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If one party/ parent leaked details from family court proceedings to a third party (who is not part of the closed-doored)

[Lawyer's Assistant chat !\[\]\(003082e50e3009141f59bd5df831749f_img.jpg\)](#)

Customer: If one party/ parent leaked details from family court proceedings to a third party (who is not part of the closed-doored proceedings), can the other party/ parent file a criminal complaint, civil claim or BOTH against the other parent/ party?Please advise.**Lawyer's Assistant:**I'm sorry to hear you're dealing with this. Could you let me know which country or state this issue is taking place in? Laws can vary significantly by location.

Customer: England

Lawyer's Assistant:Thanks for letting me know. Are there any existing court orders or agreements in place regarding confidentiality in your case?

Customer: It is for granted as it is family court!

Lawyer's Assistant:Got it. Have you noticed any impact or consequences from the information being leaked?

Customer: Yes

Lawyer's Assistant:OK. Thanks for the info. How would you like to connect with the Expert?

Answered by Joseph I., LL.M. in 13 mins 7 months ago


✓ **Joseph I., LL.M.**

Expert

★★★★★ 4,591 satisfied customers

Specialties include: European Law

✓ Lawyer: Joseph I., LL.M.

Welcome to Just Answer, my name is ***** I am already working on your issue. I'll respond shortly.

Family court proceedings are conducted in private, ensuring that all documents and details remain confidential. This is particularly crucial in cases involving children, as they often include sensitive information such as names, birth dates, addresses, and school details.

Most Family Court orders include a confidentiality warning to reinforce the importance of privacy. Breaching this confidentiality can have severe legal consequences, including fines or imprisonment. Ignorance of the law is generally not a valid defense.

Previously, the confidentiality warning was brief:

Confidentiality warning:The names of the family and the child are not to be disclosed in public without the court's permission.

Following a review of legal templates, the warning has been expanded to provide greater clarity:

Updated Confidentiality Warnings

Protection of Children's Identities

Until the conclusion of proceedings, no person may publicly disclose information identifying the child or their address/school without the court's permission. Violating this is a criminal offence.

Prohibition of Information Sharing

During or after proceedings, no one may publish details regarding the case, including:

What was said in court

Documents filed in the case

Transcripts, notes, or judgments (including summaries or extracts)

Breaching this may lead to contempt of court charges.

Legal Exceptions for Sharing Information

Information from family court cases can only be shared under specific rules:

Rules 12.73 and 12.75 of the Family Procedure Rules 2010

Practice Direction 12G

Exceptions allow sharing between parties, legal representatives, and court-approved professionals (e.g., medical experts). However, court permission may still be required for certain disclosures.

Protecting Children's Privacy

The updated warning reinforces legal protections under:

Section 97 of the Children Act 1989 – Ensuring children's privacy in relevant cases.

Section 12 of the Administration of Justice Act 1960 – Prohibiting publication of private court proceedings.

Posting case details on social media is considered publishing and may lead to legal consequences.

Thus, if one parent discloses confidential details from family court proceedings to a third party, the other parent can take legal action. This breach may constitute contempt of court, which can result in fines or imprisonment under Section 12 of the Administration of Justice Act 1960. Additionally, if the leak caused harm, the affected parent may file a civil claim for misuse of private information or breach of confidence.

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Welcome! Do you have a question regarding family court confidentiality?



England Family Law: Addressing Confidentiality Breaches in Court

Concerns about privacy violations and uncertainty over legal remedies for leaked court information.

In England, family court proceedings are typically private, and unauthorized disclosure of details can breach court orders or contempt rules. The affected party may seek civil remedies such as injunctions or damages for breach of confidence. Criminal complaints might be possible if the leak violates specific laws, but this is less common. It is important to document the breach, consult a solicitor promptly, and consider applying to the court for enforcement or protective orders to maintain confidentiality.

Disclaimer: This information is AI-generated and intended for general guidance only. For advice specific to your situation, please consult a verified expert on JustAnswer before making decisions.

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I had no idea century was get the app! about the ai responding

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Could you please tell me why a judge would not grant the

solicitor access to court transcripts? JA... [Show More](#)

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Satisfied Customers: 10,110

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Hello and thank you for the question. My name is ***** ***** you tell me your first name so I know who I am speaking with?

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Let me just review your query and I'll come back to you with any points I need clarifying in order to be able to answer.

Customer reply

My name is Isabella



PLCLEGAL, Barrister

Hello Isabella.

What is the context - what type of proceedings are these?

Was there a reason given for the judge declining the request?

Have you spoken to your solicitor [about this?](#)

Welcome! How can I help with your legal question? 

Customer reply

We are trying to appeal a conviction, have paid a fee for the solicitor to request the court transcripts and this was 2 months ago. I called the solicitor today as we haven't had any updates and they told me that a senior judge declined access to these transcripts, they haven't said why and the lady on the phone said that she hadn't come across something like this I'm sorry, I can't afford a £44 phone call.



PLCLEGAL, Barrister

I understand, online discussion is of course fine.

I have also not come across the court refusing the transcript request.

What are the appeal grounds and how essential is the transcript?

Customer reply

The new firm have just taken on the case - well I say have just, we started this back in November. I told them about my partner's conviction and I believe they want to go down the forensic route for the appeal, I don't know how much they've looked into the case but we are still at the stage of trying to find grounds for appealing. The next step was to request the court transcripts (us, the family would have to pay the fee for this, so we have been patiently waiting) only to find out that these transcripts are not being released. I've also been told that these can be requested via the CPS? But again, why would the judge say no to the request?



PLCLEGAL, Barrister

I see. I have never come across a transcript request refusal in these terms.

The only grounds to refuse would normally be that it is not a proportionate expense on the public purse. So the grounds of appeal are pretty key.

It's also pretty unusual and sloppy for a firm to say they will take on an appeal without discussing the grounds first.

Customer reply

Proportionate expense on the public pursue? Meaning? We have discussed this from the beginning and they have made us aware of how low the chances are so they haven't made any false promises. But the family decided it's worth trying.

Could you think of any other reason? Welcome! How can I help with your legal question? >





PLCLEGAL, Barrister

Well, the minimal fee for the production of a transcript does not cover the actual costs.

As regards ***** I understand. I am pleased the firm is being honest at this stage.

I can't suggest a plausible reason for this, you will need to check in with the solicitor after the weekend I am afraid.,.

Can I clarify anything more?

Customer reply

Would you happen to know what the next step would be if this request keeps being rejected? And thank you for your replies



PLCLEGAL, Barrister

Your solicitors will ensure there is a transcript by whatever means necessary I am sure, even if it was refused at the first instance.

It would be unheard of for the court to refuse access to this in the context of an appeal. It may be that you need to make the appeal application before the court release it, though I can; stay why this would be.

Can I assist further today?

Customer reply

Thank you for your time and all the best



PLCLEGAL, Barrister

My pleasure.

Thank you for your enquiry today. I am happy to answer follow-up questions - please do get in touch with requests for extra information.

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can request me personally on a new question thread saving my profile as one of your preferred experts and by tagging me (@PLCLEGAL) at the start of the new thread. Best wishes, Peter.

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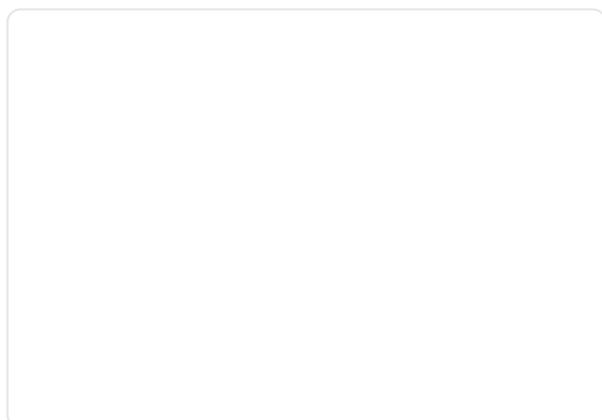
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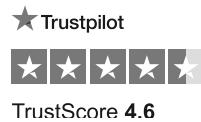
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[JeremyT1020, Solicitor](#)

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Experience: Expert

Good evening and thank you for your question. I'm a solicitor specialising in family law and dispute resolution so I'd be happy to offer some guidance on this matter. I'll need a little more information to fully answer your question. First and foremost, were you involved in civil or family proceedings? For the record, the court can refuse a transcript, however, there would have to be very good reasons for doing so, such as a confidentiality or national security issue.

Customer reply

Hi Jeremy, boundary dispute civil court.

So clearly if I am a party there can't be confidentiality? And certainly not national security issue, and I would have thought that if it's a fundamental right to access justice what other reason could there be? I haven't been refused but the application is very very slow to even go to the transcription service for a quote.



[JEREMYT1020, Solicitor](#)

Hello again. I cannot see an issue in respect of confidentiality. Put it this way, I have been a solicitor for 20 years and I cannot recall a client being refused a transcript by the court. Admittedly, it doesn't occur that often. You can choose how quickly you'd like the transcript to arrive from the options on the form. I don't know how long the hearing was but it's worth shopping around for quotes. Most of the approved transcription companies charge between £1.50 and £2.50 for a "folio" of 72 typed words.

Customer reply



what happens if there is a disagreement with the transcript? so for hypothetical example, if there was a disagreement with what was said on a transcript, what procedure is there for a party to listen to a audio recording of the hearing to confirm whether a transcript is correct?

**JEREMYT1020, Solicitor**

Good evening. You cannot listen to an audio recording of the hearing. Some claimants have requested a release of the audio recording under the Freedom of Information Act, however, the Ministry of Justice can refuse the request under section 32(1)(a) of the FOIA to refuse the request.

**JEREMYT1020, Solicitor**

Good evening. I note I haven't heard anything further from you since yesterday. Do you still need my assistance? J

Customer reply

Good evening Jeremy, sorry I was considering what you said and trying to make head or tail of the fact I put an EX107 in had the quote (so obviously the court processed it) paid the fee and only the judgement was sent even though I asked for the whole hearing. (And paid for it). I've queried with the transcription service why? They are asking the court to clarify (seems to me the judge is trying to block it).

Customer reply

can I make a clarification? if the transcript is contested what recourse is there?

**JEREMYT1020, Solicitor**

You'd have to appeal but I really don't know what evidence you could offer.

Customer reply

Have you ever heard of a transcript being contested?
put another way who polices the security of court recordings?

**JEREMYT1020, Solicitor**

Let me flip this question. Why do you think a transcription company would deliberately make a false transcription? Personally, I've never heard it happening. I've been working in law for just over 20 years and I've probably seen about 15 transcriptions in that time. I can see from case law that they do get challenged, however, the grounds of challenge appear very limited.

Customer reply

I don't think for a second the transcription service has made a false transcription. I question though why it was not sent to them within 12 days of the application (took about a month to get it) and why there are things on there that were not said? and why when I paid for the whole hearing only the judgement has come back? and for further context I put an appeal in to the high court and had to ask the high court via an N244 application for a time extension because one of their directions was that a transcript of the Judgement must be provided in appeal bundle, and I had 35 days to comply OR ask for a time extension. of course if I had no transcript then I had to apply for the extension. So to spell it out I suspect the Judge who's judgement is being appealed on wrong finding of fact and procedural error has switched the recording and made a new one and sent that to the transcription service. Minus the full hearing as applied and paid for.

you don't need to tell me how serious that would be if true and highly unusual no doubt.

But you can guess how worried I am about it!

Oh and one of my opponents witnesses is a mason.

can you quote me some of those case law items?



JEREMYT1020, Solicitor

Here is a decision from 2005.

Customer reply

an exemption can be exercised under that Sec 32(1) (c) for a FOI request (which I would read as they don't have to exempt it but can if they choose to, or they are automatically exempt). You said: "I can see from case law that they do get challenged, however, the grounds of challenge appear very limited."Can you clarify 'the grounds'?



JEREMYT1020, Solicitor

Hello again. I've offered you a customised service as you'll appreciate we're now going well beyond the scope of your original question from 5 days ago. Thanks, J



JEREMYT1020, Solicitor



Good morning. I note you haven't accepted the customised service nor have I heard anything further from you so I assume you're happy with my answers to your original question. Thank you for your question and for using Just Answer. Best wishes, J

Customer reply

Good morning Jeremy, I cannot afford the premium service or I would take it. I appreciate the information you gave so far and I do feel clarification on what 'the grounds' are for challenging a transcript falls within the original question? ("what happens if you query or contest a transcript "). Can you clarify that for me?

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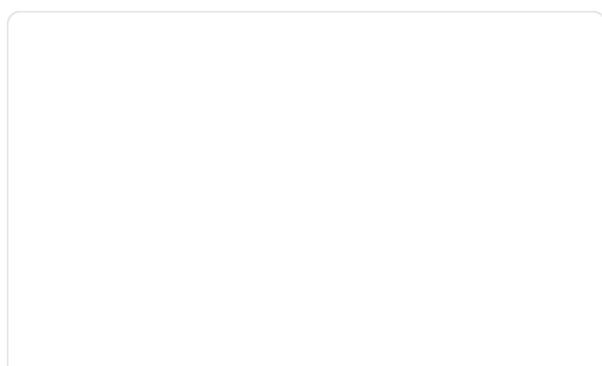


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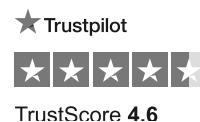
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For our last hearing, ex's lawyer got the transcript of the previous hearing case we had from the court as required. But

Lawyer's Assistant chat 

Customer: For our last hearing, ex's lawyer got the transcript of the previous hearing case we had from the court as required. But when he attached the transcript, it read "hearing of xxx date, excluding judgement". My question is, why would a court have sent the transcript without judgement, and how do I ask him (as my Barrister said to) for the judgement or what happened to the judgement, or the update on the judgement itself as we still need it for the next hearing? Is he obliged to supply it and could he have held it back on purpose? (As some of the things said in that judgment of the Judge does not support the premise they are going on).

Lawyer's Assistant: I'm sorry to hear about the confusion with the transcript. To help the Lawyer assist you better, could you let me know which court is handling your case?

Customer: not sure, is for a friend

Lawyer's Assistant: That's okay. Do you know if the judgment was delivered verbally during the hearing or if it was supposed to be a written judgment?

Customer: imagine written, is usually

Lawyer's Assistant: Thank you for sharing that. Do you know if there have been any previous issues with receiving court documents in this case?

Customer: no

Lawyer's Assistant: OK. Thanks for the info. How would you like to connect with the Lawyer?
is family court

Answered by SASH_Law in 6 mins 2 months ago



 **SASH_Law**

LLB(Hons)

★★★★★ **22,937** satisfied customers

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 **Solicitor: SASH_Law**

Hello and welcome to Just Answer.

How are you today?

I'm Lea. Can you tell me your first name please?

I may need to ask you additional questions before I can answer your query, so please do bear with me and try to answer all the questions so that I have the information I need to give you an accurate response to your specific legal situation. I will be providing you with a full response online to your query today.

Please note that if you want document review, it will cost extra.

I do not make calls; if you request one, another expert will call you and I will not be able to respond further in this thread as it will be ~~closed to me. The call offer is automatically declined.~~

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Delays in receiving judgments and unclear communication about court document contents.

Courts may issue transcripts excluding judgments if the written decision is pending or issued separately. To obtain the judgment, request it formally through your lawyer or directly from the court clerk, citing the hearing date and case number. Lawyers are generally obliged to provide all relevant documents unless restricted by court rules. If the judgment seems withheld, clarify with your barrister to ensure proper procedural follow-up before the next hearing.

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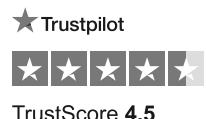


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Ask a Law Question, Get an Answer ASAP!

Ask an Expert > Ask a Solicitor

Dear District Judge Humphreys I write with regard to the

Dear District Judge Humphreys

I write with regard to the Order of Swindon - Family Court dated 7 June 2023 for a report to be prepared and filed by Cafcass, and the further Order dated 20/10/2023 granting Cafcass' request for the report filing dated to be extended to 11/01/2023.

During my enquiries, Mr Oppong, father to the subject children, has informed me that he is a Mental Health Nurse, a profession I understand is regulated by the Nursing and Midwifery Council. Mr Oppong has informed me that the Court are already aware of this, however given the recent development in case law (Re Z, Disclosure to Social Work England: Findings of Domestic Abuse) and that findings have been made against Mr Oppong in the Fact-Finding Hearing on 07/06/2023, I am aware of the need to inform the Court of this information, so that they can consider whether they need to notify Mr Oppong's regulatory body. I am mindful I have not yet received the full judgment or transcript of the findings.

