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MailOnline

Scandal of 'unqualified' experts who advise our family courts: Decisions about the care of thousands of children routinely flawed

By [Katherine Faulkner](#)

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Life-changing decisions about the care of thousands of children are routinely being made on flawed evidence from poorly qualified 'experts' in the family courts, a damning study reveals.

More than a fifth of these vital reports are being produced by people who are completely unqualified, the Channel 4 News investigation found.

'Experts' used in hundreds of family court proceedings are frequently unqualified or unreliable, the study reveals.

In some cases, reports on parents or children are being given to courts by doctors who have not even seen the individuals concerned.



Shocking: Life-changing decisions about the care of thousands of children are routinely being made on flawed evidence from poorly qualified 'experts' in the family courts, a damning study reveals

Until now, these 'expert witnesses' – often psychologists or psychiatrists – have largely escaped scrutiny due to the draconian secrecy surrounding the family courts.

But in a unique study for the Family Justice Council, Professor Jane Ireland – a forensic psychologist who has herself been an expert witness – examined over 100 expert witness reports used in family court cases.

Incredibly, she found that 20 per cent had been produced by people who were not qualified at all.

A further fifth had been carried out by people who were writing reports in areas entirely beyond their knowledge and qualifications.



Concerned: One mother involved in family court proceedings told how a psychiatrist who had never seen her wrote a 14-page report on her and her family

In addition, as many as 90 per cent of the reports had been produced by 'expert' witnesses who were no longer in current practice at all, but were simply working as 'professional expert witnesses'.

Often, these professional experts – who rake in thousands of pounds in fees from the chaotic family courts system – have not practised for years, leaving them out of touch with developments in their field.

They are often appointed to assess the suitability of a parent or parents to continue to look after their child in care proceedings brought by local councils.

They can also be used in access cases following the separation of a child's parents.

Thousands of children have their futures decided in the family courts every year and because of strict rules on what can be reported, often little is revealed about what happens once the court doors are closed.

In the past, parents have bitterly complained that they have not even been allowed to know the names of the paid expert witnesses who testified against them.

That has now changed but Professor Ireland, of the University of Central Lancashire, said 65 of the 100 reports she examined were 'poorly' or 'very poorly' carried out.

Some reports were found to 'cite opinion without conducting a formal assessment' or show a complete lack of understanding of the conditions discussed.

One was even found to have 'completed an assessment on the mother without actually seeing her'.

Professor Ireland said an 'urgent review' of expert witnesses in the family courts was needed.

'I think we were very concerned and perturbed by some of the reports that we read,' she told Channel 4 News.

'Some of the most startling results were the sheer number of expert psychologists . . . who are reporting that their entire job is the production of assessment reports for courts.

'I think the results from the research are enough to suggest that we do need an urgent review across the range of expert witnesses that the courts are employing.'

The Family Justice Council is an independent public body set up in 2004 and funded by the Ministry of Justice.

It is charged with monitoring the family justice system and advising the Government and the courts on how the system can be improved.

One mother involved in family court proceedings told how a psychiatrist who had never seen her wrote a 14-page report on her and her family.

The day after the psychiatrist signed off his report he was suspended by the General Medical Council for a separate offence.

Despite this, his report was still used by the courts.

'He's never seen us, never spoken to us,' she said, 'and yet he's ended up writing 14 pages, with recommendations, that he could not possibly have made if he had spoken to any of us or had he read through the court papers.'

She said her custody case dragged on for five years because of the competing testimonies of no fewer than eight expert witnesses.

'The court system in England is barbaric,' she said.

'It does not allow parents to be given a voice, it doesn't allow their children to be given a voice.

'But what it does instead is it focuses on employing expert witnesses – at huge expense.'

Nigel Priestley, a family solicitor in Huddersfield, said: 'If the statistics are that 20 per cent are unqualified, that is not just a mess, that is staggering.'

For the full report, see Channel 4 News on March 13 at 7pm.

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My psychologist wrote 19 pages of damning report about me and she turns out to be an expert in learning difficulties. I, at the time of the interview, was involved in a custody dispute and my ex had drug and alcohol issues (proved in Court) and was an Office Manager of a Call Centre so certainly did not have learning difficulties. Before you all jump to the same conclusion this was not put in place for my ex as he WAS NOT tested, I was as I would not concede to Unsupervised access until his habits were under control. On the basis of this 'experts' report my ex was given unsupervised and has been emotionally abused and left on her own in a locked property ever since..... NOW YOU TELL ME THEY KNOW WHAT THEY ARE DOING!!!!

