



*Government of Bermuda*

**Ministry of Social Development and Seniors**

**MINISTERIAL STATEMENT**

by

**The Hon. Tinee Furbert, JP, MP  
Minister of Social Development and Seniors**

**Update on the Litigation Guardian Service**

*Friday, 22<sup>nd</sup> April 2022*

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**Mr. Speaker**, I rise to report to this honourable house, the recent progress about the Ministry's on-going commitment to embedding a sound Litigation Guardian Service framework into Bermuda's Court. As you may recall, the Litigation Guardian Service operates as a mechanism of child safeguarding, under the provision of the Children's Act 1998 Section 35 and 36. In particular, it states that *"for the purpose of any specified proceedings, the court shall appoint a litigation guardian for the child concerned, unless satisfied that it is not necessary to do so, to safeguard his interests."*

**Mr. Speaker**, I am delighted to report that from February 19<sup>th</sup> – 24<sup>th</sup>, 2022 over 65 Bermudians took part in Litigation Guardian training sessions hosted by the Ministry of Social Development and Seniors, in collaboration with the office of the

Deputy Governor and the United Kingdom Foreign Commonwealth and Development Office. Training was conducted utilizing a made for Bermuda manual developed for the current and potential Litigation Guardians. The week-long, intensive training was conducted by the U.K FCDO consultant Mr. Anthony Douglas CBE, former chief executive of England's Children and Family Court Advisory and Support Service, (better known as Cafcass). Cafcass is a UK quango that represents children in the family court. It should be highlighted the U.K FCDO has formally provided their continued support to building a sound, fiscally prudent litigation guardian programme for the country.

**Mr. Speaker,** attendees were selected employees of the Department of Child and Family Services, members of the Family and Court Services, members of the Bar Associations, Judges, magistrates as well as current and prospective Litigation Guardian Panel members. During these sessions, persons engaged in a wide range of topics that included such topics as writing an outstanding Child impact analysis, advanced court craft, and the Cafcass Operating Framework part 1 and 2. These sessions have undoubtedly strengthened the capacity of those who attended, to effectively and compassionately, deal with the complex needs of our children in today's society, especially children who face challenging circumstances and who may have experienced significant trauma

**Mr. Speaker,** I am pleased to announce that the Ministry received an overwhelming response to the expression of interest call for new Litigation Guardian Panel members. Following the application process and completion of the

training program, I have selected a total of seven individuals to be appointed to the Litigation Guardian panel for the year, pending the necessary vetting protocols.

**Mr. Speaker,** the Ministry of Social Development and Seniors will be introducing a Litigation Guardian Steering Committee. The reason that this Steering Committee is needed is that its membership will include representatives from the judiciary at all levels, Court Services, a Litigation Guardian representative and DCFS. This temporary committee is being assembled for the distinct purpose of ensuring that this comprehensive Litigation Guardian Service framework is embedded into the Bermuda Family Court and that this process is completed in a timely manner and incorporates the revised, globally accepted, practice standards. The work and progress of the Steering Committee are to be reviewed every 3 months to ensure the project stays on track.

**Mr. Speaker,** before closing I must applaud and express my sincere gratitude to the hardworking government employees under the Department of Child and Family Services. This past Tuesday, the DCFS Team hosted a 4 ½ hour event, themed “Getting to Know the DCFS”. A broad range of private and public sector stakeholders attended this event. Proudly DCFS demonstrated the importance of their work within our community and the great value of their role in the lives of Bermudian children and families.

**Mr. Speaker,** as we continue to make progressive steps to ensure the safeguarding of our children, I want to thank all the community stakeholders for their efforts in

creating a better Bermuda. We must remember that it takes a village to raise a child. We must encourage, empower, and protect our village.

Thank you, **Mr. Speaker.**