The court may wish to consider the need to bring the matter back for allowing the parties to make submissions and a short judgement to be drawn prior to reaching a conclusion related to whether to notify the regulatory body or not.

This letter has also been filed with the parties.

Share this conversation



Answered in 6 minutes by:

1/12/2023

Lawyer: Catherine**Catherine, Lawyer****Category: Law****Satisfied Customers: 20,689****Experience: Bar Professional Training Course**

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HiHi, I am Catherine, one of the legal experts here, at Justanswer. Thanks for your question and requesting for me to assist you today. It is my pleasure to do so. Please bear with me whilst I respond to your query. I will be online and off-line from time to time and therefore, may be delayed in getting back to you. You will receive an email when I reply. Although I may be shown as being online, I may be dealing with other people, on the telephone, or typing. Just Answer is not a chat service, it's an email reply board. Kindly let me know whether there is any further background information that you would like to share, which will help me in resolving your enquiry today?

Ask Your Own Law Question

I was not a nurse as of the time, the fact finding came to that conclusion. There have never been any police involvement. The judge believed her based on her words
There has been a conflict of interest from the Cafcass officer

**Lawyer: Catherine**

Thanks for your patience and enquiry. I am currently reviewing what you have typed in order to provide a written response.

What would you like to discuss with me based on the information you provided above?

Ask Your Own Law Question

The cafcass officer breached my confidentiality to my new partner telling her that, the court has found that I have abused my wife and children and that they are making her aware of that findings as she has children. I made contacts with the cafcass officer telling her that they did not follow due process as they have breached by giving her that information as it is a private matter. She could have explored by making a referral or calling the police if she thinks the children are in danger as she proposes. She further called my new partner to know the outcome of the referral. When my partner told her that the referral has been dropped. She called me to discuss with me that, as I have disclosed that I am a nurse she would write to the judge to allow so that, the nursing regulatory be informed.



I would like to know the possibilities of this
Thus what's going to happen
what are my chances

**Lawyer: Catherine**

You are absolutely right! According to the Data Protection Act, this information should have remained private. If the social worker felt that there was important information that needed to be shared with the court, it should have been brought to their attention and not shared with your spouse. There are a couple of options you can consider to address this issue – one is going through the complaint process, and the other is taking



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Catherine, Lawyer
20,689 Satisfied Customers
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Catherine is online now!

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legal action against the social worker. In my experience, the complaint route can be a swift and cost-effective way to resolve matters like this. It often leads to the social worker being sanctioned for what appears to be a serious misconduct. Is there anything else I can assist you with or provide further clarification on?

[Ask Your Own Law Question](#)

Please you did not respond to my first question regarding the cafcass officer writing to the judge to consider reporting the issue of domestic abuse to my professional regulatory body

Dear District Judge Humphreys

I write with regard to the Order of Swindon - Family Court dated 7 June 2023 for a report to be prepared and filed by Cafcass, and the further Order dated 20/10/2023 granting Cafcass' request for the report filing dated to be extended to 11/01/2023.

During my enquiries, Mr Oppong, father to the subject children, has informed me that he is a Mental Health Nurse, a profession I understand is regulated by the Nursing and Midwifery Council. Mr Oppong has informed me that the Court are already aware of this, however given the recent development in case law (Re Z, Disclosure to Social Work England: Findings of Domestic Abuse) and that findings have been made against Mr Oppong in the Fact-Finding Hearing on 07/06/2023, I am aware of the need to inform the Court of this information, so that they can consider whether they need to notify Mr Oppong's regulatory body. I am mindful I have not yet received the full judgment or transcript of the findings.

The court may wish to consider the need to bring the matter back for allowing the parties to make submissions and a short judgement to be drawn prior to reaching a conclusion related to whether to notify the regulatory body or not.

 Lawyer: Catherine

I did respond to this line of enquiry you may however have missed it. As mentioned earlier, the social worker has the opportunity to present any relevant information they come across during their investigation. This includes any allegations made against you, regardless of the eventual outcome. The fact therefore that the social worker has enquired of the court whether this ought to be reported is not in fact unlawful or a breach of data protection laws.

[Ask Your Own Law Question](#)

 Lawyer: Catherine

I trust that I've addressed your question in a straightforward and approachable manner. If there are any further uncertainties, please don't hesitate to reach out and I'll gladly provide further explanation. Thank you again for choosing our services. Additionally, feel free to let me know how I can assist you next!

[Ask Your Own Law Question](#)

I know that, but I wanted to know is that, know that the cafcass officer has referred this to the judge what's going to happen. I am with the view that you read the letter the cafcass officer wrote to the judge. I pasted it.

Thanks

My main question is to know the possible outcomes now that the cafcass officer has referred to the court to look into telling my regulatory body about the alleged domestic abuse

 Lawyer: Catherine

I can not say what is likely to happen. This will depend on the judge's assessment of the relevance of this information that has been shared. The court is however empowered to disclose if it deems it necessary to do so

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We have a community WhatsApp group, and we are discussing

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Hello Pearl. We have a community WhatsApp group, and we are discussing India and the India-Pakistan War. Most posts are based on official ... [read more](#)



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I work in the care home, UK, Nothing yet As just found out,

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That nurse in charge forces resident to write a statement about my behaviour towards himCustomer: Chat is completed... [read more](#)



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I need to appeal to high court about my recent regulatory body sanctions ... [read more](#)



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I'm completing the N5B form, for questions 14b (prescribed)

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Hi, i'm completing the N5B form, for questions 14b (prescribed information/deposit protection certificate), 16 (EPC) & 18b (How to ... [read more](#)



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I have unresolved PCNs issued to me whilst I was an employee on the Land where I worked. As a result, I have a court hearing on the 28th of ... [read more](#)



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Dear Mr Potter, We write regarding your home insurance policy. Unfortunately, we have received notification from your insurer, Accredited ... [read more](#)



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in the uk who does one complain to about a medico legal expert who has produced a report that is medically and factually inaccurate and the experts ... [read more](#)



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Wilfrid famously said, - "And now today you've told us a new

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Sir Wilfrid famously said, - "And now today you've told us a new story entirely! The question is, Frau Helm, were you lying then, [or] are you lying ... [read more](#)



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I have to complete a statutory declaration and attend a

I have to complete a statutory declaration and attend a magistrates court regarding a previously owned vehicle I sold for scrap in April 2023 but the ... [read more](#)



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My question is how much costs appeal to High Court against

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Thank you so much for your help. Your answers were really useful and came back so quickly. Great!

Maggie

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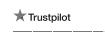

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Disagree with a final order made by a family judge, what can I do?

Disagree with a final order made by a family judge, what can I do?

JA: The Expert will know what to do. Please tell me everything you can so the Expert can help you best.

Customer: That's it disagree and I need to know my options

JA: Is there anything else the Expert should know before I connect you? Rest assured that they'll be able to help you.

Customer: Please connect me

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SASH_Law, Family Lawyer
11,498 Satisfied Customers
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Ask SASH_Law your Family Law question here...

SASH_Law is online now!

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Answered in 20 minutes by:

2/12/2024

Lawyer: SASH_Law**SASH_Law, Family Lawyer****Category:** Family Law**Satisfied Customers:** 11,498**Experience:** LLB (Hons)

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Hello and welcome to Just Answer. How are you today?

I'm Lea. Can you tell me your first name please? I may need to ask you additional questions before I can answer your query, so please do bear with me and try to answer all the questions so that I have the information I need to give you an accurate response to your specific legal situation.

Please note that if you want document review, it will cost extra. I will be providing you with a full response online to your query today. I do not make calls, so please note that if you request one, another expert will call you and I will not be able to respond further in this thread as it will be closed to me. The call offer is site automated.

Ask Your Own Family Law Question

My name is ***** just answer my query

**Lawyer: SASH_Law**

I need to ask questions first so I can offer appropriate guidance.

You said you disagree with the order - is it because you don't like what the judge ordered, or do you think there was an error made?

are you able to respond?

If not, I will prepare a response based solely on the info you already provided above.

Ask Your Own Family Law Question

**Lawyer: SASH_Law**

You can only appeal an order if the judge made an error of fact, law or procedure. You must appeal an interim judgment within 7 days, and a final judgment within 21 days of the hearing. If you are late, or out of time to appeal, you must apply for permission to appeal, which you do on the same form as your substantive appeal.

To appeal you need form N161, and you will be required to order a transcript of the hearing you are appealing, produce your grounds of appeal (what errors of fact, law or procedure the judge made), and a skeleton argument detailing the law that you are seeking to rely on to support the grounds of appeal.

Appealing is difficult and it is very likely you will need a solicitor to go over the transcript for you to see if there are in fact grounds to appeal the decision. Be aware that if you lose, you may be asked to pay the other side's costs.

Form N161 and notes to help you complete it are here: <https://www.gov.uk/government/publications/form-n161-appellants-notice-all-appeals-except-small-claims-track-appeals-and-appeals-to-the-family-division-of-the-high-court>

You can find a solicitor here: solicitors.lawsociety.org.uk

You will need form EX107 to obtain the transcript, and the notes to help you complete that form.

See the links below for requesting the transcript.

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Is there anything further relating to this I can help with?

No? No problem, glad to assist today.

I was pleased to have been able to provide you with a response to your query.

If you would like to ask for my assistance with new questions, you can do so by putting FORCustomerONLY in the subject heading of a new thread. Alternatively, you can add me as a favourite expert from your membership page if you click on "My Questions" you will see "Favourite Expert" which you can click on. Then, when you wish to ask me another query, you can simply type "@" followed by my name in your next chat, e.g. @SASH_Law.



All the best!

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Hi I'm currently going through court proceedings for a child arrangement order with an ex partner who has not seen or tried to meet child ... read more



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And a final order has been made based off false evidence ... read more



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Lawyer
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JeremyT1020. The courts cancelled combined C2 & NMO

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JeremyT1020. The courts cancelled combined C2 & NMO directions hearing next week. NMO expires end of September. C2 application ... read more



JeremyT1020
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I am going through financial hearing. My ex-wife submitted

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I am wanting to appeal a family order, Yes it went to final

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Yes it went to final hearing and I want to appeal the outcome ... read more



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Hi can an alleged breach of protection order be treated as a stand alone case? ... read more



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Thank you so much for your help. Your answers were really useful and came back so quickly. Great!



Stuart J
Solicitor
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★★★★★

High street practice 30 years. Former Senior Partner

Maggie

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I was wondering if you could help me. I have a family dispute going on in the family court in London. The applicants in

Lawyer's Assistant chat 

Customer: Good morning. I was wondering if you could assist me. I have a family dispute currently in the Family Court in London. The applicants have submitted witness statements containing two facts that are accurate. They are web pages that I reviewed. The applicant claims that the police provided them with information about the sites I searched, but the police have confirmed that they did not release any information. I suspect I have been hacked. Additionally, the party has presented WhatsApp messages that they allege were sent from them to third parties. I contest the authenticity of these messages. I searched for legal advice on a JustAnswer website, and they included pages of my search along with the JustAnswer lawyer's response in their own witness statement.

What should I do?

The police have confirmed that they did not release any information and that no data breach occurred.

I believe I have been hacked.

Lawyer's Assistant: I'm sorry to hear about the difficulties you're facing. It sounds like a complex and stressful issue. Could you let me know if you've already reported this hacking suspicion to any authorities or taken any steps to secure your accounts?

Customer: Can I direct my question to my favorite expert? LegalEagle?

Lawyer's Assistant: We are not affiliated with any other company, but we can help you with your problem. Could you tell me if you've gathered any evidence or documentation that supports your claim of being hacked?

Customer: No. Their witness statement includes pages from my own search and the replies from JustAnswer.

Lawyer's Assistant: I see. Have you considered obtaining a forensic analysis of your devices to check for any signs of hacking or unauthorized access?

Customer: Yes.

Lawyer's Assistant: OK. Thanks for the info. How would you like to connect with the lawyer?

Answered by AnanK Lawyer in 1 min 2 weeks ago

**AnanK Lawyer**

Expert

 21,075 satisfied customers

Specialities include: European Law, Scots Law, UK Bankruptcy Law, UK Employment Law, UK Family Law, UK Immigration Law, UK Law, UK Property Law, UK Traffic Law

**Solicitor: AnanK Lawyer**

Hey there! Welcome to JustAnswer. I'm an attorney with many years of experience. Just so you are aware, JustAnswer is a legal information-only site. No attorney-client relationship is formed from our conversation. I understand you're dealing with a family court dispute in London and suspect hacking due to unauthorized access to your web searches and WhatsApp messages. Could you share more about any steps you've taken to address this hacking concern?

Thank you for setting out the facts so clearly. You're in Family Court in London; the other side has filed a witness statement exhibiting two true facts taken from web pages you viewed and what they say are WhatsApp messages; they assert the police provided your browsing information but the police have confirmed in writing that they did not release any data. You reasonably suspect hacking and you dispute the authenticity of the WhatsApp messages. In family proceedings, evidence is admitted under the rule on how facts are proved and gives the court wide case-management powers over evidence, including the power to

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electronic material (see justice.gov.uk/courts/procedure-rules/family/parts/part_22). If the applicant wants to rely on hearsay such as screenshots or printouts from websites or WhatsApp, the court can admit it but the weight is for the judge. Section 4 of the Civil Evidence Act 1995 sets out factors for assessing hearsay reliability, including the circumstances of creation, the possibility of fabrication, and whether the maker can be called; that allows you to argue the screenshots carry little or no weight unless provenance is proved (legislation.gov.uk/ukpga/1995/38/section/4). In practical terms, you should put the other side to strict proof, require originals in native electronic form with metadata, and reserve your position on authenticity and weight. That is entirely consistent with FPR Part 22 and the court's general powers to control evidence.

(justice.gov.uk)

Where the authenticity of digital messages is in issue, the Family Court will often expect more than cropped screenshots. Judges can direct production of full message exports, message headers, and device or account logs, and where necessary allow expert evidence. Expert evidence in family cases needs permission under FPR Part 25; the test is necessity to assist the court to resolve the proceedings justly. If the dispute about the WhatsApp messages matters to the issues in the case, a narrowly tailored Part 25 application for a single joint forensic expert can be justified, limited to verifying whether the messages are genuine, altered, or incomplete, and identifying the devices/accounts involved (justice.gov.uk/courts/procedure-rules/family/parts/part_25; legislation.gov.uk/uksi/2010/2955/part/25). (justice.gov.uk)

You should also address the police point head-on. Exhibit the police confirmation that no disclosure occurred and explain to the court that any suggestion of police disclosure is wrong. That matters both to credibility and to the admissibility/weight of the applicant's exhibits. If someone unlawfully obtained or disclosed personal data to construct exhibits, that conduct may offend section 170 of the Data Protection Act 2018; while this is a criminal offence outside the Family Court's remit, flagging the possibility helps the judge evaluate weight and reliability (legislation.gov.uk/ukpga/2018/12/section/170; ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/data-sharing/sharing-personal-data-with-law-enforcement-authorities/). Likewise, if your accounts were accessed without permission, that would amount to unauthorised access under section 1 of the Computer Misuse Act 1990 (legislation.gov.uk/ukpga/1990/18/section/1; cps.gov.uk/legal-guidance/computer-misuse-act). (legislation.gov.uk)

Here is how I would solve this inside the case, step-by-step, with examples of wording the court will recognise. First, file a short supplemental statement from you exhibiting the police email/letter, stating plainly that no police disclosure took place, that you dispute the provenance and completeness of the WhatsApp and web-page exhibits, and that you put the applicant to strict proof of authenticity. Second, ask the judge for directions that the applicant must, by a date, provide (a) the native electronic exports of the entire WhatsApp conversation thread(s) they rely on, not screenshots, including message IDs, timestamps and participants; (b) device/account identifiers for the sending and receiving devices; and (c) a short statement from the person who captured or exported the material explaining the method used. This is proportionate disclosure aimed at enabling proper testing of reliability under section 4 of the 1995 Act. Third, ask for permission to cross-examine the maker of the screenshots at the final hearing if they are not providing primary native data, and make clear that you will argue for little or no weight absent compliance. This fits squarely within FPR Part 22 and the court's powers over hearsay and witness evidence. (justice.gov.uk)

If the messages remain pivotal and the other side cannot or will not supply verifiable native data, make a tight Part 25 application for a single joint expert in mobile forensics to examine agreed devices/exports solely to answer whether the messages exhibited are authentic, unaltered and complete, and to identify any signs of manipulation. The court will only grant this if it is necessary and proportionate, so keep the scope narrow and cost-controlled; recent guidance and commentary underline that permission is required and the necessity test is strict (justice.gov.uk/courts/procedure-rules/family/parts/part_25; becket-chambers.co.uk/articles/part-25-applications-a-practical-guide/). (justice.gov.uk)

In parallel, deal with the browsing-history pages. Judges are alert to the limitations of selective screenshots and retrospective reconstructions. The leading reminder on how courts evaluate documentary versus recollection is *Gestmin v Credit Suisse*, which highlights the need for the court to evaluate the evidence as a whole over contested recollection; the court must consider the context and the parties' intentions. Recollection carries minimal weight unless the applicant can establish its reliability and credibility. (justice.gov.uk)



text at 1cor.com/brighton/.../gestmin-v-credit-suisse... and the 2013 EWHC 3560 judgment PDF widely available). (1 Crown Office Row, London)

Outside the hearing room, lock down the narrative and the evidence trail. Change passwords, enable two-factor authentication, and generate your own lawful logs and exports to show what you actually did. From your side you can export full WhatsApp chats from your device/settings and retain the JSON/ZIP files and checksums; if relevant accounts are Meta/Google/Apple, download your account-access logs and security-event logs for the relevant dates so you can exhibit them. If you used JustAnswer, you can request account-activity data and login history to show nobody else accessed your account. These steps don't require alleging a crime to the Family Court; they give you contemporaneous, verifiable exhibits that the judge can trust.

