

A City Law Firm LLP is a new but rapidly growing firm of solicitors based in the City of London near Liverpool Street



Our team are highly professional & yet friendly dealing with almost every issue encountered in the LGBT community, both in

Press gain access to the Family Courts ***Will there be drama in the Courtroom?***

The Ministry of Justice has decided that due to a need for transparency in our legal system they have allowed the general public to observe justice being done in our Family courts. They have enacted this by permitting the media into these, what should be, very private and personal hearings.

Many practitioners have raised concerns about this inflaming an already delicate situation between two private parties, even more so when the arguments orientate around the care and residency of any children or their relationship and other issues such as contact. This change could result in the parties abusing the court system by arguing their case far more aggressively or dramatically, that they would not otherwise do, hence using the threat of the media on their opponent. This could prohibit effective use of the court's time and limit the reconciliatory objectives of the family process; it could also cause the parties to become reclusive, shy and uncooperative not wanting to give full true reasons in the public eye.

While it is clear and understandable that a legal system should be reasonably transparent for democracy's sake, progress for progress' sake is not. So has the Ministry of Justice just provided *carte blanche* access to the Court by media bodies? Luckily, it appears not.

Firstly, the media may not be permitted to remain in the court. The judge can have them removed in the interests of: any children present; for the safety of witnesses and connected people; or just to maintain orderly conduct in the court, for example where there is intense media interest and by them all attempting to enter the courtroom the judge does not consider it possible to hold an effective trial. Either party can apply for the court to exercise this option only where the above factors apply.

If the journalists do remain in the court, then restrictions will be applied similar to that of the youth courts, for example journalists will not be allowed to report anything that could identify a child in the proceedings, nor report on the specific Child Care arrangements (public or private), such residency, ongoing living arrangements of the child, child maintenance or the child's upbringing. Furthermore, it still remains an offence to publish information where the High Court has exercised its inherent jurisdiction under the Administration of Justice Act 1960 in relation to minors and has decided the proceedings are to be sat in private.

How effective these changes will be at achieving transparency in the court system has yet to be seen. It has been expected to meet resistance from practitioners and judges who wish to ensure justice is not adversely affected by this change. They can at least breathe a sigh of relief however knowing that attempts have been made not to give the media the *carte blanche* access initially believed and if the Ministry of Justice wishes for the media to have further access then nothing short of an Act of Parliament will be necessary.

Andrew Spearman - LGBT Client Manager

Andrew is your first point of contact with our firm should you wish to ask anything or engage our services. He has a great deal of experience in client care and can establish quickly how we can be of assistance to you. As a further role he ensures that throughout your interaction with us, the firm's ethos of friendly, straight forward, legal advice that you can understand is provided and he is always available to offer assistance if your solicitor is engaged.

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