

Monday 30 October 2006
Millennium Mayfair Hotel London

Care and Health

Opening up the family courts: An open or closed case?

Harriet Harman MP
Minister of State

Baroness Jill Pitkeathley
Chair, CAFCASS

Rt. Hon Lord Justice Wall

Liz Railton, CBE
*Director of Children's Services,
Essex County Council*

Dr Patricia Hamilton
*President, Royal College of Paediatrics
& Child Health*



KEY ISSUES:

- The Government's proposals for greater transparency in the family court
- How children's interests can be promoted
- The case for anonymity for expert witnesses and social workers
- How courts might exercise their discretion in limiting press coverage
- Whether greater openness will promote public trust and confidence in social workers and the family court process

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Opening up the family courts An open or closed case?

There has been increasing concern voiced in the press about the cloak of secrecy which is said to veil the family court, with allegations that major miscarriages of justice occur in which families lose their children to public care and adoption and yet are forbidden to publicise their case or even share information with family and friends. Following a report from the House of Commons Constitutional Affairs Committee recommending much greater access by the press and the public, the Department of Constitutional affairs published in July 2006 proposals for consultation "Confidence and Confidentiality, improving transparency and privacy in Family Courts".

The consultation closes on 30th October, the date of this major conference hosted by CareandHealth in partnership with CAFCASS. The conference will hear from leading experts in family law and family court practice, local authorities, the voluntary sector and the press about the implications of the proposed changes for all the stakeholders in the family court arena –and most importantly whether children's interests will be better served. There will be an opportunity for delegates to debate and discuss this complex and controversial issue with speakers.

KEY OBJECTIVES

- To consider the Government's proposal for greater transparency in the family court from the perspective of all the stakeholders – children, families, courts, local authorities, expert witnesses and the media.
- To identify how children's interests can be promoted and the supports which will need to be in place for children and families facing possible publicity.
- To debate the case for anonymity for expert witnesses and social workers.
- To discuss how courts might exercise their discretion in limiting press coverage.
- To reflect on whether greater openness will promote public trust and confidence in social workers and the family court process.

WHO SHOULD ATTEND?

- Directors of Children's Services, Communications Managers and elected members
- Senior Managers in statutory and voluntary agencies
- Legal advisers to local authorities
- Barristers, Solicitors, Magistrates, Court Clerks
- Medical Advisers to local authorities
- Paediatricians, child psychiatrists and health visitors
- Children's Guardians and social workers
- CAFCASS staff
- Groups advocating for children and families

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Public confidence depends on public scrutiny... it has to be seen to be believed and justice not only has to be done it has to be seen to be done – including in the family courts... It is impossible to defend a system from accusations of bias and discrimination if it operates behind closed doors.

*Harriet Harman, MP,
Minister of State at the Department of Constitutional Affairs*

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Children generally dislike publicity and other people knowing about what's going on in their families. Analysis of the impact of transparency on children should be a vital part of the consultation process.

*Anthony Douglas,
Chief Executive, CAFCASS*

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For Exhibition or Sponsorship enquiries, call 0870 901 7773

MORNING PROGRAMME

9.00 Registration and coffee

9.30 CHAIRS OPENING REMARKS



Jill Pitkeathley is currently President of Volunteering England and Community Council for Berkshire. She is Vice President of Carers UK and the Princess Royal Trust for Carers. She was raised to the peerage in 1997, sits on the Labour benches and is a very active working peer.

Baroness Jill Pitkeathley,
 Chair of CAF/CASS

9.40 Keynote Address:



The minister will discuss the governments consultation paper and the options currently under consideration for taking the issue forward.

Harriet Harman MP,
 Minister of State, Department of Constitutional Affairs

10.15 A Judicial Perspective

- Has the consultation document got the balance about right?
- Will justice be improved by greater transparency?
- How might the Court exercise its discretion to limit press reporting which might damage individuals?
- What changes can be effected under existing legislation to "prefigure" the possible changes and test their impact?

Rt. Hon Lord Justice Wall

10.45 What children say they want from greater transparency in the family courts



- Feedback from the CAF/CASS Young Peoples Board
- Feedback from the Family Justice Council/CAF/CASS Young People's Group
- How the family justice system and process can be more accountable to children and young people

Anthony Douglas, Chief Executive, CAF/CASS

11.05 Tea/Coffee

11.20 Transparency in Action



- Review of Current Case Law on Confidentiality
- Policy versus Practicality
- Anonymity in Operation

Alistair MacDonald,
 Chair of Association of Lawyers for Children

11.50 Panel debate

- What will the impact of greater transparency have on the stakeholders in the family courts?
- What supports will need to be in place?
- Will children be better safeguarded in open public law proceedings?

