

# 1KBW



## Reforming the Family Court

Laura Moys

# Objective:

***“The vision is to modernise and upgrade our justice system so that it works even better for everyone, from judges and legal professionals, to witnesses, litigants and the vulnerable victims of crime. When they have to engage with the system, we want everyone to have available to them the finest justice system in the world.”***

– Joint statement launching the reform programme in September 2016, by the former Lord Chief Justice, the former Senior President of Tribunals and the then Lord Chancellor

The (current) key targets of the Family Reform Programme are:

- Development and introduction of ‘new’ technology for the family court aimed at making the system simpler and more efficient for everyone;
- Improved court estate;
- Consultation regarding enhanced ‘authorised officer’ (legal adviser) functions to lighten the burden on judges

## Online applications

- Divorce online
- Family Public Law and Adoption
- Financial remedy consent orders
- Private Law?? Sept 2020-March 2022

## Electronic working

- Paperless
- Centralised
- 'Common Capabilities' technology;

## Video hearings

- 'Fully Video Hearings' project
- Different from CVP
- Pilot March 2019-March 2020
- 2<sup>nd</sup> evaluation report from LSE July 2020 made 17 recommendations
- Original timescales 2018-ongoing

# Remote Hearings – 8 months on...



# Remote Hearings Pilot – Key Differences

- “Journey to a video hearing”
- Video Hearings Officer (‘VHO’)
- Different software functionality inc. breakout rooms
  - Case (and litigant) suitability selection process
  - Lack of impact evaluation

# Conduct and behaviour in remote hearings....



# Case Management Update

- 26 June 2020: updated version of the Remote Family Access Court ('MacDonald 5');
- 9 June 2020: The Family Court and COVID-19: The Road Ahead (Guidance from the President);
- 16 October 2020: Letter from Mr Justice Hayden: COVID-19 restrictions and the Court of Protection;
- *Lancashire County Council v M (COVID-19 Adjournment Application)* [2020] EWFC 43

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Thank you for listening

- Laura Moys