

Legal Services Lincolnshire Childcare Team

Corporate Parenting Panel 7 July 22

Who we are

- Jodie Ogden – Senior Lawyer
- Sarah Cragg – Senior Lawyer
- Our Team
 - Nicola Corby – Acting Principal Lawyer
 - 8 Other Lawyers
 - 10 Legal Officers
 - 2 Trainee Solicitors

What do we do?

- Legal work:
 - Legal Planning Meetings ‘LPMs’
 - Providing advice to the social work teams to see whether the Local Authority needs to take any legal steps to safeguard children
 - Determine whether the legal threshold is met and how
 - Pre-proceedings process
 - Meetings between the Local Authority and parents to discuss what needs to happen to avoid the need for court proceedings

What do we do?

- Pre-Proceedings Case Numbers:
 - 2020-2021
 - 171 Pre-Proceedings Cases in total
 - 89 of these progressed to Court Proceedings
 - 81 of these were diverted from Court Proceedings
 - 1 case remains open and is a live/on-going Pre-Proceedings case
 - 52% issued; 48% diverted
 - 2021-2022
 - 144 Pre-Proceedings Cases in total
 - 67 of these progressed to Court Proceedings
 - 51 of these were diverted from Court Proceedings
 - 26 of these cases remain open and are live/on-going Pre-Proceedings cases
 - 47% issued; 35% diverted; 18% on-going

What do we do?

- Legal work:
 - Applications for care and supervision orders – ‘care proceedings’ or ‘S31 proceedings’
 - Care Order – grants the Local Authority parental responsibility for the child(ren)
 - Supervision Order – imposes a duty on the Local Authority to advise assist and befriend the child(ren)
 - Attending court hearings to represent the Local Authority
 - Permanence planning for adoption and long term foster care
 - Providing legal advice to Agency Decision Maker about plans for adoption
 - Representing the Local Authority in adoption proceedings

What do we do?

- S31 Case Numbers for 2021-2022 (approx):
 - 150 x s31 Applications Issued
 - 256 x Number of Children
 - Average of 12-15 new cases are issued with the Court each month
 - Range of Orders in which matters conclude:
 - Care Orders
 - Placement Orders
 - Special Guardianship Orders
 - Supervision Orders
 - Child Arrangement (live with) Orders
 - No Order

What do we do?

- Safeguarding:
 - Scrutinising evidence
 - Considering evidence before it is sent to court to ensure that the Local Authority obtains the orders required to safeguard a child
 - Keep all social work teams up to date
 - Continued liaison with other agencies such as health, police and CAFCASS
 - Protocols developed with police for mutual disclosure

What do we do?

- The Court:
 - Regular liaison with Designated Family Judge ‘DFJ’, Court and CAFCASS
 - Meetings between Acting Principal Lawyer, Assistant Director of Children’s Services and DFJ
 - Attending regular meetings with the court and private practice solicitors - Family Justice Board
 - Quarterly meetings with CAFCASS to ensure a collaborative working approach and maintenance of good local practice
 - Liaison with the court, local solicitors and local barristers chambers to facilitate remote hearings
 - This included the use of Hearing ‘Hubs’ within Local Authority offices during the Covid Pandemic, to ensure Hearings could remain effective as they would allow lay clients and their legal advisors to be in one room away from the court building

Future Focus

- The 'FPL' online system
 - The court is now only accepting Public Law Applications through the online FPL system (portal) and has moved away from paper based applications
 - This allows for instant tracking of the cases
 - The legal representatives for the Respondent Parties and the Court staff including Judges also have immediate access to case papers once uploaded to the portal
- Transition back to hearings in court buildings
 - There is now an increase in 'in person' hearings back in the court buildings taking place after the remote arrangements were implemented during the Covid Pandemic.
 - Hearings which are largely agreed or relate only to case management/timetabling often still take place remotely, via CVP, however more contentious matters are now either fully attended, or listed as hybrid hearings.
- Transparency in family court
- Reducing number of hearings so that cases conclude closer to the timetable track of 26 weeks reducing delay for children

Future Focus

- **PLWG Best Practice Guidance/ Build Back Better DfE Initiative**
 - Development of a Pre-Proceedings team within Legal Services to focus solely on pre-proceedings involvement to either front load applications or to consider appropriate risk management/multi agency approach to be in a position to divert the family away from court proceedings.
 - Implementation of the Build Back Better initiative, including the use of the Regional Toolkit for Social Work practitioners to ensure that the best primary evidence is obtained during this process
- **Close liaison with Case Manager**
 - Identification of Good Practice and areas of Training required to ensure consistency across the Local Authority
 - Development of Court Document Templates and Assessment templates
- **TIME Project**
 - Consideration of early referrals to the Early Help Team for repeat Mothers to allow support and intervention to be offered, to avoid repeat proceedings