

## **Response to DoJ Consultation on Pilot to instruct experts in the Family Proceedings Court**

**The Royal College of Psychiatrists Northern Ireland, which represents all 400 plus Psychiatrists in Northern Ireland, welcomes the opportunity provided by this Consultation and responds as follows to the questions it raises:**

**The College is committed to working to secure the best outcomes for people with mental illness, learning difficulties and developmental disorders by promoting excellent mental health services, supporting the prevention of mental illness, training outstanding Psychiatrists, promoting quality and research, setting standards and being the voice of Psychiatry. We are committed to working collaboratively to achieve these aims. We support the 2 key objectives of the pilot: to speed up access to justice and to standardise hourly rates. However, whilst the College leads, represents and supports Psychiatrists, it is not our role to be actively involved in either issues of remuneration or of terms and conditions.**

*Q.1 Do you agree that public law proceedings in the Family Proceedings Court are the best proceedings for piloting the General Authority?*

**We agree that the Family Proceedings Court is a reasonable venue in which to pilot the General Authority.**

*Q.2 Do you agree that the expert types to be included in the pilot should be psychiatrists and psychologists?*

**Agree.**

*Q.3 Do you agree that the hourly rate of £100 per hour should be payable to Psychiatrists and £90 per hour should be paid to Psychologists?*

**The College does not have a role in the negotiation of fees or other terms and conditions. However, the view of members who are involved in this work (reflected in the replies received within the College) is that this hourly rate for Psychiatrists does not adequately take into account the complexity of this type of work and is less than the rate in other jurisdictions. It should be noted that the rate has not been increased for many years. Moreover, the view expressed by our Members was that it would become increasingly difficult for Courts to obtain expert Psychiatric opinion to do this complex work at this hourly rate. The College does not take a view on the proposed rate payable to Psychologists.**

*Q.4 Do you agree with the criteria above for exceptional circumstances to be considered in a request to pay a higher hourly rate?*

**As noted above, the view expressed is that the hourly rate for non-exceptional circumstances is inadequate; that being said, we agree that the criteria for exceptional circumstances in which a higher hourly rate is to be applied are reasonable.**

*Q.5 Do you agree that the cap on hours proposed is set at the right level to capture the majority of routine cases which require expert opinion?*

**We agree that the hourly cap is reasonable for the majority of routine cases.**

*Q.6 Do you agree that the rates of £250 per half day and £500 per full day should be payable for court attendance?*

**Please see answer to Q.3 above. Those who expressed a view do not consider that the daily/half daily rates for Court attendance reflect the nature and complexity of this work.**

*Q.7 Do you have any comment on the Impact Screenings and the Regulatory Impact Assessment?*

**No comments.**

*Q.8 Is this the right approach to evaluation? Are there other impacts which should be evaluated?*

**These seem reasonable criteria to take into account when evaluating this pilot.**

**Signed: Professor Gerry Lynch, Consultant Psychiatrist, Chair of RCPsych NI & Vice Chair RCPsych**

**Dated: 7 May 2020**

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