- [Gracey](#) , United Kingdom, 15/3/2012 22:21

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One of the problems that I have encountered is that there is a set of requirements/rules that expert witnesses need to comply with but if you try and highlight where the expert witness in your own case has not met/complied with these requirements you are made to feel as though you are wasting the court / solicitors time or just being difficult. It feels as though it would harm your case if you challenge the expert witnesses expertise or the quality of their expert advice, process, methods etc. If you do raise a very valid point ie can show error beyond question (eg get your family history/background wrong or spelling mistakes, grammatical errors/ambiguity), the fall back position appears to be .. oh well the judge makes up their mind and uses or chooses not to use the expert opinion so if it has mistakes in it doesn't matter for that reason as well ! Barristers seem very very reluctant to challenge expert reports(no doubt for very sound practical reasons)

- [Stan](#) , Newcastle, 15/3/2012 14:49

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Norgrove missed this issue ? My Psychologist "expert" is dead but not before he wrote a report that built castles on sand after

concluding I had a "risk taking" histrionic personality and commenting on how safe my Labradors were with my child after observing her with them for 30 seconds. He had never walked on two legs normally himself because of a childhood illness and took offence when I suggested he took a safety risk allowing his 12 year old to go sailing on holiday with a holiday beach rental business. He said I used my intelligence to argue, took umbrance at me wanting to teach her critical thinking and thought I was showing off by teaching her to cook pizza from scratch. His report is regularly quoted out of context whereby his conclusions are ignored and it is mined for sentences and statements to beat me up with. My 5 year ongoing case to see my daughter for more than a few hours on the whim of her mother has cost the tax payer well over 100K SO FAR !

- [Stan](#) , Newcastle, 15/3/2012 14:32

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Solicitors who go against fathers just because of there jobs, they want this law to stay the same for one reason, to stay in work. If possible stay away from them if not try to get a man solicitor but they are extremely rare, the system is run by women, the solicitors are very friendly with one enough and will talk to each other about your statement/history and your life even know that is meant to be confidential until in court, this will go in your exes fever because her solicitor will then get allegations made up against you and then know the best statements to use, the truth should come out in the end but why should it take 4 5 6 even 11 years, what a disaster on are kids. This is could freedom of speech.

- [bob the builder](#) , cornwall, 13/3/2012 21:28

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This article doesn't surprise me in the least. The family courts are not fit for purpose. As pointed out secrecy is one of the deepest flaws but there are are others. Judges and barristers are poorly trained - I don't believe that a training purely in law is adequate when dealing with family matters. They should be required to have 2 years training in psychology and counselling so that they at least have some insight into human nature.

- [James](#) , London, 13/3/2012 21:03

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when are fathers actually going to have any rights of seeing there kids. Us fathers are made to fill inadequate from day one with this family justice system which is mainly run by women who are causing conflict to keep there jobs. I have now been trying to see my son now for over 6 months and I am trying so hard just to get though the days. I would love to know is this all about money or the cruelty you are causing are children

- [jamie dean](#) , bristol, 13/3/2012 19:28

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lets get every one your wife your husband your father your grand father your great great grand father your son your grand son your great grand children your mother your great great grand mother your daughters your great grand daughters your brothers your sisters your cousins your enemy anyone u meet on the street get them all to stop secrecy family courts to stop social workers liars manipulators the criminality from the social workers judges doctors enough family's have suffered

- [christin](#) , london, 13/3/2012 19:24

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lets get world attention to this cause email anyone u know friend family co-worker teacher any one u meet on the street lets put a stop to social workers liars lets put a stop to social workers manipulators lets put a stop to social workers criminal behavior lets put a stop to judges liars lets put a stop to judges manipulators lets put a stop to judges criminal behavior lets put a stop to secrecy family courts

- [william and harry](#), london, 13/3/2012 19:17

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i am at the moment going thru family court proceedings of trying to get my children home after my youngests daughter had bruising to her ear that i could not explain even tho she never left my side!! i have had a psychiatrist do a report on me and in there she has involved things that she did not speak to me about and was untrue, also a pediatician saying the injury is most likely non accidental but hang on a pediatician does not have the qualification to make an opinion on any injury as they can only diagnose diseases and health care in children! their primary focus is to preventive health care! and also while being in care she has had the same injuries that have not been questioned or looked at !! its right on saying parents and children dont have a voice ,we are litrally gagged. these professionals people have our lifes in their hands and have made quick judgement and their own opinions which could now affect my children ever returning!

- [danielle](#), mccarthy, 13/3/2012 18:23

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i hav just read the story of hollie grieg ,social services hav been involved in my family for 30 years and still my niece and nephew were abused and social services still fail the children in this family ,this is why i didnt wnt my nephew returned to his mother ,my sister and her boyfriend turned a blind eye to the abuse of her children so what chance has my nephew got ,social services havnt even checked that he has settled back with his mother they are a joke and when it all goes wrong they will make excuses like they always do .

- [charlotte](#), birmingham, 13/3/2012 17:22

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