

Don't ignore children, urges judge

Frances Gibb

A senior family judge has urged his fellow judges to stop children from being sidelined in court proceedings so that they failed to understand what was going on.

Lord Justice Wilson, who sits in the Court of Appeal, said that the courts system was “largely oblivious of the damaging bewilderment of children caught up in family proceedings”. He added: “The stress upon their fragile minds must in some cases be awful; and it is by no means all necessary.” There was an “urgent need”, he said, “to devise a system by which not just in some but in all types of family proceedings we can dispel such of the fears of children as can honestly be dispelled, inform them to some extent about the nature of the proceedings raging above their heads and answer some of the questions which are likely to beset them”.

A survey in 2003 by the NSPCC had found that out of 166 children involved in court cases, 37 per cent said that no one had explained to them what was happening.

“How can a child express their views and wishes for the future without an understanding of the proceedings? In any event, they had a right to know what was going on.”

Judges, Lord Justice Wilson added, also had a role because they more frequently saw children face to face. They should, he said, “leave our pomposities in our wig boxes; file away our verbal conceits; take time and not patronise and, above all, never mislead”. June 29, 2007 The Times