



An Roinn Dlí agus Cirt  
Department of Justice

# Family Justice Strategy

One Family Webinar

05 December, 4pm-6pm

# Context



*"...the family justice system today does not always offer a smooth transition through these changes in a family's life."*

(Family Justice Strategy)

- Delays
- Caseloads
- Hearing the voice of children
- No dedicated courts
- Information gaps
- Alternative options
- Awareness and skills regarding certain issues

# Context

- Civil Legal Aid review
- DSGBV strategy
- Guardian ad litem reforms
- Child Care Act review
- Judicial Planning Working Group
- Courts Service Modernisation

## Range of organisations in the system:



Government  
Departments  
& Agencies

NGOs &  
Voluntary  
Groups

Legal  
Professionals  
&  
Practitioners



# Strategic Vision

*A coordinated, consistent and user-focused family justice system, which helps children and families obtain earlier, appropriate resolutions in a simpler, fairer and more effective way.*

# The Strategy

- 3 Year Strategy (followed by a six month review)
- Nine strategic goals, with a range of actions across each
- A foundational strategy, establishing the building blocks for future developments.

Supporting  
Children

Services &  
Supports

Information &  
Awareness

ADR

People  
Development

Data &  
Information  
Management

Digitalisation

Facilities &  
Infrastructure

Legislative  
Reform

# 1. Supporting Children



*'Children should be included to some degree because it affects their lives as much as the parents, they deserve to be informed.'*  
(Participant in Children's Consultation)

## Consultation findings inc.:

- Children need to be the centre of the system;
- CYP need to be included in decisions, informed of what is going on;
- Ensure that they are heard

## Actions inc.:

- Reviewing effectiveness of VotC mechanisms and examine new approaches;
- CYP-friendly info;
- Child-focussed training for professionals;
- Review the enforcement of child maintenance orders.

# 2. Services and Supports



*“All services need to be accessible to the diverse range of families in Ireland today including those where English is not their first language; or where there are disabilities that may need additional supports; or those families who are hard to reach or mistrustful of the State”.*  
(One Family)

## Consultation findings inc:

- Need for accessible services and supports;
- Enhanced awareness of what is available (beyond justice space)

## Actions inc:

- Improve signposting and awareness of what is available – creation of directory.
- Develop a ‘ideal’ service delivery model for the family courts
- Family/Criminal/Civil Interface research and develop proposals for reform

# 3. Information and Awareness



## Consultation findings inc:

- Over 50% of survey respondents not getting the info they need;
- Hard to get clear, accurate info about different aspects of the process.

## Actions inc:

- Review current info provision and implement actions to support info needs
- Online provision of consistent information across court system



# 4. ADR



## Consultation findings inc:

- ADR should be available if it suits the case;
- More information should be available about it;
- Keep families out of court as much as possible.

## Actions inc:

- Increase awareness and promotion of ADR and improve capacity building;
- Identifying tools/techniques for people to identify DV, coercive control, high-conflict disputes and CPW risks **ahead of** engaging in ADR.
- Establish a Pilot PP Family Mediation Scheme to support the existing provision of family mediation.

# 5. People Development



## Consultation findings inc:

- Awareness of what every one does (doesn't do)
- Need for specific skills and awareness re. FJ issues;
- Engaging with CYP specifically, but also in relation to particular cases (e.g. DSGBV)

## Actions inc:

- System-wide review of training needs, standards, and PD opportunities;
- Formal networks and shared learning opportunities

# 6. Data and Information Management



*“To develop better ways to manage, collect and share information within the family justice system, maintaining privacy and dignity of users but allowing for better case management, statistical reporting and evidence based decision making.”*

Family Justice Strategy

## Consultation findings inc:

- Improve data collection and mgt, including examining what gets collected;
- Enhance knowledge of the system (data and reporting)

## Actions inc:

- Group to improve data collection and quality across the system;
- In-camera rule review;
- Family Law Reporting system feasibility study.

# 7. Digitalisation



*“It was very helpful to have an online district court date with Dolphin House. Being online was less intimidating for us than having to travel to a courthouse”*

*(Member of the public)*

## Consultation findings inc:

- Increase use of digital approaches;
- Build on the gains of the pandemic (e.g. remote hearings for particular types of cases)

## Actions inc:

- Digital First approach in the Courts;
- Review remote hearings for future use;
- Explore development of one-family law application system;
- Provision of greater info online

# 8. Facilities and Infrastructure



*“Improve the facilities where at least there are proper spaces to try to work out an agreement. We were squashed in corners in an open foyer where everyone could hear my business. [Why] aren’t there private spaces?”*  
*(Member of the Public)*

## Consultation findings inc:

- Need for appropriate space, facilities for those attending Court;
- Need for privacy when engaging on matters

## Actions inc:

- Explore opp for provision of more suitable facilities, info and co-located services;
- Examine scheduling approaches (time slots) in FCs;
- Review case mgt and progression;
- Examine use of CLOs

# 9. Legislative Reform



## Consultation findings inc:

- Need for legislative reform, esp in relation to family courts;

## Actions inc:

- Development and drafting of the FC Bill;
- Related actions;
- Regular review of family justice legislation

# Implementation



- **Family Justice Implementation Group**
  - Meet quarterly
  - 6 month update reports
- Implementation – requiring engagement with a range of organisations on actions

# Implementation



- **National Family Justice Development Forum**
  - Meet twice a year
- Membership drawn from
  - Advisory group members
  - Other stakeholders
  - Can be reviewed to include others as appropriate





# Family Courts Bill

# 2022

# Family Courts Bill 2022



- Key part of reform of the family justice system.
- New Family High Court, Family Circuit Court, Family District Court as divisions within existing court structures with full-time Family Court judges and Principal Judges.
- Guiding principles applicable to courts, legal practitioners and parties to family law proceedings:
  - *ensure the best interests of the child are a primary consideration in all family law proceedings,*
  - *encourage active case management by the courts*
  - *encouraging and facilitating resolution, as far as possible, without recourse to the courts.*

# Family Courts Bill 2022



- Joint applications for judicial separation, divorce, and dissolution of civil partnership.
- New jurisdiction for the Family District Court in divorce, judicial separation and dissolution of civil partnership proceedings.
- Jurisdiction limit of €1 million market value of land, except in consent proceedings.
- Family Circuit Court enabled to deal with cases under Child Care Act

# Family Courts Bill 2022



- Increases in the monetary jurisdiction limits of the Family District Court in maintenance matters:
  - *The limit on maintenance and lump sum payments will increase to €500 per week and €50,000 respectively (under the Guardianship of Infants Act 1964.)*
  - *The limit on maintenance will increase to €1,500 per week for the support of a spouse or €500 per week for the support of a child (under the Family Law (Maintenance of Spouses and Children) Act 1976.)*



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End

Thank you