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This answer was rated: ★★★★★

What happens when the court audio is inaudible and cannot be

Hi there. What happens when... [Show More](#)

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Vineet S

Satisfied Customers: 8,699

Experience: Freelance Solicitor at Self Employed

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*****@*****.***

I will go through your question and will get back to you with my answer shortly.



VINEET S,



Hi there, When court audio recordings are not clear and cannot be transcribed, it can have significant impact on the appellate process. In such cases, it is important to inform the court about

the inaudibility of the recording and the inability to transcribe it. If the court determines that the recording cannot be reconstructed adequately, it may order a retrial or rehearing of the case. This issue has recently been addressed in the following case law:

<https://www.bailii.org/ew/cases/EWFC/OJ/2024/14.html>

I trust this helps.

If you need further assistance, please let me know.

&

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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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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John for JOHN ONLY - What do you think? was this phrased

★★★★★

John for JOHN ONLY - What do you think? was this phrased properly?7. The judge erred in law to grant possession when rent is neither lawfully ... [read more](#)



John



Solicitor

Post graduate

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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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Lawyer

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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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Solicitor

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

I have a question on Court Transcripts for a party in the Civil Courts in England Wales. If the court processes an EX107 form and acknowledges this ... [read more](#)





What happens when the court audio is inaudible and cannot be transcribed. I am the appellant and my evidence is lost and

Stuart J

Solicitor

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

In a skeleton argument on the appeal of an order made by a judge in the high court appeal (whereby a judge gave directions to that certain ... [read more](#)

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In May 2023 I bought a vehicle from a car dealership that

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In May 2023 I bought a vehicle from a car dealership that turned out to be unfit, unsatisfactory and not as advertised and having broken down twice ... [read more](#)

**Catherine**

Partner

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I have a euro car parks ticket which was not my fault but

I have a euro car parks ticket which was not my fault but they still keeping that its my fault and i ahve to pay it ... [read more](#)





ben.jones
Solicitor
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JBsolicitor, I am seeking for a 2nd opinion on my question.

★★★★★

JBsolicitor,I am seeking for a 2nd opinion on my question. I requested for a transcription of the recording of my final court hearing. It took 4 ... [read more](#)



Geoff Solicitor
Solicitor
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I had a hearing recently that I want to appeal, I am still

i had a hearing recently that I want to appeal, I am still within the 21 days, however, the court obstructed me in obtaining the transcript. On ... [read more](#)



Joshua
Lawyer
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I missed the first 15 minutes in a bankruptcy hearing, Ive

I missed the first 15 minutes in a bankruptcy hearing, Ive made a request for the audio cant be retrieved because it cant be heard by ... [read more](#)



**Solicitor4All**

Principal Solicitor

Master's Degree

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I wish to appeal from the high court, england, I appealed my

I appealed my council tax band to the Valuation Tribunal. I lost. I then appealed to the High Court this was heard last week. I lost that appeal as ... [read more](#)

**Jeremy Aldermartin**

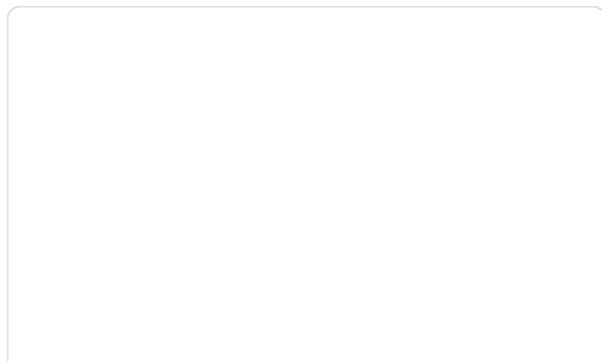
Lawyer

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When a judge makes a decision, am I supposed to receive a document explaining the decision that... [Show More](#)

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SASH Law, Lawyer

Satisfied Customers: 11,558

Experience: LLB (Hons)

What type of case is it?



SASH_LAW, Lawyer

Hi, I'm Lea and I will be assisting you with your query today.

I am very sorry to hear about your dilemma, but will do my best to provide you with advice and guidance on what to do next.

The judgment is not always handed down in writing, often it is given extempore, which means in person orally at the hearing. If that is the case then you will need to apply for a transcript of the hearing, and you will be able to get a copy of the judgment that way as it will be prepared separately and go to the judge for him/her to review before it is sent to you.

This costs. You can find out more about how to obtain the transcript by reading the guidance notes to complete the application form, here:

<https://assets.publishing.service.gov.uk/government/ww2-secure.justanswer.com/static/ja-gqa/attachment/img-locked.svg>

You can find the application form here:

<https://assets.publishing.service.gov.uk/government/ww2-secure.justanswer.com/static/ja-gqa/attachment/img-locked.svg>

The following is useful info to assi

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1. I have found that every question asked in my field of expertise can be answered online; I am not available for phone calls.
2. The site does automated pop ups for calls, if you inadvertently click for a phone call but don't want one, kindly refer the matter directly to customer services so that they can assist you.
3. Customer services no. is:(###) ####-####9374
4. Please note that you have paid for an answer to your initial query – if detailed review of documents is required, then this is likely to attract a premium service offer.
5. Please note this is a Q&A site – there is no client/lawyer relationship involved. You are a customer of Just Answer.
6. If it is a weekend, or evening/late, please be aware that responses may be slower. This is NOT a chat service, it is email based.

Customer reply

hi, I have heard this from the courts too. However, a transcript was paid for by the courts on my request but they have not provided me with a copy. I don't understand why I need to pay for a copy of the transcript when it has already been paid for and used throughout the entire appeal part of the claim etc...

i find it very suspicious that the judgement that was made against, was based on things that did not exist and the judge has written things in the judgement that he did not say to me on the day. I have challenged this but without the content of the judgement I cannot challenge it fully. Are the courts not legally obliged to provide me with a document that has been relied upon by other judges regarding my appeal?



SASH_LAW, Lawyer

If there is already a transcript, it will be cheaper for you to obtain a copy. But the route remains the same on form EX107.

You should have received a copy if it was used during hearings, but I cannot comment further about that.

Customer reply

ok thanks, ***** ***** do get a copy of this judgement, can i then challenge the decision once again based on new evidence?



SASH_LAW, Lawyer

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



The time to appeal is 21 days after the judgment. You can try applying for permission to appeal out of time. Whether you would succeed or not I can't say.

Was this answer helpful?

 Yes  No

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Get an Answer

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Myself and my partner have had a negative viability

★★★★★

Myself and my partner have had a negative viability assessment unsure of why still not received anything from children services. I back ... [read more](#)



MARTINT330

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My sister in currently in a mental health center. I am her

My sister in currently in a mental health center. I am her sister. My mother and I are concerned that social worker may be withholding documentation ... [read more](#)



Joy Nicholas

Lawyer

Bar Professional Training C...

3,434 satisfied customers

I am currently in family court and have court this Thursday.

Hello, I am currently in family c Welcome! How can I help with your legal question? section 7 report from Cafcass and it is very ... [read more](#)



**AlisonSolicitor**

Solicitor

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Alison, regards to a discrimination case. A few weeks ago an

Hi Alison, regards ***** ***** discrimination case. A few weeks ago an appeal was sent to court explaining to the judge that due to ... [read more](#)

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I have tried to stop an eviction by going to court today but

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I have tried to stop an eviction by going to court today but the judge decided not to change anything ... [read more](#)

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Lawyer

LLB (Honours)

4,872 satisfied customers

I want to appeal a Judge decition related to a release of

★★★★★

Welcome! How can I help with your legal question?



I want to appeal a Judge decition related to a release of sancstions application. In order to proceed with the appeal request, wil I also need to make ... [read more](#)

**JimLawyer**

Solicitor

Graduate Diploma In Law...

16,768 satisfied customers

Could I get some advice about first hearing in a financial

Hello. Could I get some advice about first hearing in a financial remedy. I had my first hearing listed for march and never received the actual notice ... [read more](#)

**Alexander A**

Managing Partner

Professional LLB (UK)

1,141 satisfied customers

I spoke with ur colleague earlier and she sent me a wrong

Hi I spoke with ur colleague earlier and she sent me a wrong link for usa lawyers and it was total waste of tume time* I need to speak to a solicitor ... [read more](#)

**George**

Associate

Master's Degree

2,504 satisfied customers

In a Hearing with a distrcit judge in a personal injury

Welcome! How can I help with your legal question?



In a Hearing with a district judge in a personal injury claim. Can a judge refuse to hear an application made by a defendant? I have a hearing ... [read more](#)

**RJM Law**

Lawyer

LLB (Honours)

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I've a money claims hearing, it has been cancelled and

I've a money claims hearing, it has been cancelled and awaiting to be re allocated. The defendant has not provided a bundle as per the order. As he's not ... [read more](#)

**AlisonSolicitor**

Solicitor

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8,244 satisfied customers

I am contesting a PCN on the grounds that I was not notified

Hello, i am contesting a PCN on the grounds that I was not notified of it before my car was taken. I posted my change of address form to the DVLA, ... [read more](#)

**Jo C.**

Barrister

Master's Degree

44,864 satisfied customers

Not for Jo C. (alias R)

Welcome! How can I help with your legal question?



Not for Jo C. (alias Remus2004), not for Clare solicitor, not for Jamie-Law, not for SASH_Law, not for Ross Miller. Not for James Bruce, not for ... [read more](#)

**AKSimpleLaw**

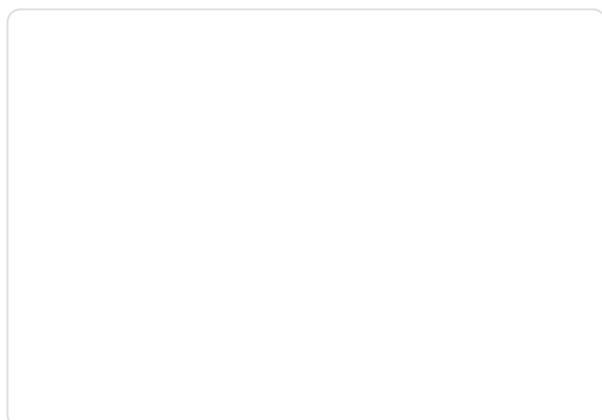
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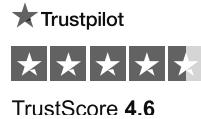
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Ask a Law Question, Get an Answer ASAP!

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I've recused the District Judge in a family court matter. I

This answer was rated: ★★★★☆

I've recused the District Judge in a family court matter. I made an admissions statement, under duress in January 2024 to offset a trial. I regretted it, I was broken at the time by the judge, rushed to hospital from court on 5/12/23 with suspected heart attack, given my abuse from her. I can show 56 cases of "Apparent Bias" and 1 x "Actual Bias" harder to prove. I recused her verbally at court on 8/5/23, she would not take the paper form from me when offered, I offered proof on about her constant punishment on issues, I get shut down, she does not want to hear it. I telegraphed these cases of "Apparent Bias" in my resiling statement – stupid of me.

All my C2's were dismissed, including my resiling statement, although with good cause of a death threat, now coming out as an abused male by my wife, being under pressure I signed acceptance of abusive behaviour, i.e. when I stated that Louise wasn't defending our 9 year old daughter when injured at school, Madison copied her dad. In the eyes of a family court that is abusive. No physical violence.

In court the judge said I could appeal via an appellant notice, in court saying I had 7 days, then 5 days later, not sent to me directly (breaking a precedence), Judge via the court sent a "refusal to appeal notice", to a 3rd party solicitor, then on to me, eating up time I guess.

I'm now LIP, spent out on this, £115k. I'm an awesome dad. The judge is taking retribution on me, I have written to the Designated Family Judge in Stoke Court. I need to know how to appeal to the appeals court and also time frames, I believe 21 days from 8/5/23, or is it the date from receiving the notice, which is undated. There is a squiggle in the signature box just stating "Circuit Judge".

Although first told that I could appeal via an appellant notice, I see I have to go to now go to an appeals court?

I understand as not working I can get legal aid sending to an appeals court.

As I sent various C2's can I fit all onto one, appeals notice, I want to:

1. Recuse the judge
2. Resile my statement, I want that trial, not a PTR on 28th May for a Final hearing 4 days Mid June
3. I want to appeal 10/10/23 order for contact with my daughter
4. Judge has threatened a potential 91/14 section, making me make an application to make an application to see my daughter.
5. I need to stop this final hearing and get a trial/JA: I understand that you are facing a difficult situation with the District Judge in your family court matter. Have you already filed a recusal request with the Designated Family Judge in Stoke Court?

Customer: yes

JA: Are you looking for guidance on how to appeal to the appeals court and the time frames involved?

Customer: yes , and help to do it

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'm being abused by the Judge, and, see statement of yesterday 7 days before PTR: Customer: Chat is completed

Share this conversation



Answered in 12 minutes by:

22/5/2024

Lawyer: AlisonSolicitor

**AlisonSolicitor****Category:** Law**Satisfied Customers:** 8,893**Experience:** Expert

✓ Verified

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?

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did you see te statement I sent from yesterday to court?

Hi Alison



Will someone call, I've paid?



Lawyer: Jeremy Aldermartin

Hi thank you for your message, please note that I will look to provide an accurate but nevertheless speedy reply to your inquiry. I am sorry to hear about your situation but I will endeavour to help you today.

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File attached (GS5P14Z)

File attached (TT7V62S)

File attached (PZQ12P3)



Jeremy Aldermartin, Lawyer
20,174 Satisfied Customers
Lawyer

Ask Jeremy Aldermartin your Law question here...

Jeremy Aldermartin is online now!

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Welcome! How can I help with your legal question?

File attached (6S1P4VP)

Thank you for your time on the phone you will need to request permission to appeal from the circuit judge, you can do that using this form:
<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>

In terms of timescales you have 21 days from the date of the decision you are appealing which was made on 07.05.2024

I trust this assists



Jeremy Aldermartin, Lawyer

Category: Law

Satisfied Customers: 20,174

Experience: Lawyer

 Verified

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Ask your own question now

Lawyer: Jeremy Aldermartin

You can contact me through my profile if needed: <https://www.justanswer.co.uk/law/expert-jaldermartin/>

I trust this assists

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Hi Jeremy, you helped me with my appeals notice last week, it was out of time, so I had to apply for out of time too. This is now being viewed by the Designate Family Judge Bailey at Stoke court. I sent all of the attached to the Judge as part of my appellation pack. The last 2 attachment were sent to the judge day before, and today I thought, should I have included these within the pack also, so I sent an email, you can see the email which separates those sent, and then the following two which I offered to drive up to Stoke, in the printed form, or, resubmit the whole pack. I'm told that this is being looked at today. Questions

Hi Jeremy, you helped me with my appeals notice last week, it was out of time, so I had to apply for out of time too. This is now being viewed by the Designate Family Judge Bailey at Stoke court. I sent all of the attached to the Judge as part of my appellation pack. The last 2 attachment were sent to the judge day before, and today I thought, should I have included these within the pack also, so I sent an email, you can see the email which separates those sent, and then the following two which I offered to drive up to Stoke, in the printed form, or, resubmit the whole pack. I'm told that this is being looked at today. Questions 2). Do you think I've screwed (the email went, not heard back) 2). If it's accepted, does that mean that my resiling statement is accepted 3). If it is accepted, does that mean that my recusal is accepted, I have 60 points of "Apparent bias", or does this just give me permission to appeal of is this the appeal itself - if accepted, does that mean that the judge has gone, or do I then have to do something else? 4). If not accepted, I have 7 days to go to appeal, we can address that on another exchange. Thank you Jeremy Paul Clarke 07771 931246

Lawyer: Jeremy Aldermartin

1. No I do not think you have screwed up 2. No it does not mean the grounds of the appeal are accepted as such just that the permission to appeal is granted. 3. No same as 2. 4. Yes potentially. I trust this assists

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Thank you. More Qu's please...1). If accepted, who would I then appeal to, the same DFJ at stoke court, or the appeals court 2). If not accepted Can I still appeal the appeals court 3). In which case can you handle the appeal for me so that I don't screw up?3). I didn't attend the PTR on Friday last, I sent an adjournment on a C2 but it went on without me, is this an unlawful procedure 4). They're still wanting to push through Final hearing on 18th June for 4 days - how can I stop this sorry sent in error, resending

Lawyer: Jeremy Aldermartin

1) the appeal is to the DFJ at Stoke Court 2. No 3. No, we do not provide representation I am afraid. 4. No, if you do not show up they do not have to adjourn if they feel you were aware of the hearing 5. You can apply to try to delay it but you have done that if the court wants the final hearing to proceed you cannot stop it I trust this assists

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Thanks Jeremy, I just had to take a call, 1). If it's accepted, and I then send to the court of appeal, surely it would be prudent for them to delay the final hearing? 2) Do they have to? 3) This crazy Jeremy, 60 cases of

Welcome! How can I help with your legal question?