Courts routinely ask parties to move from screenshots to native exports with metadata, precisely to address authenticity concerns in family disputes. See practical discussions of WhatsApp evidence and the need for full threads and metadata at wiselaw.co.uk/whatsapp-messages-used-as-evidence-family-law/ and anshamwhite.co.uk/the-impact-of-social-media-evidence-in-family-court-cases/. (משרד הגירושין הטוב ביותר בחו"ל - ויסלאו
בבריטניה - ויסלאו)

If you want me to take this forward for you here, I can provide a Premium Service deliverable within this platform. I will draft a compact supplemental witness statement in your name with exhibits, a short Scott-style schedule listing each disputed item (which page, what's wrong, what proof is demanded), and a draft directions order seeking native electronic disclosure of the WhatsApp threads and web-page provenance, with a fall-back request for permission to instruct a single joint forensic expert under FPR Part 25 if authenticity remains disputed. I will also draft concise non-party disclosure requests you can serve if needed on JustAnswer and on Meta/WhatsApp limited to login/access logs for defined dates, framed to satisfy necessity and proportionality under FPR disclosure powers. Everything will be in your name; you file it in the family case. This package is efficient, court-ready, and avoids the common pitfalls that lead judges to disregard digital exhibits.

Before I start drafting, two quick points will help me tailor it precisely. What is your next listed hearing date and is it directions, a PTR, or a final hearing. Do you already have the police confirmation in writing and may I quote it verbatim as an exhibit. If you confirm these, I'll prepare the statement, schedule and draft order in the Premium Service package straight away.

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Family Law: Disputing Evidence Authenticity in London Court

Challenges proving evidence authenticity and addressing alleged hacking claims in court disputes.

In family court, disputing evidence like witness statements or digital messages requires clear proof. Gathering forensic analysis of devices can verify hacking claims. Official police confirmation denying data release strengthens your position. Document all communications and discrepancies carefully. Present expert testimony or technical reports to challenge authenticity. Courts assess evidence reliability, so timely collection and preservation of digital data are crucial for your defense.

Disclaimer: This information is AI-generated and intended for general guidance only. For advice specific to your situation, please consult a verified expert on JustAnswer before making decisions.

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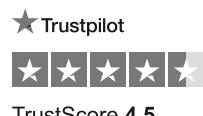
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Family court. Judge has made a final decision, in writing.

This answer was rated: ★★★★☆

Family court. Judge has made a final decision , in writing . The judge has made some errors in her assessment. We have a video call today with the judge, a hearing. I understand that this will not be to change the decision. But should i, can I bring up the errors she has made

JA: What steps has she taken? Has she filed any papers in family court?

Customer: The final hearing has ended.

JA: Family Court normally sits in a local County and Magistrates' Court. Do you know the location of the court? If not, what county does she live in?

Customer: Oxford

JA: Is there anything else the Lawyer should know before I connect you? Rest assured that they'll be able to help you.

Customer: I am a person in litigant, i represent myself

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Answered in 1 minute by:

11/5/2023

Lawyer: Stuart J**My name is Stuart,**

Thank you for the question.

It is my pleasure to assist you with this today.

I have been in the UK legal profession, in high street practice , for almost 30 years, so I have a wide range of experience and a great many different aspects of UK law and in particular, England & Wales and some Northern Ireland.

Please bear with me and I will be online and off-line from time to time and therefore, may be delayed getting back to you.

You will receive an email when I reply.

Although I am shown as being online, I may be dealing with other people, on the telephone, or typing.

Just Answer is not a chat service, it's an email reply board.

So please bear with me as I cannot usually reply instantly.

Sometimes it will be minutes, sometimes it may be longer, even hours or overnight.

I apologise for any delay.

I will now ask you some questions in order that I can answer you fully.

Kind Regards

Good Morning.

What would you like to tell the judge and what was the outcome you wanted?

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The case is a child arrangements order the decision has been made, final hearing was 3 weeks ago. The judge delayed her verdict and has emailed it in yesterday. Today we have an online hearing in the judges written verdict the judge states i have said things that i have not and made decisions that i did not. The evidence for this is very clear and in the bundle. The judge makes negative comment's about my character based on things that are untrue, un supported and contrary to the evidence. However her final verdict whilst not what i asked for, is a fair one and i don't intend to contest it. I would however like to raise the issue if the judges conclusion on me and my actions. It is not a matter of opinion in my view, the evidence clearly shows what i said in writing

Are you still there?

**Lawyer: Stuart J**

I am sorry, but this is not a chat service. It's an email reply board and therefore there may be a delay getting back to you because we have clients and travelling and other users to deal with.

Sometimes we will get back to you in minutes, other times it will be longer.

I would indeed bring up the errors because although the decision can be changed with an appeal, the order can be changed if it has inaccuracies. The wrong decision and the judgement not saying it was agreed 2 different things altogether.

You can appeal if the judge made an error of law or an error of fact. The judge may say that you said things that you didn't but it depends whether, if it said the correct things, whether the decision at the end would be any different.

You say that the judge makes negative comments about your character based on things which are untrue which would be really annoying but it doesn't necessarily mean that the end decision would be the



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Stuart J, Solicitor
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High street practice 30 years. Former Senior Partner

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same. The final outcome may not be what you asked for but it depends whether it's fair in the circumstances based upon actual circumstances which are truthful rather than the incorrect ones.

If you don't intend to contest it then it begs the question as to what you want to achieve although personally I understand that it may just be limited to putting the record straight in which case I would raise it and perhaps write to the court in the same terms if the judge just dismisses it when you speak.

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Does that all make sense?
Have I answered all your questions for you?
If you have any further queries or need any clarification, I am happy to answer any specific points arising from this.
Please don't hesitate to ask.
Thank you for letting me assist you with your legal problem. I am glad that I was able to help.
It will be my pleasure to help you again, either further with this, or any future questions you have, if you want to just ask for me on any new question.
Kind regards
Stuart



Stuart J, Solicitor

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Thank you, ***** really helpful. I actually don't have any major issues with the final judgment/child arrangements plan. However the judge does say for example that I have been unsympathetic to the other parties' illness, however my own statements over two years have me as being highly sympathetic, also the social services statements repeatedly state I am sympathetic and concerned for the other person's health. Also the judge criticises me for saying I am a single parent and me saying this is evidence that I disrespect to other person, my issue here is that I am recognised by universal credit, gov benefits, the county council and my employer the NHS as a single parent by their definition, and so when I say I am a single parent it is my view that I am by definition. Perhaps I should mention these points and follow up with the letter to the court?



Lawyer: Stuart J

Unsympathetic to the other party's illness is subjective. You may not think that you were and I am sure you weren't, but a third party looking on may think that you were unsympathetic. That one is worth taking issue with in the same way as it would be if the statement was unequivocally wrong such as they say that you did it 20 times whereas you actually only did it once. They said you had drug conviction whereas you don't. Or suchlike.

If these are just opinions rather than incorrect statements, I would be inclined to let it drop unless if this ends up in court again, it may be in front of the same judge and you may want the judge on your side on a future occasion.

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Excellent. Thank you.. I think I will not mention today unless the convention goes that way. and consider after today writing a letter



Lawyer: Stuart J

It was my pleasure to assist you. Please come back if anything else crops up and needs clarification.

Thank you for trusting us, and of course me, with your legal problem.

Kind regards

Stuart

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Remember, if you are granted an oral hearing and permission

Remember, if you are granted an oral hearing and permission is again refused, there is no appeal against this decision. ... [read more](#)



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Maggie

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How do I go about obtaining permission from the crown court

to file a transcript from... [Show More](#)

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Experience: Expert

Hello. I hope you are well today. I am a qualified Solicitor, and I will be able to help you by providing you with an answer to your question today. I specialise in UK and Irish Law. I am not always online but rest assured if I do not respond immediately I will respond when I return. Is there anything else you feel is relevant to your question or anything else you would like to add before we continue?

Customer reply

No, I just need to know how I can obtain permission from the authority to file a transcript from a sentencing hearing in the crown court within my witness statement in the family court



ALISON SOLICITOR,

To answer your query, it is usually necessary to obtain authorization from the judge or the relevant authority overseeing the transcript to use a transcript from a criminal sentencing hearing in another court, such as the family court. It's great that you have already received permission from the judge to obtain a copy of the transcript. Now, you just need to make sure that you have permission to use it in the family court.

To proceed, you should get in touch with the appropriate authority in charge of the transcript. This could be the court reporting service or the clerk of the court where the criminal sentencing hearing occurred. You have to explain your situation and ask for permission to include the transcript in your witness statement for the family court. Welcome! How can I help with your legal question? ▶



I understand your concerns about including your experiences and evidence in your witness statement. You have to present your case effectively while following the court's rules and procedures. Lastly, if you have already submitted your witness statement to the court, it should be included in the bundle for the next hearing. In case you are unsure, you should contact the court and verify if they have received your statement and will include it in the bundle.

Customer reply

I'm a litigant in person and his solicitor is submitting the bundle. I originally submitted my witness statement to her, the court and cafcass. But she is now telling me she won't include it because of the permissions.



ALISON SOLICITOR,

To navigate the situation you're in, it's crucial to handle both the procedural and legal aspects properly, especially since you are representing yourself in this matter. You've taken a significant first step by obtaining a copy of the sentencing hearing transcript. Since the judge in the sentencing hearing suggested that interactions regarding family court should be managed through solicitors, and you are a litigant in person, it's essential to clarify the use of such transcripts in family court.

Given that you have the transcript and wish to use it in your witness statement, you must secure permission not just for obtaining the transcript, but specifically for using it in the family court proceedings. This involves making a formal request to the crown court where the sentencing occurred. Typically, this request should be directed to the clerk of the court or the department responsible for managing court transcripts. You should explain that you intend to use the transcript as evidence in family court to support your case concerning child safety and contact issues.

Your next step is to ensure your witness statement, including the transcript, is considered in the upcoming hearing. If the opposing solicitor is handling the bundle but is refusing to include your statement due to permissions issues, you may need to directly submit your statement and any relevant permissions to the family court. It is crucial to communicate with the family court directly, explaining the situation and ensuring they are aware that your statement and the associated evidence are crucial for the hearing.

If the court is not aware of your concerns or the content of your witness statement, they cannot take it into account. Therefore, ensure all your documents are submitted directly to the court and clearly state any issues you have had with the opposing solicitor regarding the inclusion of your evidence in the court bundle.



ALISON SOLICITOR,

Welcome! How can I help with your legal question? ➤



Thank you for your question on JustAnswer. I am always available to help and please do let me know if you have any other questions I can answer for you.

Was this answer helpful?

 Yes  No

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I have some questions about exhibiting documents in witness

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I have some questions about exhibiting documents in witness statements. I think I may have misunderstood CPR guidance and some advice I received ... read more



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I am in financial divorce proceedings The other side has

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Hello there, I am in financial divorce proceedings The other side has made quotes from court transcripts that are selective. I do not have a ... read more

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Is it legal for a judge to proceed with a hearing without

Is it legal for a judge to proceed with a hearing without the defense bundle when they were permitted to provide a written statement due to mental ... read more

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I've pleaded guilty to abh and witness intimidation on my ex

Hi I've pleaded guilty to abh and witness intimidation on my ex partner DV first offence in 21 and working why he abh is a bruise to the face and a ... read more

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I have a question abc

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Joshua

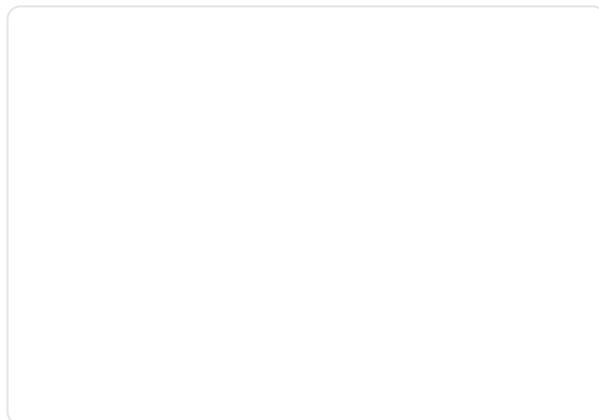
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Ask an Expert > Ask a Solicitor > Family Law Questions

How do I have free access to a court transcript, without being eligible for it?...

Ask Your Own Family Law Question



JeremyT1020, Solicitor

Satisfied Customers: 1,879

Experience: Expert

Good morning and thank you for your question. I'm a solicitor specialising in family law and dispute resolution so I'd be happy to offer some guidance. I'll need a little more information so I can fully answer your question. First and foremost, was this a family hearing? Secondly, was the hearing in a county court, High Court, Court of Appeal? Why do you think you won't be eligible for it? Thanks, J

Customer reply

Hi, it was a family court hearing, in a county court



JEREMYT1020, Solicitor

Hello again. Thanks for that. Was it a financial hearing or a Children's matter?

Customer reply

A childrens matter



JEREMYT1020, Solicitor

Good evening and thank you for your patience over the weekend. You can make an application that the costs of the transcript be paid at the public expense but you're unlikely to succeed unless you have a low income or are in receipt of certain benefits. You will also have to produce evidence such as a letter from your solicitor confirming that you are entitled to a free transcript. The application form to apply for a transcript is EX107. I've attached the link here:

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<https://www.gov.uk/government/publications/order-a-transcript-of-court-or-tribunal-proceedings-form-ex107> To apply for a fee exemption, you'd need to complete EX105 here:
<https://www.gov.uk/government/publications/apply-for-help-with-court-transcript-costs-form-ex105>

I trust that information helps. Please let me know if you need anything clarified.

Customer reply

Thank you



JEREMYT1020, Solicitor

My pleasure and best wishes. Thank you for your question and for using Just Answer. Kind regards, J

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My ex now states that I did not comply with the mediator and

My ex now states that I did not comply with the mediator and went against what was proposed. Due to this the mediation came to a stalemate and for ... [read more](#)

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Scotland sheriff court ordinary cause, medical negligence

scotland sheriff court ordinary cause, medical negligence award for damages 1. can I receive expenses even if I filed for appeal? the judgement has ... [read more](#)



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Am after some help please. I have applied to get a

Hi am after some help please. I have applied to get a transcript from family court and I am on benefits, can I get the transcript for free ... [read more](#)



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I have a statement too police after my partner passed away

I have a statement too police after my partner passed away unexpectedly at a year ago although I wasn't given an opportunity to read or sign ... [read more](#)

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My ex-husband is refusing to allow me to speak with my

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Hi, my ex-husband is refusing to allow me to speak with my children and see them in person, he is in breach of the child arrangements order. The ... [read more](#)



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I asked the court for a copy of the recording of the

Hi, I asked the court for a copy of the recording of the hearing, they replied :Please be aware that the Judge will only approve the judgement part ... [read more](#)



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My children's school have made an allegation and referred us

Hi. My children's school have made an allegation and referred us to social services. Now they've added an allegati

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In this case grounds for an appeal were issued before the

In this case grounds for an appeal were issued before the transcription of the judgement was made available, in order to be in time for an appeal. ... [read more](#)

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I need advice on court transcripts, Already been to court

I need advice on court trial papers in family court? Cu

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I meant to type I am happy to remunerate. But i typed I am

I meant to type I am happy to remunerate. But i typed I am unhappy and only noticed now after the submission. not sure if I can ... [read more](#)



RJM Law
Lawyer
LLB (Honours)
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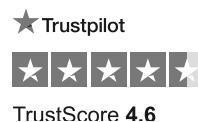
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I have been through an appeal hearing in the crown court. My appeal was refused. How I should apply to get a transcript

[Lawyer's Assistant chat](#) 

Customer: Hello, I have been through an appeal hearing in the crown court. My appeal was refused. How I should apply to get a transcript of the court?