PANEL CHAIR: Baroness Jill Pitkeathley

Christine Smart Children's Rights Director, CAF/CASS
Bridget Lindley Deputy Chief Executive, Family Rights Group
Nicholas Crichton District Judge, Well Street Family Proceedings Court
Ray Jones Chair, BASW (British Association of Social Workers)
Glyn Farrow Chief Executive, Child Law UK

12.50 Lunch

AFTERNOON PROGRAMME

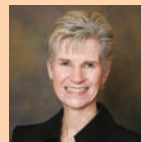
13.30 Promoting children's interests through transparency



- Promoting children's interests by making the family courts transparent... can we achieve this?
- Getting the balance right between a legitimate right for the public to know about important issues being determined in the family courts, and protecting families' need for privacy... can we achieve this?
- Making the people and organisations who are involved in child protection accountable without subjecting them to media witch hunts... can we achieve this?

Sarah Harman,
 Solicitor and founder of Families Action for Court Transparency and Openness

14.20 Will transparency support local authorities in their duty to safeguard children?



- An examination of current experience
- Transparency and the public mandate for the local authority role in safeguarding children
- Can the media broker a child focused public mandate for local authorities

Liz Railton, CBE
 Director of Children's Services, Essex County Council

14.50 Transparency and the court's access to expert medical evidence



- An examination of the implications for expert medical witnesses
- Do the proposals in the consultation document promote children's interests?
- Consideration of potential difficulties in ensuring that courts have access to expert advice

Dr Patricia Hamilton,
 President Royal College of Paediatrics and Child Health

15.20 Tea/Coffee

15.35 How the cult of anonymity criminalises people falsely accused of child abuse

An independent view from a leading investigative journalist;

- Barring people from defending themselves in public is unjust
- Paediatricians, social workers and the police get it wrong too often
- The state can commit child abuse too

John Sweeney, Investigative Journalist

16.00 Will publicity compromise children's welfare? – the child's perspective

- The experience of guardians in family courts in addressing confidentiality
- Preparing children for possible publicity
- A guardian's view on the consultation document

Alison Paddle, Chief Executive, NAGALRO

16.25 Questions to panel of afternoon speakers

16.50 Closing remarks by Chair: 'The way forward'

17.00 Reception for delegates CareandHealth invite delegates and speakers to a reception at the hotel.

KEYNOTE

LEGAL

REVIEW

POLICY

DISCUSSION

OVERVIEW

EXPERIENCE

IMPLICATIONS

VIEWPOINT

USERVIEW

CONFERENCE ATTENDEES & FEES (10% DISCOUNT FOR BOOKINGS UNTIL 21ST AUGUST)

<p>Opening up the family courts: An open or closed case?</p>	<input type="checkbox"/> Voluntary Sector	<p>£199 + VAT</p>
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10% Discount for three delegates or more when booked at the same time.

Please fill in the discounted rate in the payment section below and use a separate form to provide additional delegate details.

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Please ensure that we receive payment before the conference.

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HOW TO REGISTER

-  **0870 901 7070**
-  **careandhealth@wbiaevents.com**
-  **CareandHealth Ltd, 17 Alcombe Road, Northampton, NN1 3LE**
-  **0845 094 0824**
-  **www.careandhealth.com**

DOCUMENTATION

If you are unable to attend the conference, you can purchase copies of the Conference Documentation and access to the speaker presentations. Please tick the box and complete your registration details above (£99 + VAT).

TERMS & CONDITIONS: It is a condition of booking that the event fees are paid before the conference and CareandHealth Ltd have the right to refuse entry if monies have not been received. CareandHealth Ltd reserves the right to amend the programme or to cancel or postpone the event at any time. Every effort will be made to accommodate the number of delegates but if necessary, applications will be refused and monies refunded if the event is oversubscribed. Cancellations must be received in writing. If received more than 30 days prior to the event will be subject to a 25% administration charge. Thereafter, we regret no refunds can be made. Substitutions can be made at any time at no extra charge subject to written notification and our prior approval of the substitute. On receipt of the booking form, confirmation and joining instructions will be sent including venue information, travel details. Please ensure that you have signed and dated this registration form. **DATA PROTECTION:** The information you provide on this form will be held and used by CareandHealth Ltd to provide you with further information on events and other services that may be of interest to you. Your information will not be passed on to any Third Parties. We may contact you by mail, e-mail, fax or telephone. If you do not wish to receive this information please tick here

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Signed: _____ Dated _____