"Apparent bias" now only answers what she wants to write on C2 replies



Lawyer: Jeremy Aldermartin

1) You would not be sending it to the court of appeal the appeal court is the original court but in front of a circuit judge however, yes if permission to appeal is granted they are likely to delay the final hearing 2. You cannot appeal to the Court of Appeal if permission to appeal is refused a second time 3. Ok, there is no question there but ok.

I trust this assists

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Jeremy, I think you're a top bloke, if you like cheese, I'm going to sort some out for you, and I can get you 2 free tickets to the International Cheese and Dairy Awards if you wish: www.clarkegemini.com

<https://www.internationalcheeseawards.co.uk/>

<https://www.internationalcheeseawards.co.uk/paul-clarke>



Just a quick note, I have my appeal on the 5th June at 4pm, Louise to reply on the 6th June at 4pm, appeal 2hrs on the 7th June 2pm. Thank you!



Lawyer: Jeremy Aldermartin

Thank you, ***** a very kind offer but I would not be able to accept sadly as there are very strict rules about accepting gifts as a lawyer. All noted re the appeal hearing.

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Hi, 1). So I take it, this is the part that the order refers to (screenshot? 2). So I'm clear I'll make my points re the a) Recusal b) Contact, etc as I want in 8/5/24 order, 3). In point (k) "(k) such other documents as the court may direct", 4). I can then bring in 7/5/24 order so I can talk about resiling of statement. 5). Do I need to focus on New Evidence? Is this the key which opened the door 6) Ref: 5 (previous point), In: GK VPR [2021] EWFC 106 The High court set out in detail, what the grounds are for appealing a decision of the Family Court. The High Court stated the grounds to cover 5 points, I'll quote two of those (iii) & (iv): 5 (iii) the judge has clearly failed to give due weight to some very significant matter, or has clearly given undue weight to some matter: B-v-B (Residence Orders: Reasons for Decision) [1997] 2 FLR 602. iv) a discretion has been exercised in a way which was outside the parameters within which reasonable disagreement is possible 7). The New Evidence would be that I had not focussed on "Male Abuse" Death threat, poisoning on my Scott schedule. 8) Although I mentioned it within other statement as far back as 8/9/23, I didn't mention it in my Scott schedule. 9). Is it a problem that all I mentioned in my SCott schedule was: A). When Louise erupts, she cuts me with a few words as her father did to her with just a look. It brings me to tears, I get controlled by Louise and get told what to do, I feel that I've become subservient, although I will stand up occasionally too B) I get bullied and belittled at times too, and have become reliant on Louise's affirmation, and she knows this. I either get radio silence from Louise or the swearing noted in voice recordings 32 & 33, I yearn for middle ground.



Lawyer: Jeremy Aldermartin

Yes indeed. I trust this assists

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Hi Jeremy was that Yes indeed to every thing which I wrote, how do I file the 200 page bundle? Online in person, how please? At the court?



Lawyer: Jeremy Aldermartin

You can deliver it electronically via email with a bundle that size you will likely need to compress it into a zip file. I trust this assists

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Thanks Jeremy, so am I right in presuming then, because I was panicking that I had to do those bundles x 6 etc, that's just for an appeal to an appears court isn't it, I have a hearing with a high court Dame, quite amazing really, so if I deliver it to Stoke Court, then as the order is for DFJ Bailey of stoke court, as long as it is delivered to court by 4pm on 4th June, then this should be enough, just the statement? I plan to take it up to the wire, then it's the court's problem to get to Louise, presuming someone works from 4-5pm, as I know many leave at 4pm Louise will have 24hrs. So is that it then please, just the bundle with no other paperwork?



Lawyer: Jeremy Aldermartin



just the bundle I trust this assists

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I need just a few questions please, ok if you want to charge, as per order in: 5.9 of Practice Direction 30A Family Procedure Rules 2010, 5.9a). a sealed or stamped copy of the appellants notice - must I take this to court or do I email b).a copy of the notice making the order is fine, I have from the judge c). A copy of the refusal is as before so I have d). Witness statement ok, I will do as normal e). Don't know what this is, not for me f). Skeleton a pager working on it now g). ????? lost h) What is the application for not seen this, as this is not the appellants notice please? (i) what is an application notice please? So really struggling wit A, G, H, I, could you call please? or email



Lawyer: Jeremy Aldermartin

I am sorry but I have answered your original query plus a large number of follow ups therefore, please post this as a new question. I trust this assists

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I have made an appeal out of time in a family court, I went to the Designate Family Judge above that of a District Judge. She gave me right to appeal, being heard with a High Court Judge.59 of Practice Direction30A Family Procedure Rules 2010,y Procedure Rules 2010,I need just a few questions answered please, as per order in: 5.9 of Practice Direction 30A Family Procedure Rules 2010, 5.9a). a sealed or stamped copy of the appellants notice - must I take this to court or do I email b).a copy of the notice making the order is fine, I have from the judge c). A copy of the refusal is as before so I have d). Witness statement ok, I will do as normal e). Don't know what this is, not for me f). Skeleton a pager working on it now g). ????? lost h) What is the application for not seen this, as this is not the appellants notice please? (i) what is an application notice please? So really struggling wit A, G, H, I, could you call please? or email. I need help with the forms if you could just talk me through points of 5.9 please. Happy to pay,no a problem. But would rather talk. Thanks I have made an appeal out of time in a family court, I went to the Designate Family Judge above that of a District Judge. She gave me right to appeal, being heard with a High Court Judge.59 of Practice Direction30A Family Procedure Rules 2010,y Procedure Rules 2010,I need just a few questions answered please, as per order in: 5.9 of Practice Direction 30A Family Procedure Rules 2010, 5.9a), a sealed or stamped copy of the appellants notice - must I take this to court or do I email b),a copy of the notice making the order is fine, I have from the judge c). A copy of the refusal is as before so I have d). Witness statement ok, I will do as normal e). Don't know what this is, not for me f). Skeleton a pager working on it now g). ????? lost h) What is the application for not seen this, as this is not the appellants notice please? (i) what is an application notice please? So really struggling wit A, G, H, I, could you call please? or email. I need help with the forms if you could just talk me through points of 5.9 please. Happy to pay,no a problem. But would rather talk. Thanks

Thank you!



Lawyer: Jeremy Aldermartin

As I said, this needs to be posted as a new question on a completely new thread

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HOW

I hate this Just ask, it keeps throwing me back to this page



Lawyer: Jeremy Aldermartin

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Just posted, as if I have time for that Jeremy. Can you call me and I'll pay please
I've just posted one don't know if you can see it, it says 83 people on line



Lawyer: Jeremy Aldermartin

it looks like it has been taken no doubt one of the other experts will get back to you then I trust this assists

[Ask Your Own Law Question](#)

Jeremy, I've paid, can you please just help me please?
My money has gone, but no one is answering me

Welcome! How can I help with your legal question?





Lawyer: Jeremy Aldermartin

I am sorry but someone else has taken the question so I cannot answer it and in any event, I need to log off now as I have an early start in the morning. Night

[Ask Your Own Law Question](#)

well thanks a bunch, at least you'll get some sleep, I'm working on my deadline, how about if I post a third question?



Lawyer: Jeremy Aldermartin

Sorry but I cannot be awake 24/7 I have to sleep at some point. Night

[Ask Your Own Law Question](#)

I am atm
Just help me please, I'll get a cheque to you

Hi Jeremy, are you free?



Lawyer: Jeremy Aldermartin

Morning, I am working yes however, I cannot keep answering queries on this thread as I explained yesterday. I hope other experts responded to your call request in the early hours of the morning.

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Master's Degree
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I have a trial listed in just over two weeks. However, I

I have a trial listed in just over two weeks. However, I have submitted the Appellant's Notice (Forms N164 and N161), which is directly connected to the ... [read more](#)



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If at the hearing I ask the judge to recuse himself because

If at the hearing I ask the judge to recuse himself because I see him being biased, and he disagrees, I cannot continue with the hearing. How do I ask ... [read more](#)



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Partner
Bar Professional Training C...
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I have a simple question, I have a trial in 4 weeks and i am

hello. i have a simple question, I have a trial in 4 weeks and i am concerned the judges is a bias and i also submitted the complaint to JCIO in ... [read more](#)



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LL.M
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I paid £5 i filled out the form already, please connect me

solicitor can you please locare my paymwent ? locate ... [read more](#)



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What procedures had been breached by the judge? What to

What procedures had been breached by the judge?What to write in Skeleton argument for N161 when appealing the dismissal (without ... [read more](#)



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My estranged wife, Louise, brought a family law case on 11th

My estranged wife, Louise, brought a family law case on 11th November 2019 after she had poisoned the month earlier as well as assaulting our ... [read more](#)



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Subject: Urgent Request I would like to bring to your

Subject: Urgent RequestI would like to bring to your attention an ongoing case before the Family Court in Liverpool concerning child ... [read more](#)



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In the middle of a 5 day trial and the judge has shown bias

★★★★★

In the middle of a 5 day trial and the judge has shown bias towards the defendant. The applicant (litigant in person) filed an emergency ... [read more](#)



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In the civil courts England and Wales where a judgement by

★★★★★

In the civil courts England and Wales where a judgement by HH level of Judge is appealed to High Court Appeal section I gather that appeals must ... [read more](#)



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I'm looking for information about what to do when the judge

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Hi I'm looking for information about what to do when the judge in family court denies me permission to reapply for discharge for my son as ... [read more](#)



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Maggie

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If my solicitor sends me an email to get information in

If my solicitor sends me an email to get information in order to provide me legal advice, and they attach a document to that email and then later, they stop serving as my solicitor so the only access I have to that document is the email, do I have to disclose the attachment during discovery?

JA: I understand the situation can be concerning. Have you already started any legal proceedings related to the matter?

Customer: yes

JA: Are there any specific confidentiality agreements or court orders in place regarding the document in question?

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: the document, I think, was created by a fellow former co-defendant who is no longer party to the proceedings

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Jo C., Barrister
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Ask Jo C. your Law question here...

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Continue

Answered in 5 minutes by:

26/8/2024

Lawyer: Catherine**Catherine, Lawyer****Category: Law****Satisfied Customers: 20,713****Experience: Bar Professional Training Course**

✓ Verified

HiHello, I am one of the legal experts at Justanswer. Thank you for your question and for requesting my assistance today. I am happy to help you. I apologize in advance for any delays in my response, as I may be online and offline periodically. Rest assured that you will receive a notification once I have replied. Please note that even if I appear to be online, I may be reviewing your concern. Meanwhile, could you please provide any additional background information that may facilitate addressing your inquiry today?

Ask Your Own Law Question

during the pandemic lockdowns, my father wanted me to join the board of directors of his company - he said to help with making sure there were enough people for a quorum for a board meeting. I was on the board for a couple of months before leaving because I was starting a new job. I didn't do anything really during the time on the board - Dad just did everything himself, sent out a couple of board meeting minutes. Later Dad's company was sued by an investor. My whole family was added to the claim as possible conspirators. Dad's case has been judged but my case is still ongoing. We have already disclosed a bunch of documents due to a specific court order, including some board meeting minutes that I had received from Dad. But during proceedings, our solicitors contacted me to ask about another board meeting I was not aware of and sent me corresponding minutes. The attached document was something I had never seen before and I believe must have been created by Dad and probably not at the time of the relevant meeting but later after his case had begun. I only have a copy because it was attached to my lawyer's email and they probably only sent it because I was a co-defendant with a shared interest - I don't believe Dad had disclosed the document and he had refused to comply with discovery. I later was unable to retain the solicitor's services due to lack of funds.

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Yes, I'm pursuing a case that involves both a data breach and computer misuse by my former employer, DCI Fire Protection Ltd. After I ... [read more](#)



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Master's Degree
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I have recently obtained a County Court Judgment for

I have recently obtained a County Court Judgment for £34,664.35 against both a builder's limited company and the builder personally. This was on the ... [read more](#)



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I am seeking your advice regarding a civil claim currently

I am seeking your advice regarding a civil claim currently listed for hearing at Chelmsford County Court on 24 June 2025. The case involves ... [read more](#)



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I have received a CCJ and noticed through my Experian report

I have received a CCJ and noticed through my Experian report that it is linked to a payment to O2. Now back in 2023 Kings College London ... [read more](#)

Joshua

JD Law
Consultant

Company law and potential liability – misuse of company

Company law and potential liability – misuse of company funds by ex-partnerHello, I am seeking guidance on a matter involving UK ... [read more](#)

Vineet S
Practicing Solicitor

I co-founded a UK-based company and was a shareholder with a

I co-founded a UK-based company and was a shareholder with a 5% stake, alongside two other UK citizens. Regrettably, due to ... [read more](#)





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LL.M
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I have a question on Court Transcripts for a party in the

I have a question on Court Transcripts for a party in the Civil Courts in England Wales. If the court processes an EX107 form and acknowledges this ... read more



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How easy is it to get the court to agree to swap around the

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How easy is it to get the court to agree to swap around the 1st and 2nd claimants in legal proceedings (i.e. by applying for an amendment) and would ... read more



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I have a question. Do I need to send Form N265 to the

Hello, I have a question. Do I need to send Form N265 to the Court or is it enough to exchange it with the opponent's solicitor?... read more



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I have a dispute with a landscape gardening company (sole

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I have a dispute with a landscape gardening company (sole traders) who have taken most of the contract sum up front and have now ... read more



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Solicitor
Graduate Diploma In Law...
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Hope someone can assist with these Q: Case Management order-

★★★★★

Hope someone can assist with these Q: Case Management order- Disclosure section states: 8. By 6 May 2022 the claimant and the ... read more



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LLB ~ Law and Government
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I live in Northern Ireland. What Court Order do I need for

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I live in Northern Ireland. What Court Order do I need for 3rd party discovery against a corporation to release documentation regarding ... read more



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Ask a Law Question, Get an Answer ASAP!

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Im waiting for disciplinary hearing, relating on evidence of accident voice recordings where me and my colleagues was

chatting at office

JA: I'm sorry to hear about your situation. Can you please specify what the main allegations against you in the disciplinary hearing are?

Customer: 1. Alleged serious breach of company rules and procedures in respect of the Equality, Diversity and Inclusion of fellow workers namely, it is alleged that on 23rd January 2025 you made comments of a racial and inappropriate nature, specifically "all the f**king black ones are looking the same", "f**kers", "f**king prick" which is in breach of the company's Equality, Diversity and Inclusion policy and your actions presented a severe risk to the company and its employees. The company alleges that this matter, if proven represents a gross breach of trust. 2. Taking part in activities which cause the company to lose faith in your integrity namely, alleged unauthorised disclosure of confidential company information to a other colleagues. Further particulars being that it is alleged that on 23rd January 2025, you remained in the room whilst sensitive and confidential information of another colleague was being discussed and colluding on how to have another colleague suspended. The company alleges that this matter, if proven, represents a gross breach of trust. Investigation Participants Please list the details of all employees/persons who were interviewed during this investigation process

JA: Is there anything else the Expert should know before I connect you?

Customer: All the evidences that they have is a secret voice record I only have a transcript

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Answered in 4 minutes by:

6/3/2025

Lawyer: JD Law



JD Law, Solicitor

Category: Law

Satisfied Customers: 8,479

Experience: Expert

✓ Verified

Hello! I'm Vishal, a law expert here to help guide you through your disciplinary hearing.