Answered by LegalNinja in 9 mins 1 year ago

 LegalNinja

Solicitor

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Specialities include: Bankruptcy Law, Employment Law, Family Law, Fraud Examiner, Immigration Law, Law, Property Law, Traffic Law, UK Bankruptcy Law, UK Employment Law, UK Family Law, [Read more](#)

 **Solicitor: LegalNinja**

Hi there, Thank you for your query. I'd be happy to assist. You may apply for a transcript by filling in form EX107 the link to which I have copied below together with guidance notes to assist you:<https://www.gov.uk/government/publications/order-a-transcript-of-court-or-tribunal-proceedings-form-ex107> Guidance notes:<https://www.gov.uk/government/publications/order-a-transcript-of-court-or-tribunal-proceedings-form-ex107/guidance-for-requesting-a-transcript> Thank you for your query. I hope this assists. Kind regards-LN

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How to Obtain a Crown Court Appeal Hearing Transcript

Delays in transcript requests and unclear application procedures often cause frustration.

To get a transcript of a Crown Court appeal hearing, contact the court's official transcription service or the court office directly. You may need to complete a formal request form and pay a fee. Processing times vary, so apply promptly after your appeal decision. Ensure you provide case details like hearing date and case number to avoid delays. Transcripts are essential for further appeals or legal review, so keep copies securely.

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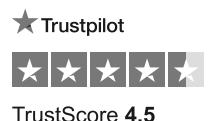


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MARTINT330

Satisfied Customers: 12,555

Experience: Expert

Hello, and welcome to JustAnswer! I'm Martin, a qualified solicitor with over 11 years of experience in UK and Irish law, and I'm here to help with your legal query. I've just received your enquiry and am currently reviewing the details. I will be in touch shortly with my detailed response.

In your situation, you are entitled to explain to your ex-husband's solicitor that there was no impropriety in you providing summary letters from your treating professionals. The psychiatrist's duty is to consider all relevant material in order to give the court a fair and balanced opinion.

It is not unusual for patients to supply treating clinicians' letters in this way, particularly where full disclosure of underlying notes would compromise confidentiality or where the formal disclosure route is not workable. The solicitor's attempt to dismiss the letters has no binding effect – it is ultimately for the psychiatrist and the court to decide what weight, if any, to place on them.

If you want to respond formally, you should set out that you acted transparently, posed standard, neutral questions, and only sought summaries because conventional disclosure would have unfairly exposed private notes to both parties. That puts you in a strong position to argue that the psychiatrist should consider the reports as part of his overall assessment.

If helpful, I can offer a premium service to draft a clear and professional letter to the other solicitor and/or to the psychiatrist setting out your reasoning and referencing the relevant Practice Directions, so the input of your practitioners is not sidelined. Let me know how you'd like to proceed.

Customer reply

My ex's solicitor never even : Welcome! How can I help with your family law question? I think he may have been deceitful and delinquent and told the psychiatrist that he must disregard those letters.



think this is completely unreasonable and it disgusts me that such behaviour can sit with the conscience of a person who knows that this will compromise a mother and daughter relationship. I have drafted something in regard to how I came up with the questions, because I am myself a doctor and so I have a pretty good general idea of healthcare related reports, having provided these myself. Please let me know your thoughts on what I have drafted, however, I would be grateful to know what your premium service fee would be to assist with a professional letter if I get any further pushback. Please give me a few minutes to find what I have drafted and I will copy it so you can see this.



MARTINT330,

It is indeed improper for your ex's solicitor to bypass you and try to influence the psychiatrist's consideration of relevant material without your knowledge. Your draft explanation based on your professional background is a sound approach, as it reinforces that your questions were neutral and properly framed.

Would you like me to send you through a premium service offer?

Customer reply

Dear....

Thank you for your email. I am disappointed that you have advised Dr... to disregard the summary reports of the two mental health professionals who are directly supporting me, bypassing me and preventing the opportunity for me to offer my explanation and justification, of which is sound and appropriate in the legal circumstances. I would therefore like to clarify the position in respect of the correspondence with my treating professionals, and have also provided a copy of this clarification to Dr as well.

Scope of Request

I did not seek to introduce "new evidence" outside the proceedings. My correspondence with my psychotherapist and mental health practitioner was limited to requesting a summary of their professional involvement with me. The information requested followed established best practice for clinical reporting (as recognised in the GMC guidance on acting as a witness, BPS report-writing standards, and the Law Society/BMA consent form model). Both professionals were provided with the following questions, of which are directly relevant to the scope of the psychiatric report and neutral.

Purpose

The intention was simply to ensure that the jointly instructed expert psychiatrist had access to a fair and accurate picture of my therapeutic engagement, as is directly relevant to his assessment under FPR Part 25 and Practice Direction 25C. These materials are not advocacy; they are clinical perspectives confined to professional observations.

Disclosure

I recognise the importance of transparency in these proceedings. I am therefore content for any such reports or summaries to be provided to the court, if a judge feels that they are necessary.

reports should not be disregarded however, I will respect any decision the judge makes on their

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admissibility.Good Faith

My actions were taken in good faith, to support the court's inquiry into my mental health and parenting capacity, not to circumvent procedure. I have at all times respected the confidentiality of proceedings and the professional independence of those involved.I was also surprised that you dismissed these reports, as during our negotiations of the LOI to Dr ____ I had outlined to you each item of medical disclosure I intended to share, explaining my reasoning was so as to ensure complete transparency. You stated it was not necessary, and could simply be referred to as 'updating medical notes'. You were indeed, therefore, aware. I would be happy to disclose of our emails as evidence to Dr ____ if he wishes to see this for his own reassurance if you remain opposed.I trust this clarifies matters. Should the court wish to issue directions as to the most appropriate mechanism for treating clinicians' input, I will of course abide by those. Until then, I am confident that Dr____ has a duty of care as an independent expert witness and healthcare professional to consider the evidence before him as he feels fit to do so.

I intend to copy my 7 questions at the end of the paragraph titled 'scope of request'



MARTINT330,

Your draft is strong, measured and well-reasoned, and it sets out your position in a way the court and the psychiatrist are likely to view as credible and fair.

Customer reply

Thank you. I am uncertain of the line where I mention sharing of the emails...I don't want to seem like I am making a threat (although I kind of am...). Im so angry that my e's solicitor has been so sly and deceitful herself, yet has the audacity to portray and accuse me of this



MARTINT330,

You can soften that line by framing it as an offer of clarification rather than a threat, making clear it is simply to ensure transparency if the psychiatrist requires reassurance.

Customer reply

thank you. Is there anything I have missed that you would suggest? I plan to put this as a formal letter rather than responding only as an email, to make it more 'official'



MARTINT330,

Welcome! How can I help with your family law question?



Sure. Adding a brief closing line that you reserve the right to raise the issue before the court if necessary would strengthen the formality without sounding confrontational.

Customer reply

Should I add in the information about my private psychotherapist suggesting a letter instead of being willing to share her personal notes? and the issue of the LA having to disclose to both parties if I had sought my MH practitioners notes through the routine and full disclosure method. Basically, to explain myself in advance of any rebuttal accusing me or bypassing the usual approach



MARTINT330,

Yes, include that context briefly, as it shows you acted reasonably and chose the only proportionate way to provide relevant input without breaching confidentiality.

Customer reply

Thank you. How can I get back in touch with you if I need further assistance?



MARTINT330,

You can reach out to me via the platform.



MARTINT330,

Thank you for your question on JustAnswer. I am always available to help and please do let me know if you have any other questions I can answer for you. If you would like to ask me another question in the future, you can add me as a favourite Expert or request me by name.

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I recently dismissed my legal representation mid family

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I recently dismissed my legal representation mid family court proceedings as they were not advocating effectively or responsive in ... [read more](#)

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LL.M

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Daughter's upcoming

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Daughter's upcoming EHCP tribunal in July . She's in year 7 transfer this September 2025.
Her EHCP named a local school for her which ... [read more](#)

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Lawyer

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Local authority got supervision order for 12 month from

local authority got supervision order for 12 month from court from November 2023 and there's child arrangements orders in place) Can I ask ... read more

**Solicitor4All**Principal Solicitor
Master's Degree

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Lawyer

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It is a very long question. I am 23 years old and so is my

It is a very long question . I am 23 years old and so is my partner. We are engaged but not married. She is currently going through very difficult mental ... read more

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I have two daughters. Both stay with their father and his

I have two daughters. Both stay with their father and his girlfriend every other weekend Friday - Sunday. For months on end my eldest has been ... read more

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AlisonT0613

Solicitor



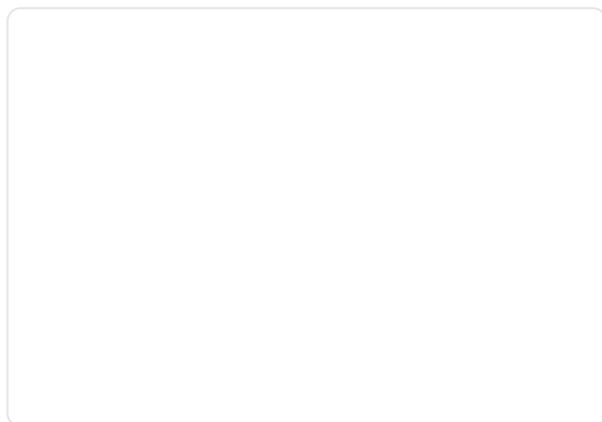


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I am an appellant. What are the rules (including costs) of

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Vineet S

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Experience: Freelance Solicitor at Self Employed

Good Morning,

Welcome to Just Answer, I am a solicitor and I will be dealing with your case today. Please note, Just Answer is an information sharing platform in a Q/A format and does not provide legal representation in any form and as such no legal lawyer/client relationship is formed.

Kindly note, I am not available for phone calls at the moment, however I can easily assist you via this online chat.

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I will go through your question and will get back to you with my answer shortly,(usually within one hour or two hours)

You will get an email notification once you have my answer here

Thank you for your patience.

Welcome! How can I help with your legal question?

VINEET S,





As the appellant in an appeal case, you are responsible for ensuring that the relevant court transcripts are provided to the court and the respondent. You are not necessarily required to provide the entire court transcript but only the portions of the transcript that are relevant to your grounds of appeal. This includes the parts of the hearing that form the basis of your appeal or that are necessary for the appellate court to consider your arguments.

If a portion of the transcript is unavailable due to poor-quality recordings, you must notify the court and the respondent of this issue.



VINEET S,

If you would like to reconnect with me at a later date, you can simply do so by tagging me in a new question starting off with @Vineet S in the new question box or via the following link

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FORONLY Would really welcome some objective professional

★★★★★

FOR*****ONLYWould really welcome some objective professional observations while I consider next steps. Not looking for a detailed response but ... [read more](#)



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I am the claimant and significant part of the court

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I have a question on Court Transcripts for a party in the

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I want to appeal a judges decision, Clerkenwell and

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I applied to move the case to a local court due to my disability making it impossible to travel to London. I asked the court several times what to do but ... [read more](#)

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Solicitor





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Please can you provide some guidance on Court transcripts.

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A default costs certificate has been made claiming "as you

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a default costs certificate has been made claiming "as you have not raised any points of dispute on the claimants costs, the claimants costs have ... [read more](#)

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To quote..."the problem. It is possible to make a complaint

★★★★★

To quote..."the problem. It is possible to make a complaint to the court
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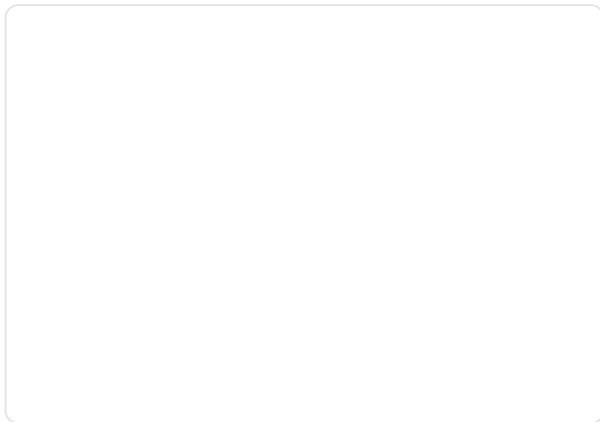
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I am enquiring just for a consultation to have a second

This answer was rated: ★★★★☆

Hi I am enquiring just for a consultation to have a second opinion here. Its a family court case I have currently gone through in regards ***** child where the father has been granted custody of the child and also a contact agreement but in my opinion it doesn't seem fair, this is a northern ireland case and throughout the whole court case they seem to look after their own so would like to have a second opinion on what I should do if I should appeal it or take it higher or if it is substantial

JA: I'm sorry to hear you're feeling this way about the court's decision. Could you share if there is currently a court order in place, and if so, what the key details of it are?

Customer: Court order is residence order in favor of father, contact order in order for my contact and also a prohibited steps order in regards ***** not to take him out of northern ireland unless it's to do with the contact order or agreement between parties

JA: Thank you for sharing that. Do you know the deadline for filing an appeal in your case?

Customer: Last court case was Friday the 10th in regards ***** contact the residence order was 2 weeks prior to that JA: Understood. Could you explain why you feel the decision was unfair or biased?

Customer: So basically at the first court case he was granted residency for the child, the judge wouldn't let me speak in regards ***** matter it went on submissions, it was in regards ***** mental health and cancer, I had a psychiatrist report done as my gp were taking to long in getting my notes and would not release them. The psychiatrist report says that there is no problems in my state why I couldn't look after my son. But the court went on based on he had been living in northern ireland for the past 2 years he has a substantial life here but I got the child taken off me by the father. I said he could look after him for a little bit as he needs to spend time with his father, but when I said I would collect he refused then blamed my mental health at court now I have never had anyone look at me like that before from professionals as everyone deemed me as a great mother who put her sons needs first and elijah was doing great but court put a supervised visits under my name at that time and a prohibited steps because I wanted 5he child bac with me. So I never got time with my son throughout this time properly and they went based on that but I had no choice I the matter. The child is 3 by the way. Then the contact order they are wanting me I northern ireland pretty much all the time and only 4 visits to England for hardly any time only 3 nights in holidays, also only 2 days a week for video calls when they have been everywhere day. The father was very controlling when I was in a relationship with him and was nasty. And now he's been granted this he's going to be controlling me through my kids and I feel like this is going to be detrimental to the child with his mothers bond and will be emotional and stressful for him

JA: Thank you for explaining. Could you clarify if there was any evidence or testimony presented in court about the father's behavior or your concerns regarding his control?

Customer: I had loads of screenshot but they said basically because he seems fine towards the child but it wasn't him it was me and because I gave my son to him it would withhold in court. He put only a few messages in court me stating I couldn't be a mother and be in a relationship with him at the same time and that I was struggling but it wasn't with the child it was the father as he was pestering me consistently about getting back together and still does now about being a family when I have video calls

JA: Thank you for clarifying. One last question-did the court consider or address the potential impact of the limited contact arrangement on your bond with your child?

Customer: No they said any more time would be detrimental to the child but I haven't had the actual order yet

JA: Is there anything else the Family Lawyer should know before I connect you? Rest assured they'll be able to help with your situation regarding the court's decision on your child's custody and contact arrangements.

