

News Release

EMBARGOED 18:00 29 June 2006

29 June 2006

19/06

Lord Justice Wall calls for Media Access to Family Courts

A senior Court of Appeal judge has today called for the media to be given access to the family courts.

Lord Justice Wall, giving the Hershman/Levy Memorial Lecture in Birmingham, said that allowing the media to report family court proceedings would help to overturn accusations and criticisms that the family justice system was secretive by design. He emphasised that he was expressing personal views, which were not necessarily representative of the wider judiciary.

"I am in favour of giving the media access to family proceedings, provided that there are clear ground rules about what they can and cannot report and the extent to which, if at all, they are to be at liberty when reporting the proceedings, to identify the parties and in particular the children concerned."

"I find it unacceptable that conscientious magistrates and judges, struggling to make difficult decisions in the best interests of children should be accused of administering 'secret justice'. Confidentiality was imposed by Parliament not the courts."

However, Lord Justice Wall said he was opposed to the admission of the public into family courts;

"There is a difference between the public interest and public curiosity. Parents and children in family proceedings have a right to privacy; if the public was admitted it would be impossible to prevent people attending hearings when their real interest was to learn about the family's confidential affairs. It would also be impossible to prevent such people talking about the case to their friends and neighbours, so that the integrity of the proceedings would be compromised."

Lord Justice Wall said that judges should – as a matter of routine – give family judgments in open court (anonymously if necessary) so that the public could be informed. It was the issues which cases raised that were important, not the personalities of the parties to the case, he added.

He believed there needed to be a dialogue between the judiciary and media before access was given to reporting family courts. Reporting needed to be accurate and responsible, not sensationalist. Judges could assist this process by providing clear and easily digestible summaries of complex legal judgments.

Notes for Editors

1. The annual memorial lecture is organised by the Association of Lawyers for Children (<http://www.alc.org.uk/>) and is in memory of David Hershman QC and Allan Levy QC.
2. Some extracts from Lord Justice Wall's lecture are attached. The entire lecture is available on the judicial website: <http://www.judiciary.gov.uk/>.
3. The Department for Constitutional Affairs has announced that it will be publishing a consultation paper on transparency in the family courts later this year. Family Justice Minister Harriet Harman

spoke on this topic in a speech in May this year:

http://www.dca.gov.uk/speeches/2006/sp060522_02.htm.

4. The Constitutional Affairs Select Committee recently published a report on opening up the family courts. The press release on the report can be found here: [on the Parliament website](#)