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 role of the colleagues involved in your conversations and whether any of them have corroborated your account?

What is your understanding of the policies regarding confidentiality and workplace behavior as outlined by your company?

Have you had a chance to gather any additional evidence or witness statements that could support your defense against the allegations?

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

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The conversation was between my colleague and my care coordinator, I will assume they are suspended as well

As I was suspended I wasn't able to contact with anyone from my work colleagues

I can't ther any other evidences or statements



Lawyer: JD Law

Facing a disciplinary hearing can be daunting, especially with serious allegations involved. Here's some helpful information to guide you through the process:

1. Evidence from Secret Recordings:

In the UK, whether covert recordings can be used in disciplinary proceedings varies. Typically, recordings made without the consent of all parties are looked at unfavorably. However, if the content is relevant and there isn't a clear company policy against these recordings, they may still be considered. It's important to review your company's policies on recordings to understand their position.

2. Suspension and Communication Restrictions:

Being suspended during an investigation is a standard procedure and does not imply guilt. Employers often instruct suspended employees not to contact colleagues to protect the integrity of the investigation. Violating this instruction could result in further disciplinary actions.

3. Preparing for the Disciplinary Hearing:

•

Right to Accompaniment: You have the right to be accompanied by a colleague, a trade union representative, or a trade union official during the hearing. [Get more information here.](#)

•

Access to Evidence: Your employer should provide you with all evidence related to the allegations before the hearing. If you haven't received this information, be sure to request it so you can prepare your defense effectively.

4. Confidentiality Considerations:

It is crucial to maintain confidentiality during the disciplinary process. Discussing the case with colleagues or third parties without authorization can be viewed as misconduct and could lead to further disciplinary actions.



Do you require any clarification on the above?

[Ask Your Own Law Question](#)

Can I give a notice now and that will stop disciplinary
Also we had a policy in place saying that using telephones at work and recordings are not permitted and no
one gives a consent to be recorded
Also, I never received original copy of records only transcript

 Lawyer: JD Law

Resigning during a disciplinary process does not necessarily halt the proceedings. If you resign with notice, your employer can continue the disciplinary process during your notice period. Should the process conclude with a recommendation for summary dismissal due to gross misconduct, this could supersede your resignation, resulting in dismissal for conduct reasons. Regarding the covert recordings, even if your company's policy prohibits such recordings without consent, Employment Tribunals may still consider them as evidence if deemed relevant. However, the manner in which the evidence was obtained can influence its admissibility.

Do you require any clarification on the above?

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 Lawyer: JD Law

As you have not requested any clarification of the above answer or asked further questions, I hope that I have answered all your questions. Thank you for using JustAnswer today. It has been a pleasure speaking with you!

As a full answer has been provided above and after a prolonged period of inactivity this chat has been closed - I encourage you to re-read the information provided.

If you would like to ask me another question in the future, you can add me as a favourite Expert then type @vishalv in your next chat, or you can type (**FOR_VISHAL_ONLY**).

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Thank you

 Lawyer: JD Law

Thank you

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I gave my resignation recently but the manager has put in a

i gave my resignation recently but the manager has put in a gross misconduct allegation after this. My last day is June 7th . However the ... read more



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I want place question for 5 pounds, potrebujem experta na HR

i want place question for 5 pounds JA: Is there anything else the Lawyer should know before I connect you? Rest assured that they'll be able to help ... read more



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I want to ask you about, some inexperienced staff complain

I want to ask you about, some inexperienced staff complain and give witness statement that i abuse the residents or i heat the ... read more



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Would like some employment advise on annual leave that was

Would like some employment advise on annual leave that was given to me verbally, I then proceeded to book holiday and went. they have since ... read more

Defend against allegation of harassment, I actually had the

touching a colleague lower back on the skin for 10-15 min at a work-related event and attempting to touch a colleague on her lower back at a ... read more

I have spoken to a colleague about a work investigation when

I have spoken to a colleague about a work investigation when suspended is this gross misconduct? ... read more





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james bruce
Solicitor-Advocate
LLB , PGDip
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I am an introvert and I work for a big brand as a customer

I am an introvert and I work for a big brand as a customer service advisor. We are just few blacks in my office and I work for a big brand. I don't talk ... read more



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Post graduate
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Joshua
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Work stuff, dsicplinary bt for something id already had a

★★★★★

dsicplinary bt for something id already had a warnign for its been brought up again as someone has took it outisde the employer ... read more



james bruce
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I have been suspended from work awaiting interview I have

I have been suspended from work awaiting interview I have not been told the reason why but I do know because everyone who is still ... read more



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Legal Practice Course
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I have questions regarding my Employment and Diciplanary, UK

Hi, Yes I have questions regarding my Employment and Diciplanary ... read more



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Over 15 years in practice

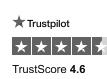
Maggie

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In a skeleton argument on the appeal of an order made by a judge in the high court... [Show More](#)

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[JeremyT1020, Solicitor](#)

Satisfied Customers: 1,881

Experience: Expert

Good morning and thank you for your question. I note the requested expert has declined to answer the questions so it's been opened up to the wider expert community. I'm a partner in a law firm 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, are you in civil or family proceedings? Secondly, are these plans and photos in the main appeal bundle? If not, why not? Thanks, J

Customer reply

Hi Jeremy, Thank you for getting back to me, England Wales Civil Court, an application to appeal was made, directions were given to lodge an appeal bundle a certain date, the application indicated the appeal 'might' be appealing more than one judges orders in the case along with the final judgement. The directions said files could be used in the bundle that might be felt by the parties relevant. (I took that to mean any files at all). Transcripts were sought of various hearings and the judgement. The Judgment transcript was significantly different to what was said in court and there was a delay in the judge releasing the transcript. Even the amended transcript can be shown to have a fault with finding of fact. However the changes were significant and unfair. In the interim other transcripts were received and there was one transcript in particular that would be important that the court said they sent to the transcribers. But they did not. The transcribers were helpful in writing 2-3 times to the court asking for it. So did I, even sending back to the court a copy of the letter the court had confirmed the audio had been sent after the ex107 application. In the interim of this the deadline for an appeal bundle was due to expire. so N244 applications were made to the high court appeal section for time extension, which was granted, second deadline, same scenario still waiting on that transcript, granted another time extension, so two high court Judges granted an extension, on the third application for a time extension (and no sight of the transcript that months previously) Welcome! How can I help with your legal question? uncertain terms criticises me for the transcribers were showing frustration with the court not with me) he then gives a new deadline,

says no transcripts whatsoever will be allowed in the appeal bundle other than the Judgment (which has been sanitised) and if we don't produce an appeal bundle by date 'x' then we will be debarred from making any further appeal. basically a torpedo right through our appeal application. slamming the door shut on us, so within days I lodged an appeal against that order because it was brutally unfair. I now have to make a skeleton argument for the appeal hearing for that order, basically arguing how unfair it is and we should be allowed transcripts, including the one that the court said was sent and still not received to date. which the order I am appealing against ALSO said 'no' further transcripts will be provided by the court. (which in unsealed private litigation I think is unjust if I wanted a transcript of another hearing in the case, which ultimately is a public document) So I need to not get caught out and put in this appeal of the order anything I possibly can that might have relevance (i.e I don't want the door closed when I have important files photo I want before the courts eyes). So that is why no main appeal bundle has gone in yet, this is a skeleton argument to apeal against not having the files neccessary to make our appeal bundle AND get legal advice on it, which how can we if we can't show what was discussed in court. (especially when on one occasion in court both judge and opposition claimed something was not said in court by a witness when it was). That is the situation, skeleton argument to argue we need permission for those transcripts and now more time past the debarring deadline that was imposed for the main skeleton argument and appeal bundle. If that all makes sense?



JEREMYT1020, Solicitor

Hello again and thank you for your patience.

Please remember that a skeleton argument is a succinct summary and argument of the case so far. They summarise what you will say to the judge at the hearing.

You can and should refer to evidence in your skeleton argument, but don't expect a judge to rely on it. Evidence (such as plans, photos, etc.) is for witness statements as they should be endorsed with a statement of truth.

Keep the skeleton argument simple. If the judge wants to hear or see any more evidence, they will ask for it. Obviously, it's worth keeping the plans and photos to hand in a separate bundle.



JEREMYT1020, Solicitor

Good morning. I note i haven't heard anything further from you since yesterday afternoon. Would you like me to clarify anything we've discussed? J

JEREMYT1020, Solicitor: Welcome! How can I help with your legal question? →





Good morning. I note I haven't heard anything further from you for a couple of days so i trust you are happy with my answers to your questions. Please consider adding me as a 'favourite expert' as it will allow you to consult me quickly should you need my further assistance. In the meantime, thank you for your question and for using Just Answer. Best wishes, J

Customer reply

Good morning Jeremy, I submitted a brief skeleton argument, I might get back to you later today.

Was this answer helpful?

 Yes  No

How JustAnswer Works



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Recent questions

In anticipation of my upcoming trial, attached is my Trial

★★★★★

Hi Jim, In anticipation of my upcoming trial, attached is my Trial Bundle Index. I want to specifically call out the section of "Corporate History and ... [read more](#)



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I have some questions on the draft directions doc you shared

Hi Jim. I have some questions on the draft directions doc you shared with for the intermediate track.... [read more](#)



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

I have a question on Court Transcripts for a party in the Civil Courts in England Wales. If the court processes an EX107 form and acknowledges this ... [read more](#)

**Stuart J**

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I want to appeal a judges decision, Clerkenwell and



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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When completing a N161 appellants notice to appeal a

When completing a N161 appellants notice to appeal a judgment on wrong finding of fact and potential procedural error it is obviously ... [read more](#)

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Child Maintenance Service (Lump Sum Deduction Order) appeal.

★★★★★

Child Maintenance Service (Lump Sum Deduction Order) appeal. Hi, I am in dispute with the CMS over their calculation of the amount ... [read more](#)



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Barrister

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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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I have had my civil case struck out in county court by a

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I have had my civil case struck out in county court by a district judge. I applied for permission to appeal to a circuit judge in the county court but ... [read more](#)

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Solicitor4All

Principal Solicitor



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Jeremy Aldermartin Please find the documents attached, i

★★★★★

Hi Jeremy AldermartinPlease find the documents attached , i sent them yesterday but i dont think you got them .Regards Desmond... [read more](#)



Jeremy Aldermartin
Lawyer
Postgraduate Diploma in La...
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I have a question about Practice Direction 52B of the civil

★★★★★

Hello, I have a question about Practice Direction 52B of the civil procedure rules. I am bringing a county court action (fast track) against someone. ... [read more](#)



Joshua
Lawyer
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Whats a draft order? Is there a template? England, UK, I

★★★★★

Whats a draft order? Is there a template? JA: Where is this? It matters because laws vary by location. Customer: England, UK JA: What ... [read more](#)

Welcome! How can I help with your legal question?



JimLawyer



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I hope you're well. You kindly looked at the chronology I

★★★★★

Hi Jim, I hope you're well. You kindly looked at the chronology I prepared a couple of days ago for my county court claim against a defendant ... [read more](#)



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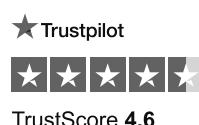
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In the UK family court you can request a transcription of the court hearings, the recording... [Show More](#)

Ask Your Own European Law Question



Nina Caldera

Satisfied Customers: 3,875

Experience: dasdasd

Hello! My name is***** am specialized in international legal advice and today I am going to help you with your inquiry. Could you let me know your first name? so that I know who I am talking to. I am reviewing the details now and I will aim to resolve it as quickly as possible for you.

Dear customer,

While you can request a transcription of court hearings, obtaining a copy of the actual audio recording in CD or any other audio format is not permitted. The court's policy is to minimize the risk of misuse of such recordings. But, in case you have obtained an official transcript, you may apply for permission to listen to or receive a copy of the audio recording upon payment of the authorized charges.



NINA CALDERA,

Please ask any questions as the service aims to guide and clarify doubts

Customer reply

Thankyou. How long does the uk family court keep recordings of court hearings? Are they deleted once a case is closed or are they kept on record with the court file?



NINA CALDERA,

Welcome! How can I help with your legal question?



Recordings of court hearings are typically kept for a period specified by the court's record retention and disposal schedule. This period aligns with legal requirements and data protection principles. Once a case is closed, the recordings are not automatically deleted but are retained for a set duration before being securely disposed of, unless there are exceptional reasons to keep them longer.

Was this answer helpful?

 Yes  No

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I am the mother to a son who is now 30 but at 25 he was

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I am the mother to a son who is now 30 but at 25 he was sentenced to 27 years as a secondary party in a Joint Enterprise case. On arrest at the age ... [read more](#)



Catherine
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Please I took out insurance policy without no knowledge of

★★★★★

Please I took out insurance policy without no knowledge of any damage to my property and the insurance company said that my managing agent ... [read more](#)



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We are the claimants in a personal injury case AT CCMC the

Welcome! How can I help with your legal question?



Good Afternoon We are the claimants in a personal injury case AT CCMC the defendants were ordered to retrieve the claimants' medical records ... [read more](#)

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I have a case at the UK High Court as a LIP. The Master made

★★★★★

NinaC0418 I have a case at the UK High Court as a LIP. The Master made an unless order for me to rewrite my claim but I was unwell ... [read more](#)

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I would like to ask about process of imposing UK court

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How should I describe the attachments in *Particulars of the

How should I describe the attachments in *Particulars of the Claim* (Annex, Exhibit...) when I have evidence in the form of videos recordings, ... [read more](#)

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Lawyer

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I live in London and I want to sue Airbnb, but their

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Hi, I live in London and I want to sue Airbnb, but their headquarters are in Dublin. Do I have to file the lawsuit in Dublin?... [read more](#)

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We have regular meeting around my daughter education with

We have regular meeting around my daughter education with both the academy and the LA. In the past there has been many ... [read more](#)

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GDPR In 2021/22 I (UK resident) undertook series of

★★★★★

GDPRIn 2021/22 I (UK resident) undertook series of hypnotherapy sessions with a merchant based in the USA (florida/ Texas) on ... [read more](#)



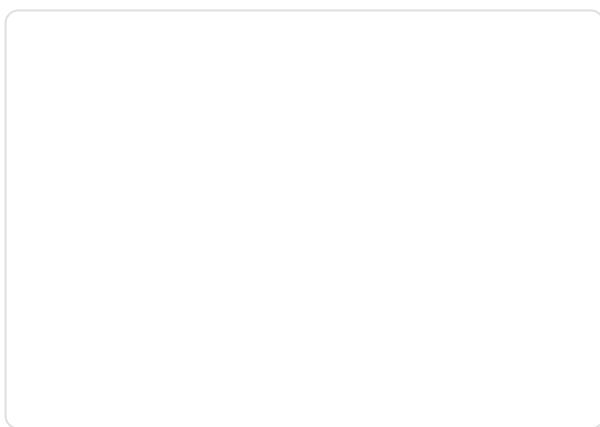
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This answer was rated: ★★★★★

Is it possible to obtain the transcript of a family court

case JA: Where is this? It... [Show More](#)

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[Joshua, Lawyer](#)

Satisfied Customers: 37,975

Experience: LL.B (Hons), Higher Prof. Dip. Law & Practice

Hello and thank you for your question. My name is ***** I will be very pleased to assist you. I'm a practising lawyer in England with over 15 years' experience. Please be aware that although I will endeavour to reply to you promptly, I am also in full time private practice and so I may not be available to respond immediately and it may also take me a few minutes to prepare a reply. The site will notify you as soon as I respond. I look forward to working with you to answer your question fully.

I am very sorry to read of the above circumstances which I can imagine must be both disappointing and distressing.

May I clarify if you are seeking a transcript of the case in order to consider an appeal or for another reason please? You mention concerns in relation to a social worker

Customer reply

im not sure i can appeal the decision. i had to apply for permission to apply which they refused.
i have concerns about safeguarding regarding father
and concerns about the social worker who dealt with it



JOSHUA, Lawyer

thank you. Roughly how long ago was the judgement given by the judge in question?