Customer: We had a coo attached at the endof the case who was very unprofessional and seemed to favour the father

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Answered in 4 minutes by:

14/10/2025

Lawyer: Legalex

Hello! I'm Legalex, a Family Law expert here to help you navigate your situation. I understand how challenging this must be for you, and I'm ready to provide the support and guidance you need. Just so you are aware, JustAnswer is a legal information-only site. No attorney-client relationship is formed from our conversation. I will ask a few clarifying questions to understand your query better. Can you describe any specific instances or evidence that you believe demonstrate the father's controlling behavior during your relationship? What are your main concerns regarding the impact of the current custody and contact arrangements on your child's emotional well-being? Have you had any discussions with a legal professional about the possibility of appealing the court's decision, and if so, what feedback did they provide? Could you please answer my clarifying questions? This helps me to give you a thorough answer.

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He said if I leave he will slit my throat or do my knee caps in there is also instances where in messages of him not doing anything while I run around doing everything or don't eat just to provide for him while he games or watches stuff. My main concern is that he won't get fully what he needs with support and that me his mum her bond will suffer and that he needs more time with me. My legal team in northern ireland said to live with it that I would lose out on the contact I already have as there Solicitor isn't nice and 5hat contact should get better as life goes on

**Lawyer: Legalex**

I completely understand how upsetting and unfair this situation feels. Based on what you've described, there are valid reasons to question how the case was handled and whether the court properly considered the



evidence and your child's welfare. In Northern Ireland, you have 21 days from the date of the final order to lodge an appeal. Since your last hearing was on 10 October, the time limit is very tight, so you should act immediately if you plan to challenge it. An appeal must be based on an error of law or procedure. For instance, if the judge did not allow you to speak, failed to consider relevant evidence like your psychiatric report, or gave too much weight to one side's arguments without addressing safeguarding concerns, these could all be valid grounds for an appeal if supported by the record. If the judgment hasn't been formally issued in writing yet, you should request a transcript and the full written reasons right away. This is crucial for an independent family law barrister to assess whether there is a substantial basis for an appeal. If the appeal window closes, you can still apply later to vary the contact order or seek shared residence if you can demonstrate a material change in circumstances. For example, ongoing concerns about the father's control, evidence of emotional harm, or indications that your relationship with your child is being undermined could support your case.

Do you have any questions ?

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The custody case was 2 weeks prior plus the judge changed the date of hearing for the 10th so he didn't actually attend and it was a different judge who
Who's been dealing with the whole case
Does this make a difference

 Lawyer: Legalex

it could make a difference. If the main judge handling your case changed the hearing date and then did not attend, leaving another judge to make the final decision, you may have grounds to challenge the fairness of the process. In Northern Ireland family law, it's crucial for the same judge to oversee child proceedings because that judge should be fully aware of the case history, reports, and previous evidence. If a substitute judge made significant decisions—especially without hearing all the evidence or allowing you to speak—this could be seen as procedural unfairness or a breach of natural justice. The key issue is whether the new judge had full access to the case file and if you were given a proper opportunity to present your case. If not, this strengthens your argument for an appeal or at least for permission to appeal out of time (if more than 21 days have passed). You should urgently request a transcript of both hearings and the written judgment. Once you have those, a specialist family barrister in Northern Ireland can assess whether the change of judge and the lack of opportunity to be heard compromised the fairness of the decision.

Do you have any questions about this ?

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the judge said she looked over the notes but it was last minute because none of the solicitors or barristers knew that he wasn't going to be present does this make a difference
Plus the cco was very unprofessional without looking at my side or talking to me properly said it wasn't going to go in my favour

 Lawyer: Legalex

this does make a difference — and it could be significant. If the replacement judge had limited time to familiarize herself with the case, especially one as sensitive as a residence dispute involving a young child, there is a genuine concern about whether the hearing was fair and if she understood the background before making important orders. Under Northern Ireland family law principles, a judge must fully grasp all evidence and welfare issues before making a final decision about a child. If the main judge managing the case was unexpectedly replaced, and the substitute judge relied mainly on brief notes instead of the full context, this could be a procedural irregularity and may provide valid grounds for appeal, particularly if her decision impacted custody or contact significantly. It's even more concerning if neither party's legal teams were informed in advance or given the chance to request an adjournment. In such cases, your barrister could have reasonably requested a postponement so the main judge could complete the matter. Given this, you should act quickly: request the judgment and hearing notes (transcript if possible) and ask your current solicitor—or preferably, an independent family law barrister—to review whether to file an appeal or an application for permission to appeal out of time.

Do you have any questions ?

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Main judge was there for the full custody hearing but wasn't there for the contact hearing

 Lawyer: Legalex

That's good to know! Yes, it still matters, although the legal weight varies slightly. Since the custody (residence) order was made by the main judge who reviewed all the evidence, that decision typically stands unless there was a legal error or clear unfairness in how it was reached. However, if a different judge handles the contact hearing—especially on short notice, without informing either side, and only briefly reviewing notes—this could raise a procedural fairness issue. Contact arrangements are closely tied to residence, and a new judge making decisions without the full context or evidence might issue an order that doesn't reflect the child's best interests or the main judge's overall findings. In your case, if the contact arrangements are unreasonably restrictive or inconsistent with the original judge's findings, you may have grounds to appeal the contact order or request a variation based on the substitute judge's lack of understanding of the full case. This argument could be stronger if the substitute judge refused to hear



27/10/2025, 11:13

I am enquiring just for a consultation to have a second opinion here. Its a family court case I have currently gone

complete submissions from your side or issued orders that seem one-sided or inconsistent with earlier evidence.

Do you have any questions about this ?

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What about the cco being unprofessional

 Lawyer: Legalex

This is also very relevant. If the Court Children's Officer (CCO) acted unprofessionally, showed bias, or misrepresented your situation, it can impact the fairness of the proceedings. In Northern Ireland, a CCO's report and recommendations hold significant weight in custody and contact cases. If the officer acted unfairly, misrepresented facts, or displayed favoritism toward the father, you can include this in your appeal or as supporting evidence when seeking to vary the order. You should document specific examples, such as inaccurate statements in the report, dismissive or inappropriate behavior, or evidence that they did not properly investigate your concerns. Demonstrating that their input influenced the judge's decision will strengthen your case that the process was unfair or based on unreliable information. You can also file a formal complaint with the Northern Ireland Court Children's Service (NICCY) or the NICS Family Court Welfare Service regarding the officer's conduct. However, this should be done carefully—ideally after seeking advice—to ensure it supports rather than delays your legal challenge. If your main concern is that the CCO's actions led to an unfair outcome, the best approach is to raise this in your request to appeal or vary the order, backed by your written evidence and examples of their bias or procedural failures.

Do you require any clarification on the above? Does this answer your question?

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One thing that puts me off is that I got told that if I appeal or question anything I could lose out

 Lawyer: Legalex

That's completely understandable — many parents share the same fear after family court proceedings. Let me reassure you. Appealing or asking the court to review a decision does not automatically jeopardize your current contact, as long as it is done properly and respectfully ***** ***** channels. Sometimes, solicitors caution clients that a poorly prepared or hostile appeal could backfire, but that's different from saying you cannot challenge an unfair decision. In your case, you have legitimate reasons — a different judge taking over last minute, possible procedural unfairness, and concerns about the CCO's conduct. These are reasonable grounds to seek a review. The family court must make decisions in the child's best interests, ensuring both parents are treated fairly. If an appeal or variation is filed carefully with evidence and focuses on your child's welfare (not just dissatisfaction), it will not be held against you.

Do you have any questions about this ?

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Okay thankyou that is everything please could I get a transcript of this conversation sent to my email please

 Lawyer: Legalex

Yes it will be emailed.

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Legalex, Solicitor

Category: Law

Satisfied Customers: 1,760

Experience: Expert

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Thankyou very much



Lawyer: Legalex

Thank you.

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SASH_Law

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Vineet S

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LL.M

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hello i need some advice for a friend on what fathers rights are when he has been stopped access to child for no reason and started mediation with the ... read more



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Thank you so much for your help. Your answers were really useful and came back so quickly. Great!

 **Jo C.**
Barrister
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★★★★★
Over 15 years in practice

Maggie

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I am looking to appeal against family court order and don't

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Jeremy Aldermartin, Lawyer

Satisfied Customers: 20,218

Experience: Lawyer

Hi there! I'm Jeremy Aldermartin, a Family Law expert here to help you navigate your appeal process. Let's get you the right form for your child contact appeal!

Customer reply

this is the email that I have received 'Good afternoon Thank you for your email however you will need to make a formal appeal application on form N160 within 21 days of the order. There is a fee of £245 for the application unless you are on benefits or low income therefore you can apply for help with the fee on form EX160. Both forms are available on www.gov.uk website Please send the application to the following email address:

****@*****.*** kind regards

' but I couldn't find the form N160



JEREMY ALDERMARTIN, Lawyer

It is this form you need: <https://www.gov.uk/government/publications/form-n161-appellants-notice>

I trust this assists

Customer reply

in the email they mentioned I

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JEREMY ALDERMARTIN, Lawyer

Yes but that is the wrong form, there is no N160, there is the N161 which is the correct form so it must have been a typo I trust this assists

Customer reply

thanks, ***** ***** for filing an N161 appellant's notice is £215.00, but in the email they mentioned 245, should be a typo as well?



JEREMY ALDERMARTIN, Lawyer

Yes I trust this assists

Customer reply

thanks Jeremy



JEREMY ALDERMARTIN, Lawyer

Take care

Customer reply

you too, thanks



JEREMY ALDERMARTIN, Lawyer

Thanks

Was this answer helpful?

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Experience: Lawyer

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Beginning of August the police were called and came round to

Good morning beginning of August the police were called and came round to my property all my children were asleep the police woke my children up ... [read more](#)

**MatthewM1117**

Solicitor

Master's Degree

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I am the farther and am preparing to submit an appeal

I am the farther and am preparing to submit an appeal against a Circuit Judge's decision refusing my application for a transfer of ... [read more](#)

**RaviV0807**

Legal Advisor

LLB Hons

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I would like to ask for family law regarding children and

★★★★★

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**Joshua**
Lawyer

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I recently applied to have a court order varied. I have two

I recently applied to have a court order varied. I have two daughters in their early teens and have not seen them for 2 years. I am permitted to ... [read more](#)

**JeremyT1020**

Consultant Family Solicitor
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I hope you're well. You kindly advised me previously

Hi Alexander,I hope you're well.You kindly advised me previously regarding a Child Arrangements Order my ex-partner has filed. A second hearing took ... [read more](#)

**AndreA10111**

Managing Partner
Professional LLB (UK)
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I went to court last week due to my kids father trying to

Hi I went to court last week due to my kids father trying to get access he has got some supervised access is there anyway I am able to appeal the ... [read more](#)

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MARTINT330

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Judge is trying to disclose information about the existence

Hi judge is trying to disclose information about the existence of our daughter's son whom she gave away for adoption to the wider family. can we ... [read more](#)



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I have received a letter about child contact, I oppose part

★★★★★

I have received a letter about child contact, I oppose part of it so I don't know where to go from here ... [read more](#)



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LLB (Hons)
4,480 satisfied customers

I think I will have to go court in regards to my ex wanting

Hi. I think I will have to go court in regards ***** ***** ex wanting to move with her current boyfriend and take the kids with her. I was wondering what ... [read more](#)

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SASH_Law

27/10/2025, 07:30



I am looking to appeal against family court order and dont know which form should I use, Child contact, on 23/07/2025,

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I am unsure if I have any grounds to appeal to a family

I am unsure if I have any grounds to appeal to a family court decision ... [read more](#)



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My children's step mother has been locking herself in the

My children's step mother has been locking herself in the bathroom and threatening to kill herself whilst my children are in the house. ... [read more](#)



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Family court uk had final hearing said at onset it will be

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Family court uk had final hearing said at onset it will be 50:50 in this case just browsed position statements wouldnt look at evidence of violence ... [read more](#)

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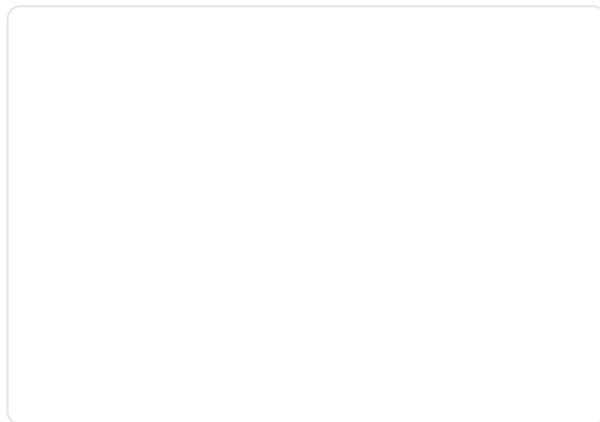


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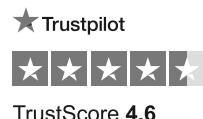
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I am the applicant in a family law case and have raised a

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[SASH_Law, Lawyer](#)

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I'm Lea. Can you tell me your first name please? I may need to ask you additional questions before I can answer your query, so please do bear with me and try to answer all the questions so that I have the information I need to give you an accurate response to your specific legal situation. I will be providing you with a full response online to your query today. Please note that if you want document review, it will cost extra. I do not make calls; if you request one, another expert will call you and I will not be able to respond further in this thread as it will be closed to me. The call offer is site automated.

Customer reply

My first name is Maria



[SASH_LAW, Lawyer](#)

hi Maria

When is the next hearing?

Customer reply

The final hearing is scheduled for 9th April



[SASH_LAW, Lawyer](#)



you been asked to provide a statement in response to the s7 report?

Customer reply

I provided a statement about the section 7 at the DRA. I applied to have additional evidence reviewed and this was accepted, but until the additional evidence comprising social services notes from the violence against the children is reviewed that judge has ordered unsupervised contact. I'm worried because my concerns were not taken on board by the judge on the grounds that my self referral to social services was from 2021 and the social services assessment deemed too out of date



SASH_LAW, Lawyer

How old are the kids?

What has the s7 report recommended?

Can I see a copy of the last court order please.

Customer reply

The children are 11 and 12 and have said they want to see father, so the report recommends alternate weekend overnight contact and a build up to 50-50 stays over school holidays

They have also said father needs help with his anger, but no practice direction 12J schedule has been included in the interim order.



SASH_LAW, Lawyer

When were the most recent safeguarding concerns you had?

Customer reply

At the last overnight stay father's neighbours called police because of screams, they attended and youngest said he wanted them to call me (mother) but police did not act on this. Later that evening father returned the youngest and kept the eldest overnight. The youngest has suspected adhd and father handles his meltdown forcefully sometimes.



SASH_LAW, Lawyer



Please give me a copy of the last court order please.

Customer reply

The order was drafted by the respondents barrister but I have not received a sealed copy yet. It recommends fortnightly contact at father's home if he wishes it with an increase of an hour each time. I'm afraid I can't afford the costs of having documents read by this service.

Am I right in thinking that until I receive a sealed order I am not bound by it if I feel the hearing's or Cafcass' recommendations are not safe?



SASH_LAW, Lawyer

I asked for it, so would have reviewed that for free. But nevermind.

You are absolutely bound by the judge's order given you were in court to hear it yourself.

But if you think there are safeguarding concerns, then a chat with social services will likely result in them telling you that you can stop contact if you are concerned.

My suggestion would be, if there was a recent incident, to apply to court for an urgent interim hearing on form C2.

Customer reply

Ok that's helpful. Do you mean a new self referral to



SASH_LAW, Lawyer

The father should not be manhandling the child. And the police should have called you if that is what the child requested.

Customer reply

Social Services?



SASH_LAW, Lawyer



That police call out will also have resulted in a further referral to social services - that is a standard police action when called out to an incident where kids are involved.

Yes, call social services - they should have received a report from the police for that event.

I will be right back, please bear with me.

Customer reply

Unfortunately police ascribed the meltdown and upset to 'the ongoing divorce' and wrote only two lines about the event saying NFA, which the court took to mean there were no concerns at all.

The idea of an urgent hearing is helpful, but the police visit predates the DRA, which is why the judge saw the police NFA and dismissed it.

I may also have to sign off for a while now, I believe the fee I paid means I can continue this chat for around 3 days? I attached the draft interim order since you offered to review it.



SASH_LAW, Lawyer

No, the fee does not include my time for three days.

I will answer the specific query you have.

What is the outcome you are looking for if the police visit predates the DRA?

How many visits have there been since the last hearing, and since the last incident referred to?

Okay, so the order is for day time contact, not overnights.

