellins Klarfeld

London (Tower Hamlets)

Jenny Beck, TV Edwards

FAInS firms – Phase 3

Please find below a full list of all FAInS areas, the firms and the contact details for the FAInS Supervisor/ main contact in that firm.

| FAInS supervisor/ Main contact | Firm | Telephone |
|---|--------------------------------------|------------------|
| Basingstoke | | |
| Ann Davies | Lamb Brooks | 01256 305 507 |
| Nick Massey-Chase | Brain Chase Coles | 01256 354 481 |
| Sarah Whitby | Wills Chandler | 01256 322 911 |
| Bhupendra Sankhla | Clarke & Son | 01256 320 555 |
| Sarah Brett | Coomber Rich | 01256 812 202 |
| Brighton (Hastings/Eastbourne) | | |
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| Jeremy Sogno | Lawson Lewis & Co | 01323 720 142 |
| Gemma Gillespie | Holden & Co | 01424 722 422 |
| Sally Harvey | Goodall Barnett James | 01424 444 475 |
| David Young | Gaby Hardwicke | 01424 438 011 |
| Rebecca Eledy-Cole | Hillman Smart Spicer | 01323 722 081 |
| Cardiff | | |
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| Susan Hilton | Thomas Graham | 02920 625 858 |
| Juliet Thomas | Rees Wood Terry | 02920 408 815 |
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| Debra Fraser | Wendy Hopkins Family Law Practice | 02920 342 233 |
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| Marina Atherton | Huttons | 02920 378 621 |
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| Kalee Lau-Croll | Malloy & Barry | 02920 343 434 |
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| Jill Bulteel | James & Bulteel | 02920 373 974 |
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| Toni Young | Youngs | 02920 763 211 |
| Rhian Whiting | Chesters | 02920 340 370 |
| David James | Merrills Ede | 02920 371 131 |
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| Darren Cleverdon | Crosse & Crosse | 01392 258 451 |
| Terry Bastyan | Gilbert Stephens | 01392 424 242 |
| Norman Hartnell | Hartnell Chanot & Partners | 01392 421 777 |
| Rachael Shearmur | Michelmores | 01392 436 244 |
| Ian Walker | Tozers | 01392 207 020 |
| Caroline Salvatore | Dunn and Baker | 01392 285 012 |
| Paul Jordan | Slee Blackwell | 01392 423 000 |
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Hartlepool

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| Phillip Mitchell | McArdles | 01429 866 542 |
| Carolyn Tilly | Tilly Bailey and Irvine | 01429 274 796 |
| Tony Jackson | Smith and Graham | 01429 271 651 |
| Helen Liddle | Turner Morgan Jamieson | 01429 235 616 |
| Terence Creed | R Bell & Son | 01429 276 165 |

Leeds

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| Carol Grundell | Fox Hayes | 0113 2496 496 |
| Emma Harrison | Harrison Bunday | 0113 2007 400 |
| Robert McAra | McAra and Co | 0113 2434 333 |
| Valerie Walton-Knowles | Brooke Williams | 0113 2468 400 |
| Elizabeth Bowskill | Lester Morrill | 0113 2458 549 |
| Tina Abbott | Emsleys | 0113 2603 115 |
| Keith Kershaw | Chadwick Lawrence | 0113 2523 452 |
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| Helen Crockett | Crockett & Co | 0113 2260 111 |
| Andrew Walker | Grahame Stowe Bateson | 0113 2606 191 |
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| Jane Aldred | John Delaney & Co | 0113 2468 151 |
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| Howard Cohen | Levi & Co | 0113 2731 166 |
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Lincoln

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London

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| Elizabeth Fearn | Hodge Jones & Allen | 020 7482 1974 |
| Bernadette Hoy | Garside & Hoy | 020 8427 5656 |
| Andrew Beale | The Family Law Practice | 020 7791 0432 |
| Maeve O'Higgins | Edward Fail, Bradshaw & Waterson | 020 7790 4032 |
| Amanda Dench | Miles & Partners | 020 7426 0400 |
| Zharna Sutaria | T.Cryan & Co. | 020 8427 3491 |
| Gavyn Simpson | Harrow Solicitors & Advocates | 020 8863 0788 |
| Maria McDowell | Jennings Son & Ash | 020 7583 5522 |
| Julie Armstrong | J D Spicer & Co. | 020 7624 7771 |
| Elizabeth Sulkin | Levin Mellins Klarfeld | 020 8954 7474 |
| Savita Sharma | Walter Wilson Richmond | 020 8427 8484 |
| Donna Downes | Blackman Van Emden | 020 8864 0111 |
| Elizabeth Jones | Fisher Meredith* | 020 7091 2700 |
| Jenny Beck | T.V. Edwards* | 020 7791 1050 |
| Elizabeth Ryland | White Ryland* | 020 8740 9393 |
| Susan Harlow | H.C.L Hanne & Co* | 020 7228 0017 |

Mansfield

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| Treve Lander | Harrop White Valance & Dawson | 01623 629 221 |
| David Winnett | Hopkins | 01623 468 468 |
| Nick Aspley | Marchant & Co | 01623 655 111 |
| Andrew Stout | Tallents | 01623 666 700 |
| Richard Todd | Bhatia Best* | 01623 427 944 |
| Robert Anderton | Elliot Mather | 01623 655 666 |