Customer reply

february 2023



JOSHUA, Lawyer

thank you. It is perfectly possible to appeal the judgement even where permission to appeal is refused by the presiding judge. in circumstances such as these, permission to appeal must be applied to an appeals judge which is a different judge to the judge that heard the initial application. Applications for appeals must ordinarily be made within 21 days of the date of the original judgement for which you require the following form:

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

In terms of applying for a copy of the transcript of the original hearing, providing you are a party to the original application as is the case here, you can ordinarily apply for a copy of a transcript. To do so, you would need to consider the following steps typically:

1.

Look out the details of the specific court and hearing date for which you would like to request a transcript.

2.

The Ministry of Justice maintains a list of approved transcription service providers. You will need to choose a provider from this list to obtain an official transcript of the court hearing. The list of approved transcription service providers can be found here: <https://www.gov.uk/guidance/court-hearing-transcripts-arrangements-from-january-2022>

3.

Contact the chosen transcription service provider to request a quote for the transcript - you may wish to consider contacting more than one to obtain additional quotes. you will need to be prepared to provide them with the details of the hearing, such as the court name, date of the hearing, and any relevant case numbers.

4.

Once you have chosen a transcription service provider, you will need to fill out the relevant forms to request the transcript. The transcription company will provide you with the appropriate form or direct you to the form online. In general, you will need to fill out the EX107 form, which can be found here: <https://www.gov.uk/government/publications/form-ex107-order-a-transcript-of-court-tribunal-proceedings>

5.



Send the completed form and any required payment to the transcription service provider. They will process your request and provide you with the transcript if your request is approved.

Obtaining a transcript can in certain circumstances be subject to restrictions, such as redactions to protect the privacy of individuals involved in the case.

Customer reply

ty I had no idea i could appeal the decision. I will go and look at the links now.Family court is so hard! and expensive.ty



JOSHUA, Lawyer

I'm glad the above answers all your questions for now. If you have any follow-up questions please revert to me.

Customer reply

Hello Joshua, do I file this appeal with the family court in middlesbrough (where case was heard) ?



JOSHUA, Lawyer

ordinarily, the completed notice should be sent to the court at the address shown at the end of the following document:

<https://assets.publishing.service.gov.uk/government/ww2-secure.justanswer.com/static/ja-gqa/attachment/img-locked.svg>



JOSHUA, Lawyer

I hope I was able to answer your question. If you would like to ask me another question in the future, you can add me as a favourite Expert. You'll have the option to do that on your "My" page.



Questions" page if you choose to rate our interaction or you can request me by name if you wish.
Thank you again for visiting JustAnswer and see you again in the future I hope.

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Have already submitted a c100 application to the court, this

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My grandson is in care I would like him to live me, No, He

My grandson is in care I would like him to live me ... [read more](#)



Alexander A

Managing Partner

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I am worried that I will be accused of contempt of court if

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I am worried that I will be accused of contempt of court if I ignore the court order but I can't turn my children away at the door if they refuse to ... [read more](#)



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

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What documents do I need to complete an application by me in

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What documents do I need to complete an application by me in relation to either my assessment or in relation to my grandson's welfare and ... [read more](#)

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How do I get a residency order for my grandson. He has been

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I am after advice: my son has a step son aged 4 and a

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I am after advice : my son has a step son aged 4 and a daughter aged 3. PLO meeting is due to now go to court. My son has given up being ... [read more](#)



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My grandson is the last of three siblings, although he has a

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My grandson is the last of three siblings, although he has a different father. The father and my daughter had a very bad break up, after an abusive ... [read more](#)



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I have made an application for a contact order from my



I have made an application for a contact order from my grandchildren currently in care of the LA, 2 of the children are now in a care plan for adoption, ... [read more](#)

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Where to start my grandson as been on child protection since

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where to start my grandson as been on child protection since may 2019 on the 1st february 2021 he was removed from my daughters care and i ... [read more](#)

**Vineet S**

Practicing Solicitor

LL.M

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Can a crown ct judge at a CVP hearing, (I note: the accused

Can a crown ct judge at a CVP hearing, (I note: the accused is also prohibited from attending) where the 'CPS Seeks the Immediate-Acquittal' of the ... [read more](#)

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MY Son has been issued with a prohibited steps order as h



MY Son has been issued with a prohibited steps order as he was moving 12 mile away and changing his son who is 12 school , my grandson ... [read more](#)

**SASH_Law**

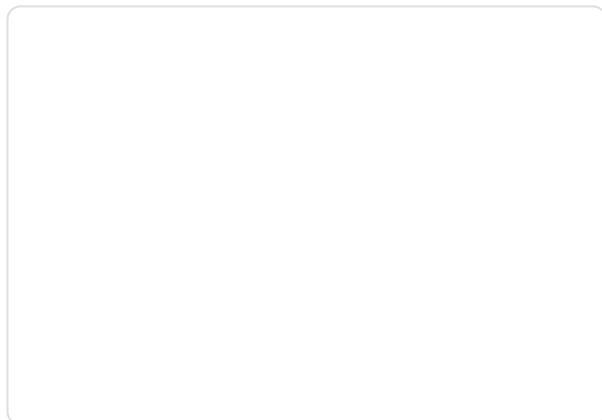
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What Should I Do If My Ex Is Sharing Confidential Family Court Information in the UK?

Lawyer's Assistant chat 

Customer: My ex partner is sharing private and confidential information ONLY DISCLOSED IN COURT DOCUMENTS in the family court AGAIN in relation to our separation, with parents at the school of our child. Is this acceptable to the court. What should I do about this. I've already shared with the court the fact that information in the CAFCASS report was shared by my ex with older minor children in the house and the nanny.

Lawyer's Assistant: Have you informed your attorney or legal representative about this situation?

Customer: We are unrepresented

Lawyer's Assistant: Are there any specific court orders or agreements in place regarding the confidentiality of court documents?

Customer: It is the family court

All child matters are meant to be confidential

Lawyer's Assistant: Is there any other information or context that would be helpful for the expert to know?

Customer: This is in the English courts in the UK

Lawyer's Assistant: OK. Got it. I'll tell the Expert about your situation and then connect you two.

Answered by SASH_Law in 1 min 1 year ago



 **SASH_Law**

LLB(Hons)

★★★★★ 22,967 satisfied customers

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



 **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. 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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SASH_Law



Pearl Chatbot, Lawyer's Assistant



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

Type your message...

UK Family Law: Confidentiality of Court Documents in Child Cases

Unauthorized sharing of sensitive information and lack of legal representation complicate confidentiality enforcement.

In UK family courts, child-related proceedings are confidential, and court documents must not be disclosed outside authorized parties. If an ex-partner shares confidential information improperly, you can report this breach to the court. Without legal representation, consider seeking advice from a family law advisory service or applying for a court order to enforce confidentiality. Document all instances of disclosure carefully, as the court may impose sanctions or protective measures to safeguard the child's privacy.

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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PaulmoJD | Expert

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★★★★★

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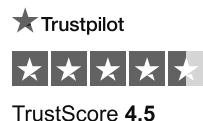


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Ask a Family Law Question, Get an Answer ASAP!

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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 this reason I have filed C100 application form which my ex opposes. This is not true and I would like to explain the court my position.

During the mediation I decided to transcribe the conversation. This was used for personal clarity and accuracy, but I never obtained explicit consent whether I can transcribe the meeting. Should I mention to the court that I have a transcript or would this potentially go against me? I have suggested wording as follows "I have extensive notes and relating to the mediation sessions. I also prepared a personal transcript of one mediation session for my own records. While I did not seek explicit consent to record the session at the time, the transcript was created for personal clarity and accuracy only. I am willing to share this with the court only with its express permission and if it is deemed to assist the court in ensuring an accurate representation of discussions held."

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Answered in 38 minutes by:

3/5/2025

Lawyer: Solicitor4All

Solicitor4All, Solicitor
Category: Family Law
Satisfied Customers: 15,170
Experience: Director and Principal Solicitor, UK

✓ Verified

Hello! I'm Solicitor4All, a Family Law expert here to help you navigate your situation. It sounds like you're dealing with a complex mediation issue, and I'm here to provide guidance on how to present your case effectively. Please be aware that Just Answer functions as an information sharing platform in a Q&A format, and does not provide legal representation. Therefore, no lawyer/client relationship is established. If a phone call is unnecessary, feel free to communicate via typing. Phone calls are automated, and I do not control the timing of these requests. As a third-party professional, please understand that I do not have authority over payment/refund/cancellation issues. For assistance with such matters, please contact Just Answer's Customer Support team at the following link: <https://www.justanswer.co.uk/help/contact-us> or by phone at 0808(##) ####### or via email at ***@*****.***.

Thank you for your patience. If I need any further information I will request it from you here. It is important for you to answer all the questions clearly, so that I have the information I need to give you an accurate response to your specific legal situation. In the meantime please bear with me whilst I fully review your initial information in order to then draft your response. Do you have any further information for me before I get back to you?

Can you clarify what specific points from the mediation you believe your ex is misrepresenting?

What are the main outcomes or agreements that you feel were reached during the mediation process?

How do you envision presenting your transcript to the court, and what specific aspects do you think it will support in your case?

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My ex states that I was not willing to make any compromises, that I went against anything mediator proposed and for this reason mediation was in a stale mate position and had to end. That he was willing to work with me to find compromised, but in reality everything was totally opposite. I just feel he is dragging the time with the court. Thank you

I don't want at the court to be seen as "he said" and "she said". Hence my proposal to the court to share transcript from the mediation sessions

**Lawyer: Solicitor4All**

Thank you for the detailed information. This is a sensitive issue, and your instinct to remain transparent and measured is the right approach. Regarding the mention of the transcript: In England and Wales, family mediation is confidential. While recording or transcribing sessions without permission isn't a criminal offense, it could raise concerns with the court, especially if the mediator or other party was unaware. Courts generally disapprove of covert recordings or notes unless they are clearly justifiable and proportionate. Your proposed wording strikes a careful and respectful tone, which is beneficial. Here's a refined version that strengthens your position while maintaining transparency: Suggested Wording:

"I have detailed notes and a personal transcript of one mediation session, prepared solely for my own reference and clarity, not for distribution or improper use. Although I did not seek explicit consent to transcribe the session, it was created in good faith to aid my understanding of the discussion. I am willing to provide this to the court only with its express permission and if deemed appropriate or helpful in clarifying the mediation process and the positions taken by both parties." Why this works:

- Transparency: You're upfront about your actions.
- Intent: You clarify it was for personal clarity, not to gain an advantage.
- Respect for process: You defer to the court's decision on whether it should be considered.
- Avoids escalation: You're not pushing the transcript on the court but leaving the door open. You might consider attaching a summary of the points you believe were agreed or discussed in mediation, without including the transcript—unless the court invites it. This avoids breaching mediation confidentiality while still presenting your side.

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



Lawyer: Solicitor4All

Thank you for giving us the chance to assist you today. I'm Solicitor4All, and if you need any further assistance, simply click on SOLICITOR4ALL to reach out. Feel free to save me as a favorite for quicker access in the future. If you have any follow-up questions, don't hesitate to contact me, and I'll be happy to help!

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Hello, i have a question about a mortgage redemption fee after a divorce was finalised ... [read more](#)



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my ex lied on the application and I have evidence to prove this... [read more](#)



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we were in a very long and messy court process and I chose not to continue so there was an order that the children live with the mother but they are ... [read more](#)



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I've been served a C100 court order and want to oppose this do I need to send supporting letter with forms to the courts? ... [read more](#)



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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](#)



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I'm looking at setting up an court order between me and my

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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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My question: is it more advantageous to withdraw an appeal

This answer was rated: ★★★★☆

Hello! My question: is it more advantageous to withdraw an appeal before hearing or wait and see if hearing could give a good result? This concerns an application for an immigration visa following an overstay (from 2 Aug 2024) by my Italian husband who is 83, has dementia, diabetes etc. Both retired teachers, I am British but after marrying in UK we've lived in Italy for 50 yrs. Came to Swansea for a respite holiday in Feb 24 as I couldn't cope and son and family live here (over 20 yrs). I was advised to apply via spouse route...failed in Sept... as, they said, no exceptional circumstances (but eligible for all other, inc. financial). Husband was ill when 6 months expired. I appealed but this too was failed, for same reason (though had sent medical certificates). I felt they hadn't really considered appeal as they didn't mention our motives - to have family help (also have daughter in UK over 25 yrs). Now awaiting hearing date. Husband not really fit to travel.

Thanks for your attention! Christine

JA: I'm sorry to hear about the challenges you and your husband are facing with this immigration matter. To better understand, could you clarify if there have been any recent changes in your husband's medical condition or additional evidence that might support your case since the initial appeal?

Customer: Yes, he became worse, recurring diarrhoea in June, severe back pain, couldn't stand up, in July - not a good situation to book flight for 2 Aug. Improved with medication and both described on medical certificates. Recently finished antibiotics for chest infection and done scan for obstructive jaundice, seems gallstones, awaiting medical evaluation.

JA: Thank you for sharing these details. Could you confirm if you have submitted all the updated medical evidence, including recent diagnoses and treatments, to support your case for exceptional circumstances?

Customer: All but scan, awaiting answer now and symptom persists

JA: Understood. Have you received any guidance or communication from the tribunal regarding how they will consider medical evidence in your case?

Customer: No, but filled in online form regarding hearing needs

JA: Thank you. Have you considered or been advised on whether your husband's health condition might qualify for a request to expedite the hearing or for it to be conducted remotely?

Customer: No. Our son, witness, would drive us there and I would rather not postpone it unless GP says necessary

JA: Got it. Have you consulted with your GP about providing a detailed letter or report specifically addressing how travel and the hearing might impact your husband's health?

Customer: This already stated on other certificates in June, Sept and Feb 25. Awaiting present evaluation

JA: Is there anything else the Lawyer should know before I connect you? Rest assured they'll be able to help with your question about whether to withdraw an appeal or wait for a hearing regarding your husband's immigration visa application.

Customer: Only that this was an experiment, we really did not come to Wales with intention to stay but the legal advice I got made me think the spouse route viable, apparently only for very small percentage.

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Answered in 2 minutes by:

22/4/2025

Lawyer: JD Law

Hello Christine! I'm JD Law, and I understand how challenging this immigration situation must be for you and your husband. I'm here to help you navigate your options regarding the appeal and hearing process.

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.

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

Have you discussed with your lawyer the potential implications of withdrawing the appeal versus waiting for the hearing, particularly in relation to your husband's health and circumstances?

What specific outcomes are you hoping to achieve from the hearing, and how do they align with your family's current situation and needs?

Are there any other legal options or support services you have considered that might assist you and your husband during this process?

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

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This is my first attempt to ask this question. The outcome I would like is simply for him to be able to travel freely Italy/UK/Italy as and when able. No, no other legal option considered.

**Lawyer: JD Law**

Thank you for providing such a detailed account of your situation. Given the complexities involved, it's understandable that you're seeking clarity on whether to proceed with the appeal hearing or withdraw it.

Under UK immigration law, particularly the Immigration Rules and the Immigration Act 1971, appeals against visa refusals can be based on human rights grounds, such as Article 8 of the European Convention on Human Rights, which protects the right to respect for private and family life. In your husband's case, the appeal hinges on demonstrating "exceptional circumstances" that would render refusal of entry clearance a disproportionate interference with his family life in the UK. The fact that your husband is 83 years old, suffers from dementia, diabetes, and other health issues, and has close family ties in the UK (including a son and daughter who have resided here for over two decades) strengthens the argument for exceptional circumstances. Moreover, your long-standing marriage and shared life in Italy for 50 years further underscore the depth of your family life. Withdrawing the appeal at this stage would forgo the opportunity to have these factors assessed by an independent tribunal. Proceeding to the hearing allows for a



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comprehensive evaluation of all evidence, including medical documentation and testimonies regarding your family's support network in the UK. If the tribunal finds in your favor, the Home Office would be required to reconsider their decision, potentially granting your husband the necessary visa. It's also worth noting that if new medical evidence has emerged since the initial appeal—such as recent diagnoses or treatments—this can be submitted to the tribunal to bolster your case. Ensuring that all relevant and up-to-date information is presented will aid the tribunal in making an informed decision. Given these considerations, it would be advantageous to proceed with the appeal hearing rather than withdrawing it. This approach maximizes the opportunity to present a compelling case for your husband's right to remain in the UK based on his health needs and family connections.