Customer reply

I understand, that's ok. No police visits since I stopped overnights after the police incident last June. They have only seen their father for daytime contact as per the order since the interim order was issued.



SASH_LAW, Lawyer

Having read the order, you have two options.

1. Continue with the directions in the order to provide your statement and evidence so the court can consider that at the final hearing, or
2. Make an application to appeal the decision to give unsupervised contact on the basis that you believe the magistrates did not take into consideration the additional evidence you say you have which relate to safeguarding issues.



If you wish to appeal, you do not need the magistrates permission to do so, your right to appeal their decisions is absolute, so you can go ahead and file an appeal.

Customer reply

My Desired outcome would be just daytime contact in the community because when they are at fathers they can't stop incidents escalating. The judges view is the children have phones and can ring me if they are worried, but I don't feel sure they can safeguard themselves in the middle of a meltdown.

Thank you, ***** ***** look into an appeal. You've been very helpful.



SASH_LAW, Lawyer

They're a bit young to have responsibility for having to determine if they are unsafe with their parent or not...maybe if they were 14 that would be okay, but 11 and 12 in my view is still a bit young, especially if one has special needs.

To appeal you need form N161, and you will be required to order a transcript of the hearing you are appealing, produce your grounds of appeal (what errors of fact, law or procedure the judge made), and a skeleton argument detailing the law that you are seeking to rely on to support the grounds of.

Appealing is difficult and it is very likely you will need a solicitor to go over the transcript for you to see if there are in fact grounds to appeal the decision. Be aware that if you lose, you may be asked to pay the other side's costs.

Form N161 and notes to help you complete it are here:

<https://www.gov.uk/government/publications/form-n161-appellants-notice-all-appeals-except-small-claims-track-appeals-and-appeals-to-the-family-division-of-the-high-court>

You can find a solicitor here: solicitors.lawsociety.org.uk

You will need form EX107 to obtain the transcript, and the notes to help you complete that form.

See the links below:

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Also, you have magistrates hearing your case, not a judge.



Customer reply

Thank you again I see that although there could be difficulties in obtaining the transcript there's an avenue to appeal these interim arrangements. That's encouraging.



SASH_LAW, Lawyer

Yes, there definitely is an avenue to appeal - and as you raised safeguarding concerns, then the magistrates should have erred on the side of caution.

You're very welcome, glad to help today.



SASH_LAW, Lawyer

I was pleased to have been able to provide you with a response to your query.

If you would like to ask for my assistance with new questions, you can do so by putting FOR*****ONLY in the subject heading of a new thread. Alternatively, you can add me as a favourite expert from your membership page if you click on "My Questions" you will see "♥ Favourite Expert" which you can click on. Then, when you wish to ask me another query, you can simply type "@" followed by my name in your next chat, e.g. @SASH_Law.

All the best!

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I wish to appeal a decision not to move forward with a section 7 and I need help on how to do that ... [read more](#)



Legalex
Legal Advisor
LLB Hons



My ex hit my soon several times in the past, which i didnt

★★★★★

hi, my ex hit my soon several times in the past, which i didnt know, but now he tells me shes threatening him again often, is this enough for my to gain ... [read more](#)



MatthewM1117

Solicitor

Master's Degree

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Joshua,I hope you are doing well.I asked advice a couple of

★★★★★

hi Joshua,I hope you are doing well.I asked advice a couple of months ago about a family issue .I stoped contact with their father last may as they ... [read more](#)



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LLB Law

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Elder Care Abuse and Neglect, Verbal abuse and general

★★★★★

Verbal abuse and general neglect relating to personal care hygiene, denial of medication, complete disregard for general cleanliness. ... [read more](#)



Joy Nicholas

Lawyer



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I have a question about the enforceability of recitals in a

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Hi, I have a question about the enforceability of recitals in a Child Arrangement Order. It's hugely complicated so I'll try my ... [read more](#)



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I am wondering if it is possible to restart an application

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Hello, I am wondering if it is possible to restart an application for enforcements of child arrangements having previously withdrawn it in May. It was ... [read more](#)



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The a family court case, can caf cass look at your medical

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The a family court case, can caf cass look at your medical records. How much detail will they receive... [read more](#)



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I have received a section 7 report yesterday from CAFCASS

I have received a section 7 report yesterday from CAFCASS which recommends indirect contact for my children and their father. Up ... [read more](#)

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Legal advice with a Section 47 investigation, Wales, Child

Child was taken into custody by Father, removed from her family home. I was arrested for assault, then released on bail whilst Social Services ... [read more](#)

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I have been accused for child neglect cause I didn't report

I have been accused for child neglect cause I didn't report that the mother was violent against the children ... [read more](#)



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My x husband c100 to court, my solicitor at the time said no

My x husband c100 to court, my solicitor at the time said no need to respond with c1a so had fhdra didn't go very well so I changed legal ... [read more](#)



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Bar Professional Training C...
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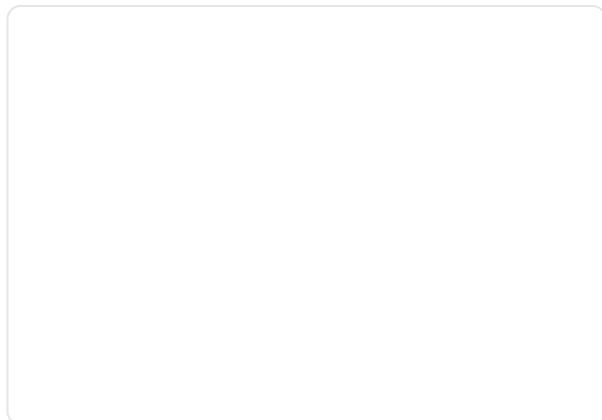
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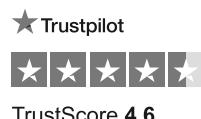


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Hello and welcome to Just Answer. How are you today?

I'm Lea. Can you tell me your first name please? I may need to ask you additional questions before I can answer your query, so please do bear with me and try to answer all the questions so that I have the information I need to give you an accurate response to your specific legal situation. Please note that if you want document review, it will cost extra. I will be providing you with a full response online to your query today. I do not make calls, so please note that if you request one, another expert will call you and I will not be able to respond further in this thread as it will be closed to me. The call offer is site automated.

Customer reply

Ok



SASH_LAW, Family Lawyer

When was the hearing?

Customer reply

15th March



SASH_LAW, Family Lawyer

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How many hearings did you have prior to the final order?

Customer reply

I think it was 3

The last one was the 4th



SASH_LAW, Family Lawyer

Was there a s7 welfare report carried out?

Customer reply

No

Only cafcass



SASH_LAW, Family Lawyer

Yes, cafcass carry out s7 welfare reports - so there was no report carried out?

Customer reply

Safeguarding



SASH_LAW, Family Lawyer

May I see that please?

And the final order.

Customer reply

You said that if you check documents I would have to pay extra?



SASH_LAW, Family Lawyer

Welcome! How can I help with your family law question? ➤



I am asking for these two documents, so I will review them for free.

Customer reply

Ok, thanks

I need to take a picture, please bear with me.



SASH_LAW, Family Lawyer

ok

Customer reply

The order

Now I'll have to find the report

Letter, this one says that it is incomplete but they did the level 2 checks and where they found out that the victims were not me.



SASH_LAW, Family Lawyer

Thanks, ***** ***** get back to you when I have read them.

Customer reply

Ok thanks



SASH_LAW, Family Lawyer

There are limited grounds on which to appeal a decision, these are effectively an error in fact, law or procedure. Apart from the issue you refer to in relation to alleged domestic abuse, it wouldn't appear there had been any specific errors in your case.

You don't appear to have pursued any allegations in court, and you continued to permit contact, and therefore the court deduced that they didn't need to fact find or concern themselves with whether those allegations would impact contact with the father (you were already allowing contact, so without any evidence to show the child was at risk they were not going to change that).

Welcome! How can I help with your family law question? ➤



If you choose to appeal, then at least you do not need permission from the magistrates to do so - you would go ahead and apply on form N161 to the same court. The appeal will be heard by a circuit judge.

Appealing is difficult and it is very likely you will need a solicitor to go over the transcript for you to see if there are in fact grounds to appeal the decision. Be aware that if you lose, you may be asked to pay the other side's costs. You will need to get a copy of the court transcript for the hearing you are appealing.

Form N161 and notes to help you complete it are here:

<https://www.gov.uk/government/publications/form-n161-appellants-notice-all-appeals-except-small-claims-track-appeals-and-appeals-to-the-family-division-of-the-high-court>

You can find a solicitor here: solicitors.lawsociety.org.uk

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EX107_GN_0422.pdf

Can I clarify anything in my responses for you?

are you able to respond?

Customer reply

I think you answered everything. Thanks.



SASH_LAW, Family Lawyer

You're very welcome, glad to assist today.



SASH_LAW, Family Lawyer

Welcome! How can I help with your family law question? ▶

I was pleased to have been able to assist you with your previous query. If you would like to ask for my assistance with new questions, you can do so by putting FOR SASH_Law ONLY



in the subject heading of a new thread. Alternatively, you can add me as a favourite expert from your membership page if you click on "My Questions" you will see "♥ Favourite Expert" which you can click on. Then, when you wish to ask me another query, you can simply type "@" followed by my name in your next chat, e.g. @SASH_Law. All the best!

Customer reply

SASH Law. If I want to travel abroad with my son, what do I have to do? The order does not give instructions or mention about it. It only says that my ex partner has to handle my son's passport 14 days prior to my travel. He now says that he will not give permission for me to leave the country with my son. Anyway, I do not think I need his permission. However, what do I need to show in the border when leaving the country? Can you explain it to me please?
travel*

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I'm a male victim of domestic violence. My partner and I have slept up. She will not let me see my son. What do I do? She is so controlling g ... [read more](#)



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I have been asked to pay child maintenance and told to pay by CMS. however I wish to start my own business and or go freelance and so ... [read more](#)

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Stuart J





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I have a Directions hearing at a Family Court on Tuesday and

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Good afternoon, I have a Directions hearing at a Family Court on Tuesday and I am preparing my statement. What should I include? ... [read more](#)

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I need help on how to apply for a non - molestation order

I need help on how to apply for a non - molestation order for my protection as I've recently been assaulted but the person did not get arrested ... [read more](#)

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I need advice around a family law matter. My ex husband has

★★★★★

I need advice around a family law matter. My ex husband has a court order that on the interim my children are to remain with him and I myself their ... [read more](#)

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Family Lawyer

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I'm not sure if you'll be able to help but I'm here on

★★★★★

Hi, I'm not sure if you'll be able to help but I'm here on behalf of my friend. She has a 13 year old son, and theres a court order in place from years ago ... [read more](#)

**SASH_Law**

Family Lawyer

LLB (Hons)

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We have a child arrangements order. The children have told

We have a child arrangements order. The children have told me that they do not want to go because they do not feel safe, heard, listened to. We have ... [read more](#)

**VishalV**

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Stuart J, I am filling in the form C100 to apply for an

Stuart J, I am filling in the form C100 to apply for an specific issue order to resolve what we discussed yesterday. It sa

Welcome! How can I help with your family law question? ➤



**Stuart J**

Solicitor

Postgraduate diploma in law

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My husband I came with to the Uk accused me of domestic

Good morning my husband I came with to the Uk accused me of domestic abuse and left the home. He told the police that he doesn't want to press ... [read more](#)

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Solicitor

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My son has been in the care of his mother for the past 6

Hello, my son has been in the care of his mother for the past 6 years. After receiving his medical records, I have noticed a pattern in his ... [read more](#)

**Stuart J**

Solicitor

Postgraduate diploma in law

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I have been sharing 50 50 custody with my ex partner for the

★★★★★

Hi,I have been sharing 50
communication broke dow

Welcome! How can I help with your family law question?





SASH_Law
Family Lawyer
LLB (Hons)
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I have submitted an application for a Specific Issue Order

I have submitted an application for a Specific Issue Order to family court as my 15 year old wants to change her first name and I cannot get a ... [read more](#)



Vineet S
Practicing Solicitor
LL.M
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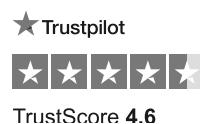
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I applied for child arrangement order. My ex have with the

This answer was rated: ★★★★☆

Hi, I applied for child arrangement order. My ex have with the children and is in Canada last 8 months. We lived in UK for 14 yrs and she has filed for a divorce in UK. The family court have asked me to answer this question. " If the father asserts that the Family Court in England and Wales has jurisdiction to deal with his application, the factual and legal basis upon which the father makes that assertion."

JA: I understand that you have applied for a child arrangement order and your ex is currently in Canada. Can you provide more information about the specific issues you are facing regarding jurisdiction?

Customer: She has relocated. Living with our children. I believe UK has jurisdiction because we raised children here until she left. And the divorce case she filed was in UK. I have also applied to Hague convention for return of children.

JA: Have you consulted with a family lawyer to discuss the legal basis for asserting that the Family Court in England and Wales has jurisdiction to deal with your application?

Customer: no

JA: Is there anything else the Lawyer should know before I connect you? Rest assured that they'll be able to help you.

Customer: I have raised issue with domestic emotional abuse. in the child arrangement order.

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Answered in 2 minutes by:

13/3/2024

Lawyer: SASH_Law

Hello and welcome to Just Answer. How are you today?
I'm Lea. Can you tell me your first name please? I may need to ask you additional questions before I can answer your query, so please do bear with me and try to answer all the questions so that I have the information I need to give you an accurate response to your specific legal situation. Please note that if you want document review, it will cost extra. I will be providing you with a full response online to your query today. I do not make calls, so please note that if you request one, another expert will call you and I will not be able to respond further in this thread as it will be closed to me. The call offer is site automated.

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Stanley

**Lawyer: SASH_Law**

hi Stanley
Did you give the mother your consent to relocate the kids to Canada?

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I am aware of the trip and was there. I am in the process of retaining a lawyer in Canada for help. The consent I gave was to go and come back in December. Then they may go back to Canada after that.
She never came back and cut communications and started divorce

**Lawyer: SASH_Law**

So you agreed she could relocate the kids to Canada - as you said, they can return?

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But the agreement was conditional in returning in December 2023 for a trip to Nigeria. She later breached this

**Lawyer: SASH_Law**

So you are alleging she abducted the children?

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**Lawyer: SASH_Law**

In that case a child arrangements order application is the wrong application.

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Lawyer: SASH_Law

You can make an application to the High Court for the return of your child. Legal Aid may be available. The International Child Abduction and Contact Unit (ICACU) is open 9 am to 5 pm - their contact details are as follows:

International Child Abduction and Contact Unit
Office of the Official Solicitor
Victory House
30-34 Kingsway
London WC2B 6EX
Email: ***@*****.***
Tel: +44 (20) 3681 2608 (10.00am to 4.00pm)
Fax: +44 (20) 3681 2763

ICACU will assist you with the forms you need to complete and will direct you to a solicitor if you do not have one that you wish to use.

You can find the application form and guidance notes here:
<https://www.gov.uk/government/publications/international-child-abduction-and-contact-unit-application-form>

You may be eligible for legal aid with a child abduction case.; ICACU will contact you to discuss all of this once you have made your application.

You can check the above information for a specific country here: <https://www.gov.uk/return-or-contact-abducted-child>

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I thought if I was successful in returning them to UK. I need to keep them because she will want to apply for the same order before me. Like I said I've already applied to the Hague 1980 through ICACU .



Lawyer: SASH_Law

The ICACU application is the correct one to make.
ICACU will deal with the return application and once the kids are back here the child arrangements can be resolved.

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Are you saying that I do not need the child arrangements order. She could apply for one if I am successful and they come back.
Ok I am given until 10th June to lift the stay. What do I do. There are other questions they asked but I can answer those. Can I not write back and explain the jurisdiction. Or are you saying the family court here does not have jurisdiction?



Lawyer: SASH_Law

You can apply for CAO when the kids are returned.
It doesn't matter which one of you applies for the CAO - the court will consider both parents position either way.

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You can write back and say the children were habitually resident in the UK until the mother retained them in Canada without your consent.



SASH_Law, Family Lawyer

Category: Family Law

Satisfied Customers: 11,558

Experience: LLB (Hons)

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Ok I think my strategy will be to wait for the outcome of the Hague application. When the children return . I will lift CAO



Lawyer: SASH_Law

However, it is High Court will decide whether or not the kids will need to be returned and that really has to take place before child welfare considerations can be made in a CAO.