Nottingham

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| Jeanette Ellis | Roberts and Sale | 0115 9555 050 |
| Stephen Campion | Campions | 0115 9476 373 |
| Carol Pritchard | Yates and Co | 0115 9474 486 |
| Patrick Mullins | Robert Barber & Sons | 0115 8789 000 |
| Michael Morris | Hawley & Rogers | 0115 9559 000 |
| Pramila Meghani | Fraser Brown* | 0115 9472 541 |
| Paul Attewell | Curtis & Parkinson | 0115 9532 000 |
| John Lea | Bhatia Best* | 0115 9503 231 |
| Hilary Freeman | Nelsons | 0115 958 6262 |
| Jacqueline French | French & Company | 0115 955 1111 |
| Anne Butler | Jackson Quinn | 0115 958 3472 |
| Melissa Jane-Crow | Jackson Quinn | 0115 921 1472 |
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| Lindsay Golland | Chambers & Hind | 0115 932 4134 |
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Oldham

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| Nicola McInnes | Gruber Garratt | 0161 6653 502 |
| Martin Hayes | Heath Sons & Broome | 0161 6828 535 |
| Richard England | Mellor & Jackson | 0161 6247 081 |
| Ruth Postle | Richard Postle & Co | 0161 6260 244 |
| Andrew Cole | Hills | 0161 6523 231 |
| Roger Dennerly | Sedgwick Phelan & Partners | 0161 6535 299 |
| Alan Cryne | Temperley Taylor | 0161 6432 411 |
| Stephen Durham | Vinings | 0161 6524 125 |
| Chris Lewis | Lewis & Co | 0161 6264 444 |
| Olfonso Idowu | Andrew Thorne & Co | 0170 6290 488 |
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Sefton/Knowsley/St Helens

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| Simon Hardey | James Murray | 0151 9333 333 |
| Carole Brennan | Morecroft & Urquhart | 0151 9249 234 |
| Angela Holligan | Haygarth Jones | 01744 26153 |
| Angela Harris | Woolwich Lander & Savage | 0151 9335 047 |
| Gill Cheetham | Brighouses | 01704 534 101 |
| Colin Stebbings | Black Norman | 0151 9312 777 |
| Andrea Aspinall | Stephensons | 01942 777 777 |
| Pauline McNamara | Fletchers | 01704 546 919 |
| Jan Thornbury | Kennan Benjamin Kay | 0151 2866 700 |
| Diane Beaumont | Kennan Benjamin Kay | 0151 2841 389 |
| Max Marcus | Canter Levin & Berg | 0151 2928 181 |
| Helenor Birt | Mackrell & Thomas | 0151 4803 666 |
| Andrew Otto | Brownturner | 01704 542 002 |

Stockton

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| Victoria Moreton | Tilly Bailey and Irvine | 01642 673 797 |
| Amanda Baker | Jacksons C & PL | 01642 643 643 |
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| Clare Bailey | Punch Robson | 01642 662 930 |

Suffolk (Ipswich/Mid Suffolk/Suffolk Coastal/Babergh)

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| Stephen Williams | Ashton Graham | 01394 277 188 |
| Stephen Harris | Bates Wells & Braithwaite | 01787 880 440 |
| Sheila Gibson | Blocks | 01473 230 033 |
| Stephen Broadhurst | Fairweather Stephenson & Co | 01394 277 941 |
| Alisdair Douglas | Steed & Steed | 01787 373 387 |
| Helen Stuart | Gotelee & Goldsmith | 01473 232 425 |
| Antoni Grzedzicki | Gudgeons Prentice | 01449 613 101 |
| Leslie Bailey | Michael Smith & Co. | 01473 226 231 |
| Lynne Gurney | Gurneys | 01728 621 372 |

Telford

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| Robert Prigg | Parry Carver | 01952 641 291 |
| Richard Gabb | Lanyon Bowdler | 01952 291 222 |
| David Rees | Jones & Ferriday | 01952 810 307 |
| Justine Flack | Clarks | 01952 278 194 |
| Lorraine Birkett | Freemans | 01952 299 922 |
| Fay Wright | Wright & Mcmillan Bennett | 01952 291 100 |
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Preferred Suppliers

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| Ann Simonds | Baches | 0121 5560 045 |
| Christopher Pendle | Rotherham & Co | 02476 227 331 |
| Wilma Deane | Platt Halpern | 0161 2242 555 |
| Judith Wright | Forbes | 01254 580 000 |
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Children and Family Services Division

| | | |
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| Kus Amar Policy Developer | 4361 (Nottingham) 1120 (London) | 0115 908 4361 020 7759 1120 |
| Tom Carson Administration Support | 1127 | 020 7759 1127 |
| Fiona Dagenais Policy Developer | 1118 | 020 7759 1118 |
| Terry Davies Policy Assistant | 1123 | 020 7759 1123 |
| Eleanor Druker Policy Developer | 1117 | 020 7759 1117 |
| Frances Joyce Personal Assistant | 1114 | 020 7759 1114 |
| Christine Gardner Personal Assistant | 1131 | 020 7759 1131 |
| Adela Ghinn Policy Assistant | 1122 | 020 7759 1122 |
| Lynn Graham Senior Legal Adviser | 1129 | 020 7759 1129 |
| Simone Hugo Policy Developer | 1126 | 020 7759 1126 |
| Caroline Jones Policy Assistant | 1128 | 020 7759 1128 |
| Sara Kovach-Clark Acting Head of Children and Family Services | 1116 | 020 7759 1116 |
| Angela Lake-Carroll Director of Children and Family Services Division | 1115 | 020 7759 1115 |
| Sonja Mahoney Policy Developer | 1125 | 020 7759 1125 |
| Nerissa Steel Policy Assistant | 1124 | 020 7759 1124 |
| Angela Thornsby-Smith Policy Developer | 4346 | 0115 908 4346 |
| Jane Worsey Legal Advisor | 1130 | 020 7759 1130 |