Do you require any clarification on the above?

[Ask Your Own Law Question](#)

As you have not requested any clarification of the above answer or asked further questions, I hope that I have answered all your questions. Thank you for using JustAnswer today. It has been a pleasure speaking with you!

As a full answer has been provided above and after a prolonged period of inactivity this chat has been closed - I encourage you to re-read the information provided.

If you would like to ask me another question in the future, you can add me as a favourite Expert then type @JDLaw or you can type (FOR_JDLaw_ONLY) in your next chat

You will see that option if you choose to rate me, so it is easy to find me again. You may prefer to use this link <https://www.justanswer.co.uk/law/expert-jd-lawyer/?rpt=3800>. You can type in the box that appears through this link.

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JD Law, Solicitor

Category: Law

Satisfied Customers: 8,479

Experience: Expert

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Apologies but I am sole carer for my husband and today was a bad day. Many thanks for your answers, which are comforting as they are along the lines I had been following. I realise this is a crucial moment as he has a new diagnosis and I will not know immediately what this will mean as regards ***** will contact you again if necessary.

Lawyer: JD Law

If you would like to ask me another question in the future, you can add me as a favorite Expert, then type @JDLaw or you can type (FOR_JDLaw_ONLY) in your next chat. You will see that option if you choose to rate me, so it is easy to find me again. You may prefer to use this link <https://www.justanswer.co.uk/law/expert-jd-lawyer/?rpt=3800>. You can type in the box that appears through this link.

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I would like to remain anonymous. I am an asylum seeker here

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I am asking this question on behalf of my son, who is was

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I am asking this question on behalf of my son, who is was married almost 6 months ago to a UK citizen and is currently living in the UK: My son made an ... [read more](#)



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My question is a bit complex. I have settled status in the

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I have settled status in the UK. My husband is Pakistani citizen and at the moment he has no status in the UK. We are together since 2019 in ... [read more](#)



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martyred

Topic started by martyred

26 Jan 23

I'm considering an appeal.

I have transcripts of the judgments from the final hearing. Am I allowed to show them to a medical expert in order to have him comment on them? He has not previously been involved in the proceedings.

Posts: 10

The transcripts carry the following rubric (which seems to be standard):

*'This judgment was delivered in private. The judge has given leave for this version of the judgment to be published on condition that (irrespective of what is contained in the judgment) in any published version of the judgment the anonymity of the children and members of their family must be strictly preserved. All persons, including representatives of the media, must ensure that this condition is strictly complied with. Failure to do so will be a contempt of court.
This Transcript is Crown Copyright. It may not be reproduced in whole or in part other than in accordance with relevant licence or with the express consent of the Authority. All rights are reserved.'*

Articles I've read online suggest that I should be able to forward the transcripts. One solicitor has said otherwise.

.Charles

Reply from .Charles

27 Jan 23

The short answer is that you cannot show the transcript to anybody other than your legal advisor or the appropriate level of Court and Judge.

Platinum Member

Charles

Posts: 7128

martyred

Reply from martyred

27 Jan 23

Thanks for the reply. Could you possibly expand a little please?

I find it hard to see that '*The judge has given leave for this version of the judgment to be published*' could not mean that it's expected that anyone and everyone is now permitted to see it.

Posts: 10

The same rubric was discussed in the following thread but there's no more clarity:

[Telling your story - libel etc - Divorce Advice \(wikivorce.com\)](#)

(<https://divorce.wikivorce.com/advice/court/478241-telling-your-story-libel-etc#478253>)

martyred



Posted by
Junior Member

Posts: 10

Reply from martyred

27 Jan 23 - 27 Jan 23

I'd add that there are lots of judgments available online with the same rubric (and not just on <http://www.bailii.org>www.bailii.org (<https://www.bailii.org>)).

Last edit: 27 Jan 23 by martyred.

.Charles



Platinum Member

Posts: 7128

Reply from .Charles

27 Jan 23

When a transcript has been prepared it has to be approved by the Judge as transcriptions can contain errors when the recording is muffled or unclear.

Once the judge is happy with the transcript it is approved for publication.

However, this does not mean that you can let anybody read the judgment, particularly so in family proceedings.

The Family Procedure Rules will clarify the position.

www.justice.gov.uk/courts/procedure-rules/family/rules_pd_menu
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Charles

martyred



Posted by
Junior Member

Posts: 10

Reply from martyred

27 Jan 23 - 29 Jan 23

Thanks.

For anyone else who's interested, one can view or print the Family Procedure Rules in their entirety by going to <http://www.legislation.gov.uk/ksi/2010/2955/contents>www.legislation.gov.uk/ksi/2010/2955/contents (<https://www.legislation.gov.uk/ksi/2010/2955/contents>) and selecting Print Options.

I haven't yet found anything to say I can't share the transcript (the PDF is 375 pages though) but it's clear that one would need the judge's permission to use an expert's response in proceedings.

It's hard not to feel contempt reading this stuff. To me there's one impediment to justice after another.

Last edit: 29 Jan 23 by martyred.

.Charles



Platinum Member

Posts: 7128

Reply from .Charles

30 Jan 23

Some links of use which are pertinent to the issue of publication of proceedings:-

www.legislation.gov.uk/ukpga/Eliz2/8-9/65/section/12/1991-02-01
[\(<https://www.legislation.gov.uk/ukpga/Eliz2/8-9/65/section/12/1991-02-01>\)](https://www.legislation.gov.uk/ukpga/Eliz2/8-9/65/section/12/1991-02-01)

www.legislation.gov.uk/ukpga/1989/41/section/97
[\(<https://www.legislation.gov.uk/ukpga/1989/41/section/97>\)](https://www.legislation.gov.uk/ukpga/1989/41/section/97)

Charles

Start | Prev | 1 | 2 (/forum-index/court-preparation/515108-permission-to-distribute-transcript?start=7)
 Next (/forum-index/court-preparation/515108-permission-to-distribute-transcript?start=7)
 End (/forum-index/court-preparation/515108-permission-to-distribute-transcript?start=7)

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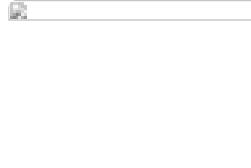
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Support for people who have to go to court to get a fair divorce financial settlement without a solicitor.

Court Support**Property and Pensions**

- [What happens to the house? \(/guides-financial-settlements/how-to-guides/property-faqs.html\)](#)
- [Pensions Survival Guide \(/library/pensions/pension-information/a-survival-guide-to-pensions-on-divorce.html\)](#)
- [Pensions In Ancillary Relief \(/library/pensions/pension-information/pensions-in-ancillary-relief.html\)](#)
- [Basic for Calculating CETVs \(/library/pensions/pension-valuation/the-new-basis-for-calculating-cetvs-april-2008.html\)](#)

Download Court Forms

- [Free Divorce Forms \(/library/forms/divorce-petition/important-forms-used-as-part-of-the-divorce-process.html\)](#)
- [Financial Settlement Forms \(/library/forms/divorce-petition/important-forms-used-in-the-financial-process.html\)](#)
- [Child Arrangements Forms \(/library/forms/divorce-petition/important-forms-used-in-the-children-process.html\)](#)
- [Other Court Forms \(/library/forms/divorce-petition/other-important-forms.html\)](#)

Court document templates

- [Chronology template \(/library/divorce-finances/dividing-the-assets/chronology-template-for-ancillary-relief-matters.html\)](#)
- [How to complete Form E \(/library/divorce-finances/dividing-the-assets/how-to-complete-the-new-form-e.html\)](#)
- [Position statement \(/library/faqs/child-contact-and-residence-custody/position-statement-template.html\)](#)
- [Example S25 Statement \(/library/diy-divorce-resources/Law-and-procedure/Sample-of-a-statement-of-the-Marital-Causes-Act.html\)](#)

Resource Library

- [Case Law Summaries \(/library-case-law\)](#)
- [Divorce Book Reviews \(/library-book-reviews\)](#)
- [Family Law Video Guides \(/library-video-guides\)](#)
- [Divorce Glossary \(/glossary.html\)](#)

The Complete Guide to Divorce in the UK**Free DIY Guide To Divorce**

- [Grounds for divorce in the UK \(/guides-divorce/how-to-guides/step-1-initial-checks.html\)](#)
- [Submit divorce application \(/guides-divorce/how-to-guides/step-2-submit-your-divorce-application-to-court.html\)](#)
- [Apply for Decree Nisi \(/guides-divorce/how-to-guides/step-5-apply-for-decree-nisi.html\)](#)
- [Apply for Decree Absolute \(/guides-divorce/how-to-guides/step-6-apply-for-decree-absolute.html\)](#)

Calculate a Fair Settlement

- [UK law on divorce settlements \(/guides-financial-settlements/how-to-calculate-a-fair-financial-divorce-settlement.html\)](#)
- [Free online divorce calculator \(/divorce-calculator/divorce-calculator.html\)](#)
- [Our Calculation Methodology \(/divorce-calculator/divorce-calculation-method.html\)](#)
- [Start your Divorce Calculation \(/divorce-calculator/divorce-calculator-start.html\)](#)

Financial Settlement Process

- [Financial disclosure Form E \(/guides-financial-settlements/step-by-step-process/step-1-financial-disclosure.html\)](#)
- [Legal advice on fair settlement \(/guides-financial-settlements/step-by-step-process/step-2-how-can-i-find-out-what-is-a-fair-settlement.html\)](#)
- [Negotiate a divorce settlement \(/guides-financial-settlements/step-by-step-process/step-3-negotiation.html\)](#)
- [Apply to court for finances \(/guides-financial-settlements/step-by-step-process/step-4-applying-to-court-for-a-financial-order.html\)](#)

Financial Agreements

- [Separation Agreements \(/guides-financial-settlements/agreement-documents/separation-agreements.html\)](#)
- [Clean Break Consent Order \(/guides-financial-settlements/agreement-documents/consent-orders.html\)](#)
- [Simple Consent Order example \(/guides-financial-settlements/agreement-documents/consent-order-simple-example.html\)](#)
- [Typical Consent Order example \(/guides-financial-settlements/agreement-documents/consent-order-typical-example.html\)](#)

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This answer was rated: ★★★★★

Please can you provide some guidance on Court transcripts.

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Vineet S

Satisfied Customers: 8,699

Experience: Freelance Solicitor at Self Employed

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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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via***@*****.***

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

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

Thank you for your patience.



VINEET S,



In compliance with the Practice Direction supplements CPR Part 52 - Practice Direction 52B - appeals in the County Court and high court , you have to provide to the copy of the sealed / stamped order by the court, that is being appealed, and a copy of any order giving or refusing permission to appeal together with a copy of the judge's reasons for allowing or refusing permission to appeal.

You have to provide it with your appeal even if it is in the same county court.

Customer reply

Vineet S Hi thx. What are the rules about transcripts. Do I have to provide court transcripts if its in the same County Court for an Appeal. Or will the same County Court have the transcript.



VINEET S,

Hi there,

you have to provide it.



VINEET S,

I trust this helps.

&

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

<https://www.justanswer.co.uk/law/expert-vineetsharma/>

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Seeking permission to appeal a Small Claim court (trial)

★★★★★

Seeking permission to appeal a Small Claim court (trial) decision. ... [read more](#)



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I need to find a solicitor to represent me in an appeal case

I need to find a solicitor to represent me in an appeal case regarding my child being placed in permanent care ... [read more](#)



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Lawyer

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I have a question about appealing a permission to appeal

I have a question about appealing a permission to appeal decision by a Circuit Judge in the County Court ... [read more](#)



JD Law

Consultant

LLB (Hons)



Need to appeal against eviction Monday 8th July. Require

★★★★★

Need to appeal against eviction Monday 8th July. Require help with N161 form to be lodged today Saturday 6th July 2024. ... read more



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

I have a question on Court Transcripts for a party in the Civil Courts in England Wales. If the court processes an EX107 form and acknowledges this ... read more



Stuart J

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Postgraduate diploma in law

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Require hel in filing an appeal to a judgement in the civil

require hel in filing an appeal to a judgement in the civil circuit of UK ... read more



Catherine

Partner



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Please can you provide some guidance on Court transcripts.

★★★★★

Hi Please can you provide some guidance on Court transcripts. Do I need to provide the County Court Circuit Judge with transcript or do they ... [read more](#)



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LL.M
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What is the correct form to complete when making an

what is the correct form to complete when making an application for permission to reopen an appeal to the family court ... [read more](#)



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I filed N161 form for permission to appeal to County Court

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Hi . I filed N161 form for permission to appeal to County Court Circuit Judge on 15 Jan. And filed a N244 extension of time on 11 Jan with a view ... [read more](#)



**Vineet S**

LL.M

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I filed N161 form for permission to appeal to County Court

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Hi . I filed N161 form for permission to appeal to County Court Circuit Judge on 15 Jan. And filed a N244 extension of time on 11 Jan with a view ... [read more](#)

**Vineet S**

LL.M

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I have received a reponse from the Court regarding my

★★★★★

Hi. I have received a reponse from the Court regarding my application for permission to appeal. I would like to share the contents and ... [read more](#)

**Vineet S**

LL.M

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I have had my civil case struck out in county court by a

★★★★★

I have had my civil case struck out in county court by a district judge. I applied for permission to appeal to a circuit judge in the county court but ... [read more](#)



**Solicitor4All**

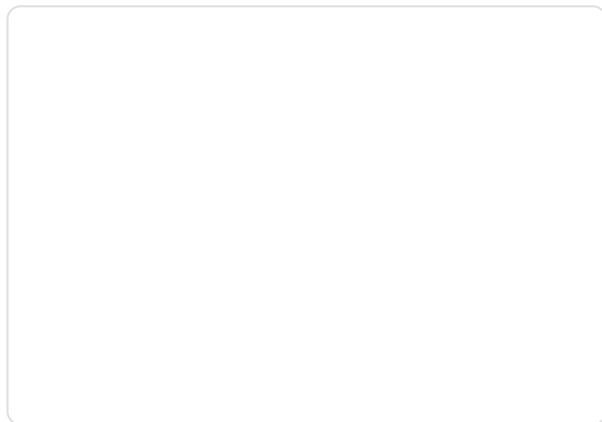
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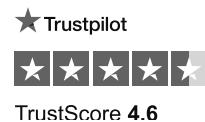
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Question on court hearing transcriptions, civil court

England Wales. When an application is... [Show More](#)

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JD Law, Solicitor

Satisfied Customers: 8,423

Experience: Expert

Hello and thank you for contacting JustAnswer. **My name is Vishal**, I am one of the lawyers on the platform

with **18 years of legal experience**. It will be my pleasure to assist you with your query today.

**** 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 understand that you have a question regarding authenticity of court recordings and transcripts in UK civil courts

Is this correct?

When was this application made?

Have you contacted the court to raise this concern?

Is there anything you would like to clarify or add before I provide an answer

Customer reply

Hi Vishal, you said "Have you contacted the court to raise this concern?" No I am hardly going to do that if I suspect impropriety, I have however asked the transcription service to clarify if amendments were made? The application was received a few days ago, however the judgement b) proceedings, I received a) and had to chase b) even though the ex107 had been

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approved, apparently a 'clarification' was being sought over b) by the transcript company. So b) was sent separately to a). I strongly suspect that conversations are being held outside the court arena and the other party helped.

There is something said in the transcription which is fundamentally different to reality.



JD LAW, Solicitor

According to the Digital Imaging and Multimedia Procedure published by the UK government, the process of authenticating digital audio recordings involves establishing a chain of custody, examining the metadata and the content of the recording, and applying forensic techniques to detect any signs of tampering or alteration. The procedure also states that the court can refuse to provide part or all of a transcript if the details of the hearing are confidential

If a party suspects that a court recording or a transcript has been tampered with, they may request a copy of the original recording from the court or the transcription service, and compare it with the transcript or the altered recording. They may also seek the assistance of an audio forensic expert, who can analyze the recording and the transcript for any inconsistencies or anomalies.

Additionally, they may challenge the admissibility of the recording or the transcript in court, and present evidence or arguments to support their claim. However, these methods may not be easy or feasible in every case, as the court may have the discretion to deny access to the original recording or the transcript, or to limit the scope of the forensic examination. Moreover, the court may have the authority to decide on the weight and credibility of the evidence presented by the parties, and to resolve any disputes or conflicts arising from the authentication process. Therefore, it is advisable for a party who has concerns about the authenticity of a court recording or a transcript to obtain legal representation. I hope this helps.

Do you require any clarification on the above?

Customer reply

Interesting....."According to the Digital Imaging and Multimedia Procedure published by the UK government" do you have a link to that? also "may request a copy of the original recording from the court or the transcription service" is there a formal process for that, i.e a particular form?



JD LAW, Solicitor

Yes, the Digital Imaging and Multimedia Procedure published by the UK government is available online at [this link](#).

Welcome! How can I help with your legal question? 

To request a copy of the original recording from the court or the transcription service, you need to fill in form EX107 and send it to the court or tribunal where the hearing took place. You can download the form and read the guidance notes from [here](#)

Have I addressed all your concerns today?

Customer reply

I will read that shortly and come back to you for any clarification, thanks so far, very helpful. I have started to read that link and see a problem "The Digital Imaging and Multimedia Procedure is a guide for those practitioners within the Police and CJS who are involved with the capture, retrieval, storage or use of evidential digital images, and associated audio and metadata, either generated by the police themselves or recovered from witnesses under the CPIA (Criminal Procedure and Investigations Act 1996)."

I am talking about civil county court not criminal procedures, so does it still apply to civil county courts?



JD LAW, Solicitor

The procedure may apply to civil cases as well, as long as the digital images are relevant and admissible as evidence. However, the procedure also states that the court may have the discretion to refuse or restrict access to the digital images or transcripts, depending on the nature and circumstances of the case. For this reason I strongly recommend obtaining legal representation for this matter

Customer reply

I can't afford legal representation or I would take it, so I am left acting best as I can. to clarify I can make an application via EX107 for the audio recording and that would go to the court? But you mentioned too that I could apply to the transcription service? that's confused me a little because they would not take an EX107 directly would they, so do you mean just email and ask them? (which no doubt they would have to refer to the court).



JD LAW, Solicitor

I understand your situation and I sympathize with you. According to the form EX107, you can make an application for a transcript of a court or tribunal hearing by filling in the form and sending it to the court or tribunal where the hearing took place. They will then approve your request and send the transcript to you. If you want to apply directly to the transcription service, you may need to contact them first and ask them to provide the transcript.

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about their procedures and requirements. They may or may not accept an EX107 form, depending on their policies and agreements with the court or tribunal. They may also need the court or tribunal's permission to provide you with a transcript or a copy of the recording. Therefore, it may be easier and faster to apply through the court or tribunal, as they have the authority and responsibility to handle your request and ensure the authenticity and accuracy of the transcript and the recording. However, you may still need to pay for the transcript, unless the court or tribunal agrees to waive the fee for you.

There are legal services such as LawWorks who provide free legal representation. It may be worth speaking with them.

I hope this clarifies your confusion a little bit.

Have I addressed all your questions today?

Customer reply

In letters I had from the court ex107 applications (more than one) it said "please direct any further queries regarding this order to your nominated transcription firm" so I will ask them for their procedure re: getting an audio copy. Thank you for your help.



JD LAW, Solicitor

Yes please do. You're Welcome. Thank you for using **JustAnswer** today. It has been a pleasure speaking with you! If you would like to ask me another question in the future, you can add me as a favourite Expert then type **@vishalv** in your next chat or you can type **(FOR_VISHAL_ONLY)**.

You'll see that option if you choose to rate me so it is easy to find me again. You may prefer to use this link <https://www.justanswer.co.uk/law/expert-vishalv/?rpt=3800>- You can type in the box that appears through this link



JD LAW, Solicitor

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Customer reply

Can you just clarify for me, I have had a reply from transcript company saying they don't give out copies of the audio take it up with the court.I have just emailed the court and asked how do I get a copy do I need to use an EX107 form or another? (Awaiting their reply).Bearing in mind I suspect impropriety and I am asking those who might be involved, would I have to seek a court order for it to be released if they refuse and can you apply for a court order in a different part of the country?



JD LAW, Solicitor

Hi and welcome back to JustAnswer. I understand your concern. Based on the information , you may need to use an EX107 form to request a copy of the original recording from the court or the transcription service. However, this form is mainly for requesting transcripts, not audio recordings. You may also need to pay for the transcript unless the court grants you an exemption

If the court or the transcription service refuses to provide you with a copy of the recording, you may have to seek a court order for it to be released. However, this may not be easy, as you will need to show a reasonable foundation for your request and avoid any risk of contamination or alteration of the original data. You may also need to consult a legal expert for more specific advice on your case.

As for applying for a court order in a different part of the country, there is no clear answer - However as this is to do with proceedings in UK it would be more valid to apply in country.

Was this answer helpful?

Yes No

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We own a leasehold in a block of flats in which the freeholder appointed a roofer, without following Section 20 & also not gaining LABC ... [read more](#)

**Stuart J**

Property Solicitor

Postgraduate diploma in law

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If a judge makes no announcement or agreement in a hearing

★★★★★

If a judge makes no announcement or agreement in a hearing that one party is to draw up a court order does this mean that the court will produce ... [read more](#)



Joshua
Lawyer
7,287 satisfied customers

I have been sent a letter from a debt collection agency for

Hello, I have been sent a letter from a debt collection agency for money ordered to be paid on a civil case court order. However I have made ... [read more](#)



Stuart J
Property Solicitor
Postgraduate diploma in law
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A question for a litigation solicitor or barrister please?

A question for a litigation solicitor or barrister please? In hearings in multi-track cases is it normally the counsel for the parties who draw up the ... [read more](#)



MARTINT330
Solicitor
Legal Practice Court

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Are there court transcription rules that transcribers have

★★★★★

Are there court transcription rules that transcribers have to follow to remove certain comments from the judge from the transcript? I don't mean the ... [read more](#)



RJM Law

Lawyer

LLB (Honours)

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The civil court have lost the disc of a court hearing that I

★★★★★

The civil court have lost the disc of a court hearing that I have requested a transcript for. The clerk/administrative assistance contacting me ... [read more](#)



Catherine

Partner

Bar Professional Training C...

18,747 satisfied customers

Can a judge restrict a party on how many words they are

★★★★★

Can a judge restrict a party on how many words they are allowed in a witness statement? for instance, yes you may file a further witness statement ... [read more](#)

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Stuart J

Property Solicitor





Postgraduate diploma in law
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J and Stuart J only. Other experts please leave alone" I

For Stuart J and Stuart J only. Other experts please leave alone" I have some queries about court procedures relating to transcript approvals. I ... [read more](#)



Stuart J
Property Solicitor
Postgraduate diploma in law
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If a High Court judge Kings Bench Division were to issue an

If a High Court judge Kings Bench Division were to issue an order giving parties just 7 days to have the order varied or set aside and the ... [read more](#)



AlisonT0613
Solicitor
Legal Practice Course
8,149 satisfied customers

I am due to attend a short listing hearing tomorrow in the

★★★★★

I am due to attend a short listing hearing tomorrow in the civil court (multi track) to set the date for trial. I have already applied to adjourn the listing ... [read more](#)

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Jeremy Aldermartin



Lawyer
Postgraduate Diploma in La...
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In a 'remedies hearing' where a significant file (letter of

In a 'remedies hearing bundle' where a significant file (letter of instruction) is produced that has not been filed or served previously, but a ... [read more](#)



PatrickM102
Solicitor
LLB ~ Law and Government
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In regards to a small claims appeal, I have been requested

In regards ***** ***** small claims appeal, I have been requested by the court to serve and file the court transcript and Judgment. As I have to ... [read more](#)



Jamie-Law
Solicitor
Bachelor of Laws (LLB)
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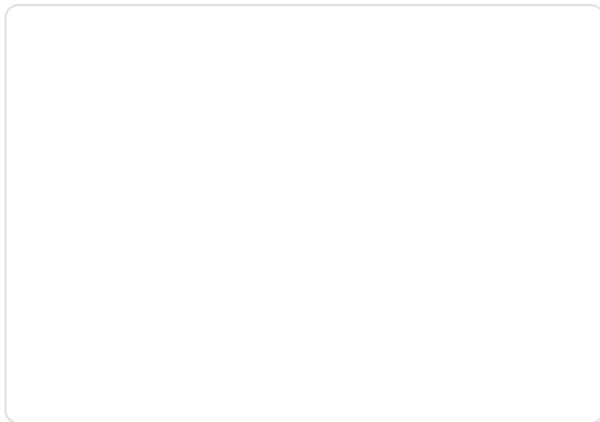
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Regarding a claim for judicial review and anonymity: court

Regarding a claim for judicial review and anonymity: court guidance states: "the Court has powers: (a) to permit a Claim Form to be issued without the claimant's name or address ("a withholding order"); (b) to prevent disclosure of the identity of a claimant or other person ("a restricted reporting order"); and (c) and to prevent or restrict public access to documents on the court file, including statements of case ("access to court file orders").". In this context what is the difference between the three options, and does a withholding order withhold the claimants identity from the defendant?

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Answered in 5 minutes by:

21/5/2024

Lawyer: JD Law**JD Law, Solicitor****Category: Law****Satisfied Customers: 8,479****Experience: Expert** Verified

Hello, I'm Vishal, a law expert with an LLB degree. I'm here to help you understand the difference between the three options for anonymity in a claim for judicial review and clarify whether a withholding order withholds the claimant's identity from the defendant. We will work together to find a solution to your problem. 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 enquiries 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.

Please note that this is not a chat service but an email board.

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

1. Can you provide more context for why you are seeking anonymity in a claim for judicial review? Is there a specific concern or risk that the claimant is trying to protect against?
2. What are the specific criteria or conditions that need to be met for each of the options mentioned (withholding order, restricted reporting order, access to court file orders) to be granted by the court?
3. Are there any limitations or exceptions to the use of these orders? For example, are there circumstances where the defendant's identity must be disclosed despite a withholding order?

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

Ask Your Own Law Question

Basically I do not wish my name to become known to the public or media in relation to this claim. The subject of the claim is of great interest to the public but who makes the claim is irrelevant. The subject has already been widely reported by the media and I do not wish to attract attention from the media. However, it is right and proper for the details of the claim to be made available to the large number of people who will be affected by the result of the claim.

**Lawyer: JD Law**

In relation to judicial review and anonymity in the UK legal system, the three options you mentioned serve different purposes:- Withholding Order: This allows a claim form to be issued without including the claimant's name or address. Its intention is to safeguard the claimant's identity from becoming public knowledge. However, it does not necessarily keep the claimant's identity hidden from the defendant, as the court may require the defendant to be aware of the claimant's identity for a fair legal process.- Restricted Reporting Order (RRO): This order prohibits the media from reporting certain details that could reveal the claimant's identity or the identity of other specified individuals. It is commonly used in cases where privacy is a concern, such as certain criminal or employment tribunal cases. An RRO focuses more on controlling what the media can report, rather than limiting access to information within the court system.- Access to Court File Orders: These orders can restrict or prevent public access to documents on the court file, including statements of case. This means that although the case may be discussed in court, the detailed documents that form part of the court record may not be accessible to the public and the media. If you want to maintain your anonymity from the public and the media, you may consider applying for a withholding order alongside an RRO and/or an access to court file order. It's important to note that while these orders can safeguard your identity from the public, they may not completely shield your identity from other parties involved in the legal process, such as the defendant. The court will weigh your right to anonymity against the principles of open justice and the defendant's right to know their accuser.

Do you require any clarification on the above?

Ask Your Own Law Question

No thanks - I think your answer clarifies my position

**Lawyer: JD Law**

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May I ask criminal agencies regarding data theft JA: No need to go into specific detail, but can you tell me about the nature of the data in ... [read more](#)



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I recently had my claim for misrepresentation and return of

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Need a little guidance on N265 disclosure please. midlands,

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Stuart

Hi Stuart...

Ask Your Own Law Question

Customer reply

How might a party obtain a transcript of an UK tribunal judgment following the judge's refusal thus: "because the transcript of the oral judgment was previously sealed and sent to parties"?



Stuart J, Solicitor

Satisfied Customers: 39,400

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.

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

You will receive an email when I reply.

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

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

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



I apologise for any delay.

I will now ask you some questions that pertain to your question – please see below.

Can you provide more context about the tribunal judgment and what specific details are included in the sealed transcript?

What is the rationale behind the judge's decision to refuse access to the transcript, and do you have any documentation regarding the sealing process?

Have you attempted any formal requests for the transcript through the tribunal or other legal channels, and if so, what was their response?

Customer reply

Hi Stuart, thanks for your reply. Re specific details of the sealed transcript, my question is "How might a party..." i.e. seeks the mechanisms available, so I don't think specific details from the sealed transcript will help you answer. Re the rationale for refusal, I have no more than what I gave: "because the transcript of the oral judgment was previously sealed and sent to parties". Re formal requests, the only one was the EX107 and the response was the one I gave.

PS Re "documentation regarding the sealing process", I have none, and would expect none. As usual, with the sealed judgment the tribunal sent only a covering letter.



STUART J, Solicitor

Let me words are slightly different for you. You're asked for a copy of the transcript and the judge of that you can't have it because it's already been given to the claimant and the defendant?

Is that it?

If so, why do you not have a copy and you are not a claimant or defendant then why do you want a copy? If you are not a claimant or a defendant in this matter then you are not actually entitled to a copy.

Customer reply

62; You're asked for a copy of the transcript and the judge of that you can't have it because it's already been given to the claimant and the defendant?

Correct.

62; If so, why do you not have a copy

The written judgment fails to acco

Welcome! How can I help with your legal question?



STUART J, Solicitor



Judge says that you have already had a copy.

Customer reply

Correct.



STUART J, Solicitor

You completely lost me. So if you have the transcript why do you need the transcript? You already have the transcript

Customer reply

Stuart, I don't think me using your time on specifics of this case is going to help answer the general question. If you can answer the question with any options for obtaining a transcript following such a judge refusal, that would be great. Thanks.



STUART J, Solicitor

I can do that

If the judge made an order that you couldn't have it then you have to appeal the order otherwise this is the form in the process:

<https://www.gov.uk/government/publications/order-a-transcript-of-court-or-tribunal-proceedings-form-ex107/guidance-for-requesting-a-transcript>

the cost varies depending on the length.

I'm not altogether certain whether we are getting mixed up with terminology here

: transcript v judgement.

Anyway regardless, that is the process

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 arising from this.

Please don't hesitate to ask.

Welcome! How can I help with your legal question?



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.

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

62; If the judge made an order that you couldn't have it then you have to appeal the order otherwise this is the form in the process:



STUART J, Solicitor

Yes?

Customer reply

Neither applies. 1 The judge did not make an order. The judge simply refused permission. 2 That form is simply the form that was used for the request already refused.



STUART J, Solicitor

Thank you. You haven't told me any of that. So it goes back to the question I asked before, if you already have a copy why do you want a copy?

Customer reply

As I said: The written judgment fails to accord with the oral.



STUART J, Solicitor

Welcome! How can I help with your legal question?

I appreciate that but the transcript



You said you already have the transcript. The judgement is a different document.

Customer reply

No I didn't say that. The judge says the transcript has already been given. What was received was a judgment that the judge asserts was a transcript. It fails to accord with the oral judgment.



STUART J, Solicitor

I think we've got there. You have the transcript of the judgement but you want the transcript of the proceedings. That is based upon the recording.

The correct form is 107 which you say you have already completed. I assume that you are agreeing to pay for it.

I don't know why the judge has said what he said in which case it would be form N244 on the basis that he said you have the transcript but you want the transcript of the proceedings not the transcript of the judgement.

Customer reply

Thanks but no. As I said in the question, I want a transcript of the judgment. Can you suggest any means other than appeal against order (no order exists) or EX107 (already refused)? Thanks.



STUART J, Solicitor

They are the only mechanisms apart from a written complaint about the judge. But from what you've said, if you get it again you're only going to get the same thing. That's why you need the transcript of the whole proceedings. You know the only mechanisms that there are

Customer reply

Thanks for the answer Stuart. Bye for now.



STUART J, Solicitor

Welcome! How can I help with your legal question?

No problem. I'm glad to help. I know

they really are the only ways of dealing with it.



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

Great! I mistapped Good and this site prevents correction.
Ah. That box was not the rating response this site presented it as. Sorry.



STUART J, Solicitor

Sometimes the rating doesn't work. It may pop up again now but if it doesn't, don't worry.
Sometimes you get 1 when you want 5. We are aware. Thank you

Customer reply

It did pop up again and did accept five stars. Thanks Stuart.



STUART J, Solicitor

Brilliant. Thank you and thank you for letting me know.

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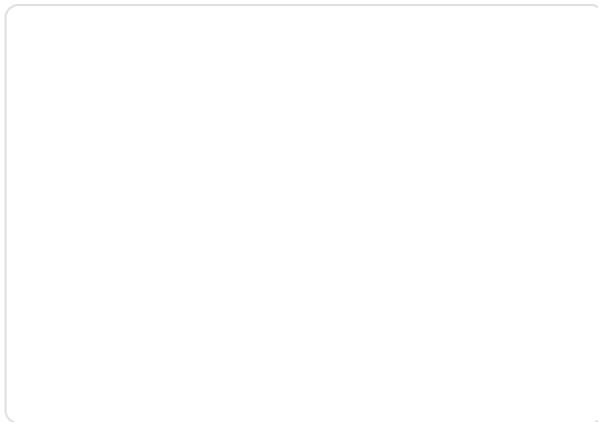
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Vineet S

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I will go through your question and will get back to you with my answer shortly.

Customer reply

Or can I enquire about my EX107 application without informing the respondent?



VINEET S,



Hi there,

Legally you are not suppose to notify the respondents that you have applied for EX107.

So, as a matter of good practice though not required) to:

-
- Inform the Respondent that you've applied for a transcript (via EX107).
-
- Serve a copy of your application if the tribunal rules or judge required it.

But as advised above, you are not legally obliged to notifying them

Customer reply

Thankyou



VINEET S,

My pleasure.

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

<https://www.justanswer.co.uk/law/expert-vineetsharma/>

Thank you for using Just Answers. Best wishes.

Customer reply

In a recent preliminary hearing the judge has said in the case summary that whenever the claimant or respondent write to the Tribunal they must copy their correspondence to each other. As I don't have to inform the respondent of my EX107 application does that mean when I email the Tribunal to chase up this application I don't need to copy them in? I know you have already said I don't need to tell them but just want to double check since the Judge has mentioned this in recent case management summary.



VINEET S,



Hi there,

The judge's direction that "whenever the claimant or respondent writes to the Tribunal, they must copy their correspondence to each other" is standard case management guidance. This ensures transparency and fair communication during proceedings.

However, the EX107 application is not considered substantive case correspondence; it is an administrative request for transcripts /recordings.

so, you do not need to copy the respondent when you email the Tribunal to chase up your EX107 transcript request .

Thanks again. Best wishes.

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Thankyou for your responses. I have already filled in an EX107 form and sent it to the Tribunal. This was done in March

Catherine

Partner

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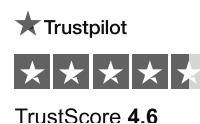
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MARTINT330

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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

The skeleton argument has not been submitted yet.



MARTINT330,

In such case, I would advise you to consider amending the grounds of appeal based on the discrepancies between the "Reasonings" in the sealed order and those presented during the hearing. This adjustment can strengthen your case by aligning the appeal with the actual content discussed at the hearing.

Once you receive the transcript of the "Reasonings" from the hearing, you can evaluate whether to proceed with applying to set aside the sealed order. The transcript will provide crucial evidence to support your request for setting aside the order if it indeed differs significantly from what was recorded in the sealed document.

Thus, reviewing and potentially amending your grounds of appeal based on the transcript's content is recommended. Additionally, once you have submitted your skeleton argument, you can expect a response from the court. It's important to stay in touch with your solicitor throughout this process to ensure your case is properly represented.

about applying to set aside the sealed order in light of any material differences between what was stated at the hearing and what is documented in the sealed order.

Customer reply

Am I correct understanding you that If the discrepancies were to be significant, the discrepancy itself will become the ground to set aside the sealed order.

That would save me a lot of time arguing the points which were never discussed at the hearing.



MARTINT330,

Yes, you've understood correctly. If the discrepancies between the "Reasonings" given during the hearing and those detailed in the sealed order are significant, such discrepancies could indeed form a strong basis to apply to set aside the sealed order. This is because the integrity and accuracy of court orders are fundamental to justice, and any substantial deviation between what was orally pronounced in court and what is subsequently documented could undermine the fairness of the process. It's essential that court orders accurately reflect the judge's decisions and reasonings as presented in court.

If the transcript confirms that the sealed order does not accurately represent the reasonings provided at the hearing, this could significantly strengthen your position. Instead of focusing solely on the initial grounds of appeal, you could shift your strategy to address the procedural fairness and accuracy of the court's documentation, which might streamline the process and potentially expedite a resolution in your favor. This approach would not only highlight procedural errors but also reinforce the necessity for the court to rectify such discrepancies to ensure justice is properly served.

Customer reply

Excellent. By the way, is there a way to keep in touch with you from time to time on this website? It would be great if I can consult with the same lawyer from time to time without having to rehash the long history.



MARTINT330,

Yes, after you rate me you can add me ask you favorite so that you can contact me if you have any other questions.

Welcome! How can I help with your legal question?

Customer reply



Can the bench rely one their reasonings on information derived from a document which was

1. Not filed by either parties
2. Not shared with the parties before or during the hearing
3. From an unknown (to the parties) third entity
4. A wrong information

Customer reply

I'm just double checking with you some of my grounds of appeal which are 43 in total.

Can the bench make findings during a directions hearing against the stated position of the parties without a trial.



MARTINT330,

Regarding your questions on whether the bench can rely on information derived from a document not filed by either party, not shared before or during the hearing, from an unknown third entity, and containing incorrect information, it's crucial to understand that the principles of fairness and the right to a fair trial are fundamental in the UK legal system. Generally, all parties in a case should have the opportunity to examine and respond to the evidence used against them. Utilizing documents or information not disclosed to the parties or derived from an unknown source without giving the parties an opportunity to contest or comment on it would likely be considered a breach of these principles. If such an occurrence significantly impacts the outcome of the case, it could form a strong ground for appeal, particularly on the basis of procedural unfairness or violation of the right to a fair hearing.

As for making findings during a directions hearing against the stated positions of the parties without a trial, it's important to distinguish between what can be decided in a directions hearing versus a trial. Directions hearings are typically procedural and aim to set the timetable for the case, including steps to be taken by the parties before trial. While some issues may be resolved at a directions hearing to streamline the proceedings, substantive findings that would normally require the evaluation of evidence and detailed legal arguments should not be made without a full hearing, unless there's clear agreement by all parties or specific legal provisions allowing for it. Making substantive findings against the stated position of the parties without a trial could be challenged if it deprives the parties of the opportunity to fully present their case.

In both scenarios, if such practices have prejudiced the fairness of the proceedings or the ability to present one's case, they could be considered valid grounds for appeal. It would be advisable to closely examine the specifics of how these issues have affected the outcome of your case and to articulate these points clearly in your appeal.

Customer reply

Welcome! How can I help with your legal question?



During a return hearing , DDJ ordered

1. A contested hearing within 8 weeks
2. Police disclosure
3. Dismissal of applications for occupation of both parties
4. Non-molestation orders of both parties to be continued (each 6 months)Our side appealed the 3rd order and asked it to be decided in contested hearing.The permission to appeal hearing was held.The court officials confused the permission hearing with the contested hearing (1st order) therefore failed to list in time (within 8 weeks) although they were repeatedly reminded by our side.Only after non-molestation orders of both parties expired, the court officials realised their mistake, apologised and listed the contested hearing.Less than a week before the contested hearing, it was vacated (by the order of a district judge) on the grounds of expired orders and jurisdiction issues (no case number ***** which to be heard) and in the same order directions was given to make new applications with FL401 from. Less than an hour of receiving the order our side complied and filed new FL401 form and witness statement highlighting the unresolved issues.Questions:

1. Is it procedurally fair for the bench to refuse to take into consideration all the behaviours of the parties before the expiration dates of Non-molestation orders.2. Is it procedurally fair for the bench to rely on the previous dismissal of occupation application (on the grounds of incorrect address) , although they are now considering the new FL401 form with correct addresses.

File attached (5S3T6SZ)



MARTINT330,

Firstly, regarding the bench's consideration of behaviors before the expiration dates of non-molestation orders, it's important to understand that non-molestation orders are protective orders designed to prevent future harm rather than to punish past behaviors. However, past behaviors can be relevant to the extent that they inform the risk of future harm. Whether it is procedurally fair for the bench to exclude consideration of past behaviors is context-dependent. If the past behaviors are directly relevant to the issues being considered at the hearing, then they should ordinarily be taken into account. Excluding relevant behavior could potentially be challenged as an error in the exercise of judicial discretion.

Secondly, concerning the reliance on a previous dismissal of an occupation application due to an incorrect address, when new applications with the correct addresses are now under consideration, procedural fairness generally requires that each case be considered on its current merits. If the only reason for the previous dismissal was the incorrect address and that has been rectified, it may be procedurally unfair to continue to rely on the previous dismissal without considering the new evidence or circumstances. Each application should be considered afresh, and the parties should have the opportunity to present the available.

In both scenarios, procedural fairness is central to the administration of justice. The parties

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involved have the right to a fair hearing, which includes the right to present their case, the right to have their submissions considered, and the right to an unbiased and reasonable decision-making process. If there are substantial concerns about procedural fairness, these may be grounds for an appeal or for seeking a review of the decision.

Customer reply

If the police withheld an important document without reason given to the court (against the full disclosure order from the court) and consequently circuit judge denied permission to appeal the DDJ's order (the 3rd order). Such disclosure failure by the police was informed to the bench. But the bench not only ignored it but also relied on the circuit judge decision to make their decision on fresh application. If the bench did not dismiss the application during the directions hearing and reached to full trial, we could have produced the withheld document (because we have it with us now). Now we are again going to appear before the same circuit judge in April. Can I produce that document to the circuit judge not only to persuade him to overturn the bench's order but also to overturn his own previous decision to deny the permission?

Customer reply

I mean, he has the power to do it, right? Especially now that the evidence will be provided not only to the same level of court but also even the same judge.



MARTINT330,

In the English legal system, judges have considerable discretion to reconsider previous decisions, especially when new, significant evidence comes to light that could materially affect the outcome of a case. This principle is rooted in ensuring that justice is served based on the fullest and most accurate set of facts available.

When you appear before the circuit judge again, it is essential to highlight the significance of the previously withheld document and its impact on the proceedings. The fact that you now possess this document and are willing to submit it as evidence provides a strong basis to request the judge to reconsider the earlier decisions. This includes the possibility of overturning the bench's order and potentially revising the judge's own decision regarding permission to appeal.

Judicial decisions, especially at the circuit judge level, are often made with the expectation that all relevant evidence has been disclosed and considered. When it becomes evident that this was not the case, and the oversight was not due to any fault of the parties involved, courts are generally inclined to rectify such situations to ensure that justice is accurately administered.

In your submission to the judge, it would be beneficial to clearly articulate how the withheld document could have changed the approach not only underscores the importance of fairness and the right to a fair trial, which are cornerstone elements of the UK legal system.

Welcome! How can I help with your legal question?



Therefore, yes, you can and should present the document to the circuit judge, emphasizing its relevance and the fact that its earlier omission was not due to your actions. This strategy not only seeks to persuade the judge to reconsider and potentially overturn previous decisions but also reinforces the integrity of the judicial process by ensuring decisions are made with access to all pertinent information.

Customer reply

FL401 cases are very active, fluid and have huge impacts on the parties involved. If it was found that significant damages were suffered by parties because of the A. procedural mistakes of the officials of the court (such as 1. confusing the contested hearing and permission hearing, 2. Incorrect reasonings) B. Disclosure failure of the police how can the remedies can be sought? At which court? Is legal aid available for such proceedings? What are the time limits?



MARTINT330,

Procedural errors can significantly impact the fairness and outcome of a case. The Civil Procedure Rules (CPR) provide mechanisms to challenge and rectify procedural errors, such as CPR 3.10, which allows for the correction of errors made in the process of litigation. However, the effectiveness of such a challenge will depend on the nature of the error and its impact on the case.

When public bodies, like the police, fail to disclose important documents, it can undermine the fairness of judicial proceedings. Judicial review is a mechanism that allows for the challenge of decisions or failures to act by public bodies on grounds including procedural impropriety and illegality. If a significant error in the disclosure process materially affects the outcome of your case, seeking a judicial review might be an appropriate course of action.

Remedies for procedural mistakes or failures in disclosure can be sought through various means, including appeals within the existing case, applications to set aside incorrect orders, or through judicial review for issues relating to the conduct of public bodies. Judicial review is particularly relevant when challenging the actions or inactions of bodies exercising public functions, but it is seen as a remedy of last resort, available only when other avenues have been exhausted.

Legal aid may be available for judicial review proceedings, subject to means and merits tests that assess the financial situation of the applicant and the likelihood of success in the case. The availability of legal aid also depends on the nature of the case and whether it falls within the scope of matters for which legal aid can be granted under current regulations.

It's crucial to be aware of the time limits for taking action, particularly in the case of judicial review. Generally, applications for judicial review must be made promptly and within three months of the decision or action being challenged. Welcome! How can I help with your legal question? The context and the specific grounds for review.

Customer reply

Vacating a hearing (on the grounds of technicality) is the same as the conclusive end of the entire proceedings? Especially when one of the parties was vehemently protesting such motion? the technicality ground was not of the fault of the parties but of the shortcomings of the court itself.



MARTINT330,

Vacating a hearing due to technicalities, especially those not attributed to the fault of the parties but to shortcomings within the court system, does not necessarily mark the conclusive end of the entire proceedings. The process of vacating a court decision involves filing a motion, which the court reviews, and if granted, the prior ruling is immediately voided. However, this action can have various consequences, such as the possibility of retrying a case or reinstating a previous decision. While vacating a decision due to procedural errors or insufficient evidence eliminates the immediate effects of that decision, it often leads to further legal proceedings to resolve the underlying issues.

Customer reply

Q.1: what is "an appropriate legal step"?

Q.2: An action that cannot be achieved unless

1. deceptions,
2. breach of contract,
3. misinforming the police,
4. the police misuses of power,
5. unlawful arrest only to be released in less than 15 minutes,
6. against the legal advice of the counsel for negotiation,
7. without ANY involvement of ANY court,
8. that would directly and predictably forced the other party into unwilling violation of an existing Act of the parliament
9. against the other party's written protest and position.
10. only by using starvation as a way of forcing the other party to acquire their signature under explicit threat of violence. Such a step can still be defined as "an appropriate legal step"?



MARTINT330,

No, such a step cannot be defined. Welcome! How can I help with your legal question? 
breach of contract, misinforming authorities, misuse of power by the police, unlawful arrest,

coercion, and threats of violence, especially those that force another party into violating the law or acting against legal advice, are contrary to the principles of fairness, legality, and justice. These actions violate ethical standards and legal principles and could be subject to legal challenges and sanctions. Legal steps should be based on lawful, fair, and transparent processes, not on coercion or illegal practices.

Customer reply

My counsel had (under my instruction) unambiguously opposed an intreme order of a DDJ in a matter of seconds after it was made during a return hearing (before the end of the proceedings). Consequently a contested hearing was ordered.

The contested hearing was vacated on technicality ground created by the court itself (by not following the DDJ's order of contested hearing in 8 weeks).1. What now happens to our opposition to the intreme order?2. Does our opposition to an intreme order amount to application to set aside the order?3. Should that intreme order still be on permanent police record ?



MARTINT330,

Your opposition to the interim order remains noted on record. However, since the contested hearing was vacated due to a technicality by the court, it may require further action to address or challenge the interim order's effect.

Opposing an interim order does not automatically amount to an application to set aside the order. An application to set aside would typically involve formally requesting the court to reconsider and nullify the interim order based on specific legal grounds.

Whether the interim order remains on the police record permanently can depend on the nature of the order and subsequent legal actions. If the order is later challenged, amended, or set aside, these changes should be reflected in any records associated with the case.

Customer reply

A was under order (served) from the court not to harras B either by themselves or by proxy.A breached the order (both by themselves and by proxy) and ,consequently, was able to fundamentally changed facts on the ground.Immediately following the changes of such facts on the ground, A made an application (interim order) to the court against B which B opposed at the return hearing of the first order against A.A would have been never able to make such application to the court against B without first breaching the existing (previous order) from the same court.The contested hearing was subsequently ordered and vacated (technical grounds for which the court was solely responsible).B's secon Judge to be filed to the court) sho

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B take to address, challenge or nullify the interim order's effect ? Can you suggest any legal principle B should rely on? Can B rely on the overriding objectives principle?



MARTINT330,

B should consider applying for a variation or discharge of the interim order, highlighting A's breaches as central to their argument. Legal principles to rely on include the fundamental requirement for parties to comply with court orders and the principle of justice being seen to be done. The overriding objective, which includes ensuring cases are dealt with justly and fairly, might support B's case by emphasizing the need for court orders to reflect the true circumstances and prevent abuse of process. B should present evidence of A's breaches as a critical factor that undermines the basis of the interim order.

Customer reply

I suffer life-changing-injuries both physically and psychologically to the point of DWP assessed that I'm left with only "limited capability to work" because of the injuries. The result of the DWP assessment came only after the return hearing but before the expiration date of the first non-molestation order. Is it the kind of new information worthy of consideration when the bench weighed the future harm the other party might pose to me?

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Yes No

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★★★★★

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Yes it was issued on Tuesday but I don't have a deadline ... [read more](#)

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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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Joshua I am coming back to you as you were so helpful

★★★★★

Joshua I am coming back to you as you were so helpful before. This is still about the same case. We are the claimants. We had a hearing on 16th ... [read more](#)



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If there was a judgment where you say there was a wrong

if there was a judgment where you say there was a wrong finding of fact and have asked for permission to appeal to high court. If the judgement ... [read more](#)



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I had a hearing recently that I want to appeal, I am still

i had a hearing recently that I want to appeal, I am still within the 21 days, however, the court obstructed me in obtaining the transcript. On ... [read more](#)

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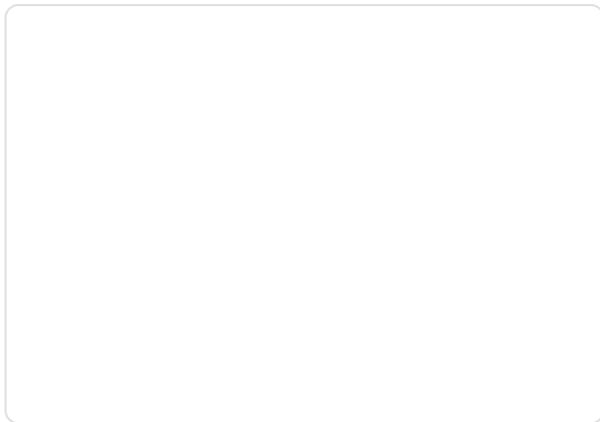
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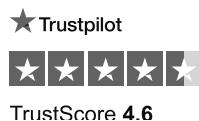


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[marcusmalin](#)

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Hello, my name is Marcus.

I presume you have requested a transcript of a hearing - is that correvt

Any part relating to a judgement does need to be approved by the judge that made the judgement.

6 months seems ridiculous. I have just obtained a transcript duly approved by a judge within 4 days.

What transcription company did you instruct.

Thank you.

Customer reply

the judge is saying that he just got transcription (after 6 month waiting) and he need to review it .. but i am waiting already after he said that 3 weeks ago, and it is not reviewed yet what steps i can take ? I need a transcript to appeal the judge decision, but the judge is saying he need to review , when i asked how long that can take, he said i dont know



MARCUSMALIN,

All you can do is continue to chase. As I say the time scale is ridiculous

Do you have an email address for

Welcome! How can I help with your legal question?



Customer reply

Judge Smith - he is retired after fact finding hearing, now there is a knew judge, who is saying that sh dosnt know how long review by J smith will take
i am just wondering how long a review of transcript can take?



MARCUSMALIN,

What they need to do is listen to the recording and ensure it is accurately reflected on the transcript.

So it should not take the judge that long depending on the length of the judgement.

Usually a judge would deal with approval with a matter of days maybe a week.

Clearly the retirement has complicated matters but it has still been far too long.

Thank you.

Marcus.

Customer reply

the judge is reviewing that already 3 weeks, (4 days of fact finding hearing and the judgement 38 hours together) and the point is i can not appeal without transcription, Can you tell me after it will be ready can i ask questions to a judge about his judgement when transcription will be ready ?



MARCUSMALIN,

No sadly a judge is unlikely to answer any questions about the judgement.

The route forward if unhappy with judgement is an appeal.

You will now need permission to appeal out of time something that you should get in light of the delay on part of the court.

Is Smith a District or Circuit Judge.

So for now just chase - again - and then once you have it you can appeal.

Appeals are not easy you have to
would have made the decision wit

Welcome! How can I help with your legal question?



Thank you.

Marcus.

Customer reply

The Judge Smith saw the evidence and did ignore them

I dont understand while the judge had evidence - text messages , emails about my ex pushing me on the ground while 3 month pregnant and saying in text messages that he is sory but in a court he said he didnt tuch me, the judge ignored my evidence that he pushed me and he admit that in text messages. how that possible the judge saying it didnt happend?



MARCUSMALIN,

The answer should be in the judgement as the judge has to say what weight they attached to the evidence and why. If evidence has been ignored then that could well be a ground of appeal.

I suggest you chase, chase and chase transcript.

Then revert back to me and I will happily review with view of appeal.

Thank you.

Marcus.

Customer reply

Thank You, last question if i can, My es while having supervised contact center said to 17 month daughter - 'you are so worm today, one day we will keep echother worm in my place' - do You think this is appropriate to say to a daughter?



MARCUSMALIN,

Hello,

It is not ideal and not really be said in honesty.

Who reported what was said.

It should be reported to the contact centre.

Thank you.

Welcome! How can I help with your legal question?



Marcus.

Customer reply

As a mother i reported that straight to a judge in family court, and that was ignored as well by the judge, the judge decided to put a child in fathers care, cafcass put that idea to the judge and i didn't see daughter already 6 month all evidence again were ignored even that one where father refused to feed daughter .

A court system is a fake system , family court is protecting abusers and is giving to them children , i am shocked that there is nothing to do. i can not protect my daughter and this is sad.

Customer reply

is there any help with a fee for supervised contact center , i can not afford contact center and i can not find any help with such huge cost.

cafcass refused to help with a fee they explain that they paid for fathers contact center they can not pay for mine

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I am in financial divorce proceedings The other side has

Hello there, I am in financial divorce proceedings. The other side has transcripts that are selective. I do not have a ... [read more](#)

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PLCLEGAL) If a Judge at a CCMC hearing was led to believe

★★★★★

PLCLEGAL) If a Judge at a CCMC hearing was led to believe that the court had served an order to a defendant in the civil court, but it transpires ... [read more](#)

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In private family law in England & Wales, are there repercussions or any recognition given when your co-parent makes

Lawyer's Assistant chat

Customer: In private family law in England & Wales, are there repercussions or any recognition given when your co-parent makes provably false accusations of breaking court orders. My ex has done this, using his solicitor to send threatening letters warning me that there will be consequences if I should repeat my supposed behaviour. Yet, I have evidence in text messages that my ex is lying. Amongst many other abusive and manipulative behaviours, it is going unrecognised by many professionals involved in our custody dispute, and also by the court. It is infuriating, and painting me as though I am disrespecting orders, or being manipulative myself, which is not the case at all. I also know that if I call my ex out on the behaviour to these professionals, he almost always has a way of excusing his behaviour for some innocent misunderstanding, or lying more to create doubt as to the whole truth of a situation. If there can be repercussions for breaking orders, surely false allegations of breaking them alongside unfounded threats of punitive action should warrant some sort of consequence too? It is a horrible way to live, and I feel on constant threat mode waiting for what is going to be thrown at me next

Answered by #1 Legal Eagle in 1 min 4 months ago


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Family Lawyer: #1 Legal Eagle

Good afternoon and welcome to JustAnswer. Please give me a moment to review your question.

Note that I am a hearing impaired expert and so phone calls are difficult for me. Thank you for understanding.

Just so you are aware, JA is a legal information only site. I do not provide representation and no attorney-client relationship is formed. My answers and comments should not be considered legal advice. It is always best to hire a local attorney to review the specifics of your particular case to ensure that a proper review is conducted.

I will try to give some thoughts...

In private family law proceedings in England and Wales, the courts place a strong emphasis on the welfare of the child as paramount under section 1 of the Children Act 1989, and while this typically drives judicial restraint from becoming entangled in parental conflict, it does not mean that provably false allegations are without legal consequence. Making knowingly false accusations that another party has breached a court order may, in the right context, amount to conduct that the court can consider under section 8 proceedings or during case management. While the court's primary focus remains on the child's best interests, a party who manipulates the process through deceitful representations may find their credibility substantially undermined, which can ultimately influence both findings of fact and final welfare determinations. Although there is no automatic sanction for making false allegations, Rule 4.4 of the Family Procedure Rules does give the court discretion to strike out applications or parts of proceedings that are shown to be an abuse of process, and in egregious cases, section 2 of the Contempt of Court Act 1981 may also become relevant—particularly where there is misuse of court orders or attempts to influence the court through dishonest conduct.

Where solicitors are used to issue intimidating letters based on knowingly false claims, this can also engage issues of litigation conduct. While solicitors owe duties to their clients, they also owe overriding duties to the court under the Solicitors Regulation Authority (SRA) Code of Conduct. If your ex's solicitor has been knowingly complicit in advancing baseless allegations, this may breach professional conduct standards, and it is open to you or your solicitor to raise this with the firm directly or report the behaviour to the SRA, particularly if there is a pattern of vexatious or abusive correspondence. Moreover, repeated false allegations may be relevant if you seek a prohibited steps order or a variation of existing contact arrangements on the basis that your ex's behaviour is causing emotional distress, harassment, or is not serving the child's best interests. While family courts are often reluctant to become a forum for disputes between parents about each other's conduct unless directly affecting the child, persistent dishonesty—especially when evidenced by text messages or other contemporaneous communications—should be placed on the record, preferably in a witness statement or as part of a case management bundle, so that the court can properly assess patterns of behaviour over time.

Does that make sense?

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Family Law England: Handling False Court Order Accusations

Dealing with false allegations and lack of recognition of manipulative behaviors.

In England and Wales, if a co-parent makes false accusations about breaching court orders, evidence such as text messages can be crucial. The accused party should document all communications and inform their solicitor. Courts consider evidence when assessing claims and may impose sanctions for false allegations. It is important to respond formally through legal channels and seek professional advice to ensure the court recognizes manipulative behavior and protects your rights.

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Vineet S. please can you guide me on obtaining court

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Vineet S

Satisfied Customers: 8,699

Experience: Freelance Solicitor at Self Employed

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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)

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

Thank you for your patience



VINEET S,



Hi there,

You can request the court transcript by filling below form -EX107-

https://assets.publishing.service.gov.uk/media/6*****549d27/EX107_static_0823.pdf

You have to return the completed form by email or post to the court where the hearing took place.

For further information on filling the above form ,please click on the guidance below-

https://assets.publishing.service.gov.uk/media/65c1ff1663a23d000dc8225a/EX107_GN_0224.pdf

If you could not get the transcript then you will get your fee refunded .

I trust this helps

&

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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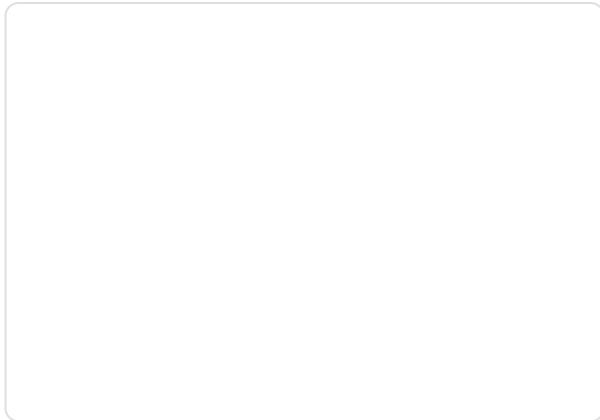
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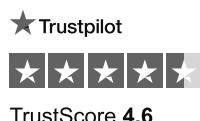
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What form do I need to file at court to enforce an order.

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JimLawyer, Solicitor

Satisfied Customers: 26,099

Experience: Senior Associate Solicitor

Hello, this is Jim and welcome to JustAnswer.

I am one of the legal experts here (a dual-qualified Solicitor in the UK and Republic of Ireland).

Thanks for the question - I am just reviewing the details and I'll be with you shortly.

Sorry to hear of the issue.

I presume this is a family court issue and the other party has not complied with the financial remedy order?

Customer reply

This is a family court issue, the other party has been most difficult in compliance. We have now had the final hearing after two years and he is still failing to comply.



JIMLAWYER, Solicitor

OK, thanks.

In that case, yes, you can apply to enforce the court order - you can report the breach to the court using form D11 (<https://www.gov.uk/government/publications/form-d11-application-notice>) - there is a court fee unless you qualify for <http://www.gov.uk/get-help-with-court-fees/>

Welcome! How can I help with your legal question? 

The court will consider the application and make a further order for the property, usually a date whereby they must sign and a penal notice is attached to the order - if they do not then they will be in contempt of court which means he is fined and may well be sent to prison.

Your application fee is payable by your ex if the court finds he has breached the earlier order. It is fairly common as it can be considered the last bit of power they have over you. However it is a breach of a binding court order which is punishable unless there is a good excuse. I recommend you send your ex a letter (you can email it to them too) to warn them you will apply to the court within the next 7 days unless he confirms he will comply.

If he doesn't respond or he does and refuses, go ahead and make the application.



JIMLAWYER, Solicitor

I hope this helps



JIMLAWYER, Solicitor

I'd be happy to clarify anything I've said so far.

Just a further note that if you would like to reach me in future with any other questions, you can reach me directly via the following link :

<https://www.justanswer.co.uk/law/expert-jimlawyer>

I look forward to helping you again soon.

Many thanks,

Jim

Customer reply

I've previously filed 9 D11's over the two years so I'm quite confident in this. Is the N293A not relevant? There was a penal notice attached to the final order.

JIMLAWYER, Solicitor

Welcome! How can I help with your legal question?





BA is a writ for the High Court though in your case you will need to notify the court that notice has been ignored - the court should then make an order for contempt though they will likely summons the respondent to court first before making that order

Customer reply

The transcript of the case is going to be publicized due to the nature of the respondents behaviour and we go back to court in a couple weeks for a hearing of anonymity. Is it worth me mentioning to the judge the ?

I can tell the court about the penal notice. Is it not applicable then to file the n293a as well as the D11?



JIMLAWYER, Solicitor

No, the N293 is to get a high court enforcement officer to collect on a county court judgment.

At the hearing in two weeks you could just mention it to the judge at that point which is better in my view

And ask them to make a finding of contempt

Many thanks

Customer reply

In your expertise then, based on this