[Ask Your Own Family Law Question](#)



27/10/2025, 11:11

I applied for child arrangement order. My ex have with the children and is in Canada last 8 months. We lived in UK for

Thank you



Lawyer: SASH_Law

You're very welcome, glad to assist today.

[Ask Your Own Family Law Question](#)



Lawyer: SASH_Law

I was pleased to have been able to provide you with a response to your query. If you would like to ask for my assistance with new questions, you can do so by putting FORCustomerONLY in the subject heading of a new thread. Alternatively, you can add me as a favourite expert from your membership page if you click on "My Questions" you will see "Favourite Expert" which you can click on. Then, when you wish to ask me another query, you can simply type "@" followed by my name in your next chat, e.g. @SASH_Law. All the best!

[Ask Your Own Family Law Question](#)



Hi @Customer.yes do have more questions for you. As I want to ask you more about my family law problem. This time my child arrangement application. Can I check I am clear with this in asking you for more direction "Confidentiality warnings" Until the conclusion of the proceedings no person shall publish to the public at large or any section of the public without the court's permission any material which is intended or likely to identify the children as being involved in these proceedings or an address or school as being that of the children. Any person who does so is guilty of an offence. Further, during the proceedings or after they have concluded no person shall publish information related to the proceedings including accounts of what has gone on in front of the judge, documents filed in the proceedings, transcripts or notes of evidence and submissions, and transcripts and notes of judgments (including extracts, quotations, or summaries of such documents). Any person who does so may be in contempt of court. Information related to the proceedings must not be communicated to any person other than as allowed by Rules 12.73 or 12.75 or Practice Direction 12G of the Family Procedure Rules 2010" If I am clear to continue to ask . I wanted to ask you about my intention to ask for financial lump sum settlement for deceit and abandonment. And the fact she is going to make more money in Canada. I was going to put this in my child arrangement order because I don't think the form E divorcé procedure will conduct a hearing that will help me make such requests.



Lawyer: SASH_Law

See offer or open new thread.
Thanks.

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yes finalised in Dubai but aware this might not valid in the UK, is this right? She wants to challenge child custody orders from Dubai, she seeks joint ... [read more](#)



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I have a question regarding relocating with my children whom I share a 50/50 child arrangement order with their father. I'm wanting to know are ... [read more](#)



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I need legal advice on child custody, and married my

I need legal advice on child custody. I am British and married my Brazilian husband in the UK in 2011. We currently live in the Netherlands since 2020. ... [read more](#)



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I'm filling a court order for: • A Child Arrangements Order

★★★★★

I'm filling a court order for: • A Child Arrangements Order confirming that the child was resident in the UK and should return here. • A Prohibited ... read more



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My husbands ex wife continually files for court applications

my husbands ex wife continually files for court applications and hearings, regarding cao, coming for out money continuously and constand ... read more



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LLB (Hons)
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Can section 158 of the Children's Hearing (Scotland) Act 2011 be applicable for ICSOs as well; or else, only applicable to CSOs. When appealing a ... read more



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I have a child in Canada. I was added to her birth

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My wife put on me wrong allegations of domestic violence

My wife put on me wrong allegations of domestic violence and child abh and I got detained and later got released because no evidence found read more



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Solicitor
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My 5 year old son is separated from me. He lives in Malaysia

★★★★★

My 5 year old son is separated from me. He lives in Malaysia with his father. He was born here, holds British and Malaysian nationalities.I am ... read more



Andrew Smith
Director
Law and Accounting LLB (h...
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Thank you so much for your help. Your answers were really useful and came back so quickly. Great!

Maggie

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Stuart J
Solicitor
3,431 satisfied customers

★★★★★
High street practice 30 years. Former Senior Partner

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This answer was rated: ★★★★★

I have a court order in place and it has failed by way of

Hi there, I have a... [Show More](#)

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Satisfied Customers: 8,479

Experience: Expert

Hello! I'm Vishal, an expert in family law, and I understand

I will endeavour to get back to you with a response as soon as possible, however, please note that I may be dealing with a high number of enquires at any given time of the day or I may experience internet connection issues which may cause delay. Also note that depending on the nature and complexities of the question **it may take me some time to form a response.** I appreciate your patience.

I will ask a few clarifying questions to understand your query better

Can you clarify the specific changes you would like to see in the court order regarding your ex-husband's control over the contact arrangements?

Have there been any previous instances where the court has enforced or modified similar orders, and if so, what were the outcomes?

What steps have you taken so far to address the alleged breaches of the court order, either directly with your ex-husband or through legal channels?

Could you please answer my clarifying questions? This helps me to give you a thorough answer.

Customer reply

I have emailed my ex husband and asked him for evidence by way of his allegations, he has not provided anything. It's all 'thinks'. He hasn't respected the views of the CC in the order, which demonstrates his consistency with tactics with friends and family members to try and source information on me. I have addressed



issues in email and asked him to explain himself so I have a clearer understanding of what he requires and on what basis is he using the suggestion of delaying contact by another 2 months? What evidence has he got, what evidence has been advised to suggest a time frame of 2 more months?

No enforced ordered it's only a 'roadmap' or a scaffold' but could be modified if both parties agreed.

He had FULL representation throughout the 3 year Case, I self represented throughout so that was a big disadvantage on my part.

i have also been in touch with the courts and they have emailed back to say they cannot get hold of the transcript company.....

Good afternoon, The attached EX107 was sent to you with the audio disc on 20th November for the Judgement to be transcribed. The DX Despatch show this was delivered to you on 21st November at 11.07am and signed for by Tom. To date we have not received anything back from you and we now have not only the parties chasing but also the Judge. Please can you come back to us with an update as soon as possible. Many thanks Kind Regards Mrs Laura McKenzie-Cook Family Section | HMCTS | Milton Keynes County Court | Milton Keynes | MK9 2DT Phone: 0300(###) ####-#### Web: www.gov.uk/hmcts Here is how HMCTS uses personal data about you



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Please note that document review (including images) is a premium service which costs extra and can be offered to you. **Please note that coping and pasting the document onto this chat is akin to document review and will be offered as a premium service.** Alternatively, we can proceed based on the information you have provided.

Customer reply

This was sent to me on Friday 31st Jan.



JD LAW, Solicitor

See above notice

Customer reply

No other orders enforced-

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JD LAW, Solicitor



would you like me to offer the premium service for document review?

Customer reply

I would like contact to resume and for him to have to be given guidance as to how he can either refuse or agree to contact moving forward. My barrister at final submissions proposed a FAO, but the CG felt the father was capable to make future decisions himself around my therapy, the children, etc....to date he has not demonstrated any of that. He has even enlisted the help and advise of the CG after the case was closed, which is totally unacceptable and is being investigated seperately by cafcass through the complaints procedure. The CG also failed to disclose to the judge and courts she had left cafcass, was employed for 6 months through her own agency and that she was now a FT independent pyschotherapist, so her views were influenced as a therapist and not solely as the CG.



JD LAW, Solicitor

Without reviewing the document you have pasted I will respond. Few moments please

Customer reply

I would really just like advise on what form I need to submit. Is it a contempt of court form? A C100? A new application number or under the old court number?

The court order?



JD LAW, Solicitor

From what you've told me, it seems like going for a C100 application to vary the existing court order is the smartest move, rather than trying to enforce it directly. The reason for this is that the original order wasn't worded as a strict enforcement order, so a variation application is a better fit. In your application, really emphasize how your ex-husband is being obstructive. Don't be afraid to clearly state that his behavior looks like parental alienation and that the court needs to step in to protect your children's well-being. This is about them, after all. Because this all relates to the same situation, you can actually file this C100 under the existing case number. This makes things a bit smoother. Just make sure you clearly reference all the times he's breached the order and any administrative slip-ups that have happened. Now, there's a small chance the court might not want to reopen the old case. If that happens, it's a little extra paperwork. In that case, you might consider submitting a C2 application at the same time as the C100. This position, you might also consider submitting a C2 application at the same time as the C100. This

Welcome! How can I help with your legal question?



C2 application would be for urgent directions or a specific issue order. Think of it as a way to get the court to clarify exactly how the contact arrangements should be enforced. It adds a bit more clarity and urgency to the situation. You mentioned that the Cafcass Guardian's actions are already being investigated. Definitely include this in your application! It's further proof that the current setup isn't working and needs to change. Remember, the stronger your evidence, the better. So gather everything you can:^{*} Any emails or messages where your ex-husband refuses to cooperate.

* Anything that shows him making decisions about the kids without good reason, and without talking to you.

* Proof of any mistakes the court has made, like that delayed transcript.

Do you require any clarification on the above?

Customer reply

That's brilliant, thank you so much for your help and advise. I think the judge is aware this is heading this way, as as CAFCASS have now closed the case on this one, it will be down to him to decide the next steps without the bias, one sided view of the CG influencing him. The whole case was very one sided and the CG was desperate for it to close as I think she knew she was about to be rumbled for non disclosure. She failed to show for 6 of the hearings and out in her excuses on the day. It was very badly handled. I will use your narrative above & remain calm and factual. The judge needs to see I'm composed, in control and I'm doing this for my children. Thank you for your help. It's very much appreciated.



JD LAW, Solicitor

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Customer reply

Thank you, ***** ***** do that. You've been most helpful.



JD LAW, Solicitor

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Customer reply

I have one other question Vishal, do I submit all of my evidence in with the application? Or just list it on the application? It's for an urgent hearing, so what is the process for the judge to consider? With all the emails/evidence attached? Or to list my evidence and produce it at a hearing if required? I will also need to copy in my ex husband on the application? Or not?



JD LAW, Solicitor

If you would like to ask me another question in the future, you can add me as a favorite Expert and then type @vishalv in your next chat. Alternatively, you can write (FOR_VISHAL_ONLY). You'll find this option when you rate me, which makes it easy to locate me again. You can also use this link: <https://www.justanswer.co.uk/law/expert-vishalv/?rpt=3800> to type your question directly in the box that appears.

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he originally wants to give to our child now he changed his mind with his new partner... read more



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I have moved area, and have a new education authority. Can

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I have moved area, and have a new education authority. Can my sons' father veto an application for a school place in the new area? ... read more



Stuart J
Solicitor
Postgraduate diploma in law
15,312 satisfied customers

I've told my ex husband that I'm not paying the nursery on

I've told my ex husband that I'm not paying the nursery on his days anymore, it's £110 a week, the cafe shuts at 3, the c

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I have one question about a sentence in my court order, how do I ask a judge? ... [read more](#)



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Social services are threatening to apply section 47 on me. I

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I am worried that I will be accused of contempt of court if I turn my children away at the door

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I'm worried about reporting an abusive ex to the police

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I'm worried about reporting an abusive ex to the police because of retaliation and because we have ongoing children's proceedings. ... [read more](#)

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I am single mum of 2 children. Father remarried and lives in

I am single mum of 2 children. Father remarried and lives in malta . i have full custody of children. my finacial court order is that he was to give ... [read more](#)

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Partner

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How do you contest a financial court order from 2021 the I

How do you contest a financial
in duress trying to find a home for me and my ... [read more](#)

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Consultant Family Solicitor
Legal Practice Course
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Can I get help with possible separation and who is moving

★★★★★

Can I get help with possible separation and who is moving out of the house / how to do this?
I know there is a court order I can apply to but general ... [read more](#)



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My ex husband has been mentally abusive in our past

My ex husband has been mentally abusive in our past relationship and still try's to manipulate any possible situation. He causes me so much ... [read more](#)



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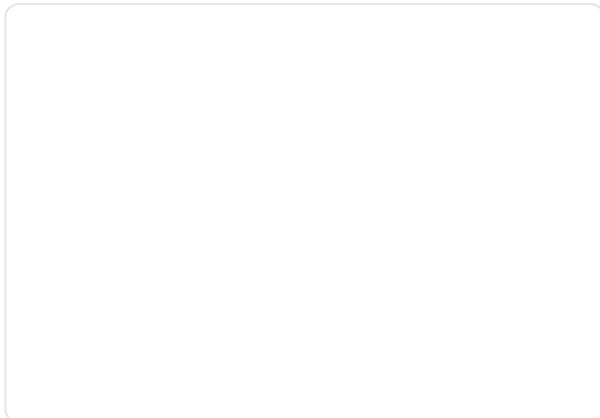
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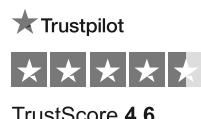
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I have a question on Court Transcripts for a party in the Civil Courts in England Wales... [Show More](#)

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Customer reply

This government page gives the impression you CAN have a transcript... <https://www.gov.uk/apply-transcript-court-tribunal-hearing>

in my situation the transcript EX107 was processed and acknowledged as processed. They just did not send the audio or the EX107 files to the transcribers, now it seems 3 months later the court is trying to stop me getting access to a crucial transcript, so as a party (so not just a general member of the public) what are my rights to access what it seems I was already granted? and my understanding is permission is not needed for a transcript of proceedings if not sealed proceedings anyway.



Stuart J, Solicitor

Satisfied Customers: 39,209

Experience: High street practice 30 years. Former Senior Partner

My name is Stuart,

Thank you for the question.

It is my pleasure to assist you with this today.

I have been in the UK legal profession, in high street practice , for almost 30 years, so I have a wide range of experience and a great many different aspects of UK law and in particular, England & Wales and some Northern Ireland.

Please bear with me and I will be online and off-line from time to time and therefore, may be delayed getting back to you.

You will receive an email when I reply.



Although I am shown as being online, I may be dealing with other people, on the telephone, or

typing.

Just Answer is not a chat service, it's an email reply board.

So please bear with me as I cannot usually reply instantly.

Sometimes it will be minutes, sometimes it may be longer, even hours or overnight.

I apologise for any delay.

I will now ask you some questions in order that I can answer you fully.

Kind Regards

Good Morning.

1. Can you please provide more information on why the court is now trying to stop you from accessing the transcript, and if there were any specific reasons mentioned in the order passed by the Judge?
2. Have you received any communication or explanation from the court regarding the delay in sending the audio or the EX107 files to the transcribers after acknowledging the processing of the form?
3. Could you clarify what you mean by "sealed proceedings" and how it is relevant to your situation of accessing a transcript of proceedings?

Customer reply

Good afternoon Stuart, I submitted an EX107 form for a transcript of a proceedings hearing. I am in the process of compiling an appeal bundle. the N161 appellants notice went in and guidance came back from the court on the bundle, one part quoted CPR Part 52 PD 52B in particular 6.4 Documents relevant to the appeal section 6.4 (2) (g): any other documents which any party considers would assist the appeal court. After this I had cause to seek several transcripts, most of which I received, except one. Back in November the court sent me a letter acknowledging the ex107 had been processed, the audio had been sent to the transcribers, the transcribers later say they received nothing. both I and the transcribers write 5 times asking where is it? meanwhile I have to apply for time extension for appeal bundles. Then on applying for the last time extension the latest High court judge accuses me of creating confusion to the transcriber and court, (which could not be further from the truth if the transcribers are telling me they are writing to the court for the missing audio). So as a consequence the latest judge says no transcripts of previous hearings can be included in the bundle and the court will not be providing any further transcripts and me one more time extension of four weeks to produce the appeal bundle or be debarred from appeal. It is a shock and totally unfair and I am in the middle of writing a witness statement



N244 application to go in today because he also put a 7 day deadline to have this order varied or set aside.

Customer reply

re: sealed proceedings, I meant my case is not sealed proceedings but public.



STUART J, Solicitor

Thank you. What is the reasoning behind this alleged Confusion, why "no more transcripts" and why do you need so many? Is it just something which was said in the transcript which you need to refer to?

Customer reply

i need to refer to several things, on one occasion when I referred to something very important in a previous hearing both the judge and barrister denied what had been said was said, and it was a very important thing. Transcripts will prevent that happening again.



STUART J, Solicitor

Thank you. If that's the case then you need to appeal the decision not to allow any transcripts and in the appeal you need to refer to this particular incident although you cannot just get the transcript on the off chance that they don't believe something, you would have to say what you are trying to prove which they are denying. Remember that you can only appeal if the judge made an error of law or an error of fact and here, it is an error of fact.



STUART J, Solicitor

Does that all make sense now whether or not it's the answer you wanted and whether or not is the answer which you expected.?

Have I answered all your questions for you?

If you have any further queries or need any clarification, I am happy to answer any specific points arising from this.

Please don't hesitate to ask.

Thank you for letting me assist you with your legal problem.I am glad that I was able to help you. It will be my pleasure to help you again, either further with this, or any future questions you may have, if you want to just ask for me on any new question.



Please don't forget to add me to your list of favourite experts if you have not done already. If you have, thank you.. It really helps me. You can do that by just clicking the five stars at the top of the question page and then adding me to your favourites.

(PS if you can't find it, don't worry because it's not always on the page. It's the thought that counts)

Thank you.

Kind regards

Stuart

Customer reply

Just to let you know I had the Judges order overturned on the issue of transcripts, thanks for your help.



STUART J, Solicitor

Excellent. Well done you. Thank you for letting us know. Really appreciated.

Kind regards.

Stuart

Customer reply

Evening Stuart, I was quite pleased because it was set aside completely in essence removing all the stumbling blocks going forward, which going in to a high court as litigant in person I thought it was going to be lamb to slaughter. (and actually it might have been but not quite yet) The Judge agreed I was entitled to the transcripts, and it was unfair to try to stop them and also unfair that the previous High court Judge struck out any potential for appeal on two previous judgements that are both over a year old. But I am not holding my breath for further success because there was some further complication at this hearing. I need to ask you more questions going forward about these transcripts how do I do that?



STUART J, Solicitor

Thank you for the update.Glad that we helped.

For a new question thread to get to me, then please go to:

[HYPERLINK "http://www.justanswer.com/computer"](http://www.justanswer.com/computer) www.justanswer.com/computer

In just the same way that you did for your initial question and then.....

just type....



@ Stuart J (the “at” sign followed by my name) and you should be able to select my username to tag me in the question.

It will help further if you can also put

“For Stuart J and Stuart J only. Other experts please leave alone”

in the question thread and then the other experts will know that it's for me.

You can also tag me as one of your favourite experts.

Thank you

Kind regards.

Stuart

PS Please also tell me (on this thread), when you have posted the new question, so that I can go and look for the new question to avoid you waiting. I do get a notification when you've asked for me but it's easy for me to miss it which is why it's better if you posted on this thread that you posted a new question because then, I go straightaway and pick it up. Thank you.

Customer reply

Got that thx



STUART J, Solicitor

:-)

Customer reply

I have posted the message.



STUART J, Solicitor

Cheers

Customer reply

Hi Stuart, have you managed to look at my question yet ?



STUART J, Solicitor



No outstanding questions with my name on. Can you repost please?

Thanks

Customer reply

Hi Stuart, someone else picked it up even though I said for you only, so I asked her why she did that, she apologised and then said leave it open, now a moderator is saying they are looking for a suitable lawyer. I don't know how to close that question as in delete it. (i will double check) here it is at the moment <https://my-secure.justanswer.co.uk/question/index/57939d2f97ba410bb4d51c32f8df2444>



STUART J, Solicitor

I can only apologise. Totally out of my control. Unfortunately the link will not take me to the question. It's not an uncommon problem. Sorry.

Customer reply

Are you online I want to put a question up for you?



STUART J, Solicitor

Apologies. Was off-line. Back now. On all day

Customer reply

Morning Stuart, I have a question up now, it starts off as "If previously I had not chosen to have a copy from the standard disclosure list of certain documents are the opposing party allowed to refuse a copy now and also if I suspect they had not actually disclosed a copy of title deeds anyway but have hidden them in another solicitors am I right in saying that those documents are still under the control of the other party" nobody has picked it up yet



STUART J, Solicitor

I don't have a question outstanding so let me answer on here. If there was a document that you didn't think you wanted so you didn't ask for it to be disclosed, but now you've discovered the document exists or you've now decided that you wanted it, you can always ask for specific disclosure and if they decline make an application to court to compel them to disclose it and the court to the cost to be awarded against them on the basis of their unreasonable behaviour.



Some solicitors are just awkward because they get paid for the argument even though there is actually no reason to withhold a document. On the other hand, when you didn't request it they may be rubbing their hands particularly if there is something in it which they don't like or which is to their disadvantage

Customer reply

The claimant is very devious, they are using 2 solicitors, now that I am in a position to continue making an appeal I want them to disclose their actual title deeds and the corresponding plan which I believe they have with the other solicitor. Am I right in saying that even though though the Judgement I am appealing went against me and that in effect has come to an end, because all avenues of appeal have not been exhausted, they still have the duty to disclose? and I have a right to inspect? and I am going to ask again but this time quote that the relevant CPR rules being CPR 31, PD31 CPR 18, give them 7 days to agree and if not make the application (which I have to make one to adduce new evidence anyway) am I reasonably correct with the above?
i.e to date and despite a couple of years of litigation their actual title deeds have not seen the light of day.

just land registry documents

I have a letter from their second solicitor that references 'clients title deeds' he doesn't say land registry documents

that was written to a third party not me



STUART J, Solicitor

It depends whether your appeal has failed and why. Do you think that this evidence would give grounds for appeal?

These are pre-registration title deeds they are of little value anyway and in any event they are available from the land registry.

Customer reply

I don't believe the pre registration deeds are actually with the land registry, there was a TP1 but I believe there are other deeds held. The evidence would be gold dust for an appeal for a number of reasons, I already have a very good wrong finding of fact by the judge, this would be a much bigger wedge to drive in. (and they know it).

I am at the permission to appeal stage, have to get a bundle in by end of month, and the high court judge has already told me any application to adduce new evidence needs to go in soon. So I am trying to get the additional information from them too. (if I get permission to appeal I would be making that application anyway).



STUART J, Solicitor



The transfer could be with the land registry. A scanned copy at least. They don't keep originals. There is no need to keep preregistration title deeds except out of interest. Are

Customer reply

very old property so I would keep them if I was them. plus they tried to hide a statutory declaration plan, that plan was the basis of the land registration, it showed a boundary plus three additional shaded areas in pink claimed as long use (adverse possession without calling it that) so the registration was based on that declaration, point being the calibration/reference was to something else hence why the seller made the declaration, i.e the deeds say this, but plus these 3 bits,,,register that.

if I force that out of them and i make it past the permission to appeal, I think it would reflect badly on them.



STUART J, Solicitor

The problem is that if they say they haven't got them, that's the end of it. People lie.

By all means make the application for specific disclosure if they will not volunteer this

Customer reply

They certainly do!

Customer reply

Do I have to quote anything other than cpr31, pd31? when requesting?



STUART J, Solicitor

No that would be sufficient.

Customer reply

Thx Stuart



STUART J, Solicitor



em. I'm glad to help.

Please come back to me if anything else crops up which needs clarification.

I am on here most days but more frequently during the week days than evenings and weekends. Even then, I do sometimes pop in and out just in case anybody is waiting.

Kind regards.

Stuart

Customer reply

Much appreciated



STUART J, Solicitor

No problem. I'm glad to help.

Please come back to me if anything else crops up which needs clarification.

I am on here most days but more frequently during the week days than evenings and weekends. Even then, I do sometimes pop in and out just in case anybody is waiting.

Kind regards.

Stuart

Customer reply

are you on today?



STUART J, Solicitor

only briefly 2 or 3 times per day at weekends

Customer reply

ok, briefly, those transcripts I have been chasing, I now know a judge can change the complete wording and judgement terms in the transcript of an oral judgement he had given.(although I am unsure if he is allowed to do that after serving the sealed judgement order) I think it's called the judges prerogative, or something like that, there is case law on it. Can he/she legally change the wording of a proceedings hearing audio?

not his judgement but what he might have said (or not said) during proceedings hearings?



**STUART J, Solicitor**

Basically change reasons and commentary but not substance

Customer reply

can he insert words into a remedies hearing transcript? not a judgment hearing, just a hearing where witnesses are examined?

**STUART J, Solicitor**

Depends if it alters the substance

Customer reply

Hi Stuart, Now they have no record of a CVP video platform being recorded so cannot provide a transcript of one hearing at all!. (we had a remote hearing by video, so there was at least 4 tied in by video, Judge, claimants, defendants, counsel, solicitor) Have you ever come across that before?

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Thankyou for your responses. I have already filled in an

Thankyou for your responses. I have already filled in an EX107 form and sent it to the Tribunal. This was done in March and didn't notify the ... [read more](#)

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I sent audio transcripts to the respondent and they do not



Hi there i sent audio transcripts to the respondent and they do not agree with it. What should I do? ... [read more](#)



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I have been involved in multiple court hearing at a

i have been involved in multiple court hearing at a particular county court... anytime i request for the transcript, there is always delay of more ... [read more](#)



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In a skeleton argument on the appeal of an order made by a

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Hi, I'm an unrepresented Litigant in Person with an ongoing ET claim for Constructive Dismissal, Whistleblowing, Detriments and Age ... [read more](#)



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To quote..."the problem. It is possible to make a complaint

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To quote..."the problem. It is possible to make a complaint to the court
(<https://www.gov.uk/government/organisations/hm-co...> [read more](#)



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Court hearing transcriptions. I am aware that an EX107 form

Court hearing transcriptions. I am aware that an EX107 form is used to request a transcription of a hearing or parts of a hearing.If you are a party in ... [read more](#)



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Is it possible to obtain the transcript of a family court

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is it possible to obtain the transcript of a family court case ... read more



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How can I writeCORE INDEX Pages Document 1. Sealed

Hi how can I writeCORE BUNDLE INDEX Pages Document 1. Sealed Appellant's Notice and grounds of appeal 2. Skeleton argument 3. Chronology of ... read more



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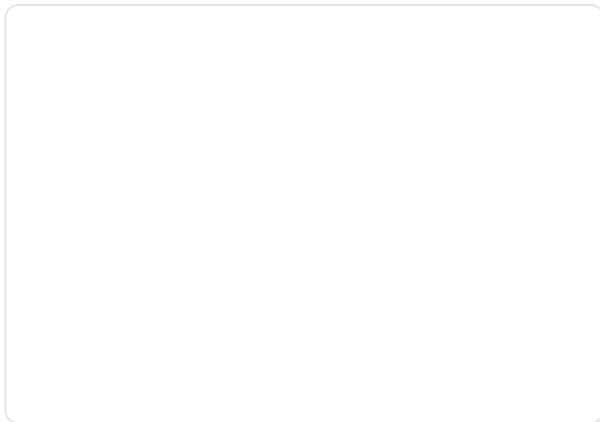
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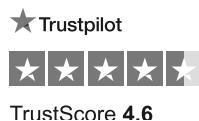


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Ask a Family Law Question, Get an Answer ASAP!

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I have an appeal in the Family Court to be before a Circuit

This answer was rated: ★★★★☆

I have an appeal in the Family Court to be before a Circuit Judge. Originally when granted leave to appeal out of time the Circuit Judge dealing is a different Judge now assigned to hear. As the HHJ now dealing with the hearing has already sat on previous leave to appeal, I believe there is a conflict of interest. Also a different HHJ has picked up from the first granting leave to appeal out of time and they are from the same Chambers as my ex and also one point of my case is the way in which this Chambers and my ex' barrister has conducted. As a result I believe there to be a conflict and neither of these Circuit Judges should be dealing with my appeal

JA: What steps have you taken? Have you filed any papers in the family court?

Customer: Yes, usual bundle and skeleton argument - I won on getting leave to appeal out of time, next stage is leave to appeal. However am perplexed as the most recent Order reflects that the upcoming hearing is to about leave to appeal out of time as well as leave to appeal; leave to appeal out of time has already been granted so I fail to see why it suggests this hearing is to deal with that as I have heard nothing subsequent to the original order granting leave to appeal out of time

JA: Have you talked to a lawyer about this yet?

Customer: No I am litigant in person as have no money - I have run out

JA: Is there anything else the Lawyer should know before I connect you? Rest assured that they'll be able to help you.

Customer: Yes, my skeleton argument reflects unethical conduct on behalf of the Chambers acting for my ex, where the Judge who has just written the Order has come from. I feel there must be a conflict as they are all connected and I indicated as such in my Skeleton argument. For instance prior to the Trial hearing I was encouraged by a third party who misrepresented himself to seek advice from these Chambers. I spoke to the clerk there and he recommended the very same Counsel my ex husband is using. They then said they would use Chinese walls and get me another barrister to give some advice gratis. That didn't go anywhere and his advice was to withdraw all the offers I had put forward to buy my ex out. This third party then led me to a firm of solicitors, which I later learned had represented my ex in previous divorce proceedings before we reconciled. His new solicitor used to work for them. I also discovered that the solicitor I was referred to was a protege of the Trial Judge, that solicitor discouraged me from appealing and led me down the path of what they referred to as a "perfecting hearing" which I didn't know exists where the Trial Judge brought me back unbeknown to me not to change his judgement but to "perfect" the Order. I understand that there isn't any such thing as a perfecting Order. Further issues include the solicitor that I did use for perfecting hearing was part of a firm that used to be amalgamated with the firm of the solicitor I was referred to. Customer: Chat is completed

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Answered in 4 minutes by:

18/10/2022

Lawyer: Catherine

Hi welcome to justanswer! I am one of the legal experts here. My goal is to provide you with the best experience possible and answer any questions which you may have about your current situation. I may not respond immediately, this is because I may need some time to read what you shared above, type and respond to you. If there is anything else you need, please let me know before I respond?

[Ask Your Own Family Law Question](#)

Lawyer: Catherine

Thanks for your patience and enquiry. If there are concerns with respect to the likelihood of bias you may apply for the judge to recuse him/herself from the proceeding. You may write to the court in the first instance to inform them of your intention to make such an application when next the matter is before the court.

You may make an oral application for the judge to be replaced in light of the arguments raised by you. Here is a list of some authorities that deal with the issue of bias and what is to be considered by the court upon an application being made

1. *

Locabail (UK) Ltd v Bayfield Properties

2. *

R v Bow Street Magistrates ex parte Pinochet

3. *

Re Medicaments and Related Classes of Goods (No 2)

4. *

M v Islington LBC

5. *

Lawal v Northern Spirit Ltd

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Lawyer: Catherine

You will have to do a search of the internet to see if you are able to locate these authorities as I am able to give an overview here.

The concerns you have is not at all unusual, and it is best to raise these issues now for them to be addressed.

[Ask Your Own Family Law Question](#)





Can I clarify anything for you? I hope I have answered your query in a way that is simple and easy to understand. If anything remains unclear, I will be more than happy to clarify it for you. In the meantime, thank you once again for using our services.



Catherine, Lawyer

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Thank you. When you say make an application to recuse due to bias, what is the application Form I use in the Family Court please

Can you advise what application form I use please?



Can you advise of the Court Form I make the application for the Circuit Judge to recuse himself for my case please



Lawyer: Catherine

You would use the form fp244.

https://assets.publishing.service.gov.uk/government/ww2-secure.justanswer.com/static/ja-gga/attachment/img_locked.svg

Ask Your Own Family Law Question



Re fp244 you refer to, this application is to the Family Division of High Court, whereas my appeal is to the appeals division of the Family Court in Birmingham. Is fp244 still the correct Form?



Lawyer: Catherine

My apologies, I incorrectly thought the appeal was lodged in the High Court. It would be the form N244. That would be used? Here is the relevant practice direction for you.

https://www.judiciary.gov.uk/courts/procedure-rules/family/practice_directions/pd_part_05a

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I need help with an appeal against a Family Court Circuit Judge/Recorder level Judge, regarding a final hearing that took place recently. ... [read more](#)



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I submitted my COP35 appeal form with the Ground of Appeal

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I submitted my COP35 appeal form with the Ground of Appeal written by myself, but I could not write the Skeleton Argument. I mentioned in ... [read more](#)



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About appeal against a District Judge order: 1. I need the

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About appeal against a District Judge order:1. I need the judge's judgement: The judge did not give out his judgement and I have to pay to get it. ... [read more](#)



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I am appealing out of time an Order relating to ancillary

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I am appealing out of time an Order relating to ancillary relief see attached:-Direction 12 indicates that leave to appeal out of time is granted and ... [read more](#)



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I need to prepare my skeleton argument for my appeal to send

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I need to prepare my skeleton argument for my appeal to send it over with my appellant's notice. What do I need to include in my skeleton ... read more



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If I appeal a FFH and the judge refuses, what can I do? Can

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On a free phone chat - a partner at Stowe family law advised

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On a free phone chat - a partner at Stowe family law advised I have grounds for appeal - I believe I know the case and issues however the admin ... read more



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Maggie

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High street practice 30 years. Former Senior Partner

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