



CHILDREN AND FAMILY COURT ADVISORY AND SUPPORT SERVICE
Paper for the Board Meeting on Friday 27 January 2017

CHIEF EXECUTIVE'S REPORT

1. Demand in December was down a little, though year to date (YTD) figures are still high (see below for December's figures). January figures at the time of writing are on a par with December's i.e., little change year on year but still the major year to date increases. We were asked by one of the trade magazines, Community Care, why increases were less in December than in November. The answer is that it is not possible to explain each monthly variation, given the multiple drivers involved. It is only possible to understand trends over time. Having said that, December 2015 was a 21 working day month and December 2016 had 20, so the actual daily run rate in December 2016 was higher than in 2015.

Public law Care:

- Cafcass received **1,068** new care applications received in December 2016 (this is 3% lower than December 2015 which saw 1,103 applications)
- YTD we have received **10,958** new care applications between April and December 2016, this is **18.2%** (1,685 applications) higher than April to December 2015 and 33.2% (2,729 applications) higher than April to December 2014.
- Year on Year - In 2016 there were 14,451 new care applications, an **18.4%** increase on the 12,203 in 2015

Private Law:

- Cafcass received **2,938** new private law cases received during December (this is 0.7% higher than December 2015 which saw 2,918 new cases)
- YTD we have received **30,427** new private law cases between April and December 2016, this is **9.2%** (2,551 cases) higher than April to December 2015 and 20.4% (5,162 cases) higher than April to December 2014.
- Year on Year - In 2016 there were **39,978** new private law cases, an **8.8%** increase on the 36,730 in 2015

2. The report by the National Service Director on today's Board agenda sets out the steps we are taking internally as well as across the system to mitigate the pressures we are facing.
3. We continue to have constructive discussions with MoJ about our resource requirement for 2017/18 in the light of the cumulative demand pressures. Our updated requirement was submitted on 20 January and is attached at Appendix 1. I will continue to keep the Board informed about progress but as I reported at the last Board meeting, we have been given a safe minimum budget in each of the year's I have been Chief Executive and I see no reason to think 2017/18 will be any different.
4. Discussions also continue about the content of a future Green Paper on the next stage of family justice reform. There are no new developments to report at this stage and no date as yet for the publication of any Green Paper. Following discussions with the Chair, we will be merging the Business Change Board and the Strategic Innovations

Task Group (SITG) into a Board strategy group, which will meet on an 'as and when necessary' basis. This group will maintain the focus on innovation and will work to the priorities set at the January 2016 SITG meeting, which are for reference:

- Innovative policy
- Innovative practice
- Innovative people services
- Innovative approaches to using Cafcass resources
- Technical innovation including digital services (including an update at every meeting from the Innovation Project Development Board chaired by the Director of Resources)

A separate and time-limited group of Board members will work with the Executive on our own submission to the Green Paper process. The Board members involved put themselves forward at the last Board meeting and a couple of sessions will be arranged for this purpose in the near future.

5. We are active contributors to the Family Justice Board's developing action plan to reduce pressures across the family justice system. The product from this work will go to the next meeting of the national Board, chaired by Ministers, on 20 February.
6. I met with Ofsted on 18 January and they confirmed our inspection will be held during the 2017/18 business year. There will be some minor changes to our inspection methodology compared to our last inspection in 2014. This is to keep our framework in line with that applying to local authorities. Once we have the revised methodology, we can look at it in detail and if necessary, discuss specific points with Ofsted and with the Board. I do not anticipate any great difficulty with this, as it is in line with our direction of travel, particularly the greater emphasis on demonstrating impact in our work with children.
7. The Cabinet Office have decided that the next stage of the Public Bodies Reform Programme will involve all public bodies like ours being subject to full scrutiny at least once in every Parliament either 'as part of departmental transformation programmes or as part of department's tailored review programmes'. We will discuss with MoJ what this means for us in due course in relation to the existing triennial review process.
8. The imminent change to legislation to all single parents to apply for a Parental Order in a surrogacy case came about primarily because of one of our cases involving a single father. The Board were sent the press coverage about this.
9. We are now a Partner in Practice with NIGALA, the equivalent agency to ourselves dealing with public law cases in Northern Ireland. We have supported NIGALA over the years but we have now put this on a firmer footing. The Director of Strategy is leading on this.
10. In a similar vein, we will probably be handling the Police National Computer (PNC) checks for Cafcass Cymru. As these are only running at an average of 19 a day, this will be easily manageable.
11. I attach the latest monthly environmental analysis we produce at Appendix 2.

12. I will update the Board about the outline timetable for future Board recruitment at the private session of the Board, as this involves individuals.
13. We are holding the Open Board meeting on the same day as the Board meeting. The focus of our open meeting is on our development work on the Cafcass domestic abuse practice pathway and our related work on developing the use of a child impact analysis as a core report in private law cases. The as yet unresolved issue of how to bring the family court into line with the criminal courts, to stop alleged perpetrators of abuse cross-examining alleged victims, may be the subject of discussion at the open meeting. The Government intends to close this serious loophole as soon as possible and we welcome that development. We will be having further discussions with the judiciary about the revised Practice Direction 12J and its implications, as will many other stakeholders who have points to make, particularly about its implementation. The revised version is attached as Appendix 3 for information. The Child First One Year On Report will also have been published by Womens Aid before the Open Board meeting, so we will make reference to that too and our ongoing work with Womens Aid.
14. We have not yet heard about our Innovation Fund bid to DfE about establishing a national pre-proceedings pathway. We are part of a consortium led by Mott MacDonald which has been successful in a bid to a different DfE Innovation Fund, to provide a national continuous professional development (CPD) programme for 'Achieving Permanence'.
15. Planning is well under way for the seminar we are co-hosting with the Nuffield Foundation on 23 February 2017 about the multiple drivers behind the recent significant increases in care applications. The Chair is making a keynote speech at this seminar.

Anthony Douglas CBE, Chief Executive

23 January 2017

Appendix 1: 13 January 2017 Spending Requirement Submission to MOJ

Appendix 2: Environmental Analysis

Appendix 3: Revised Practice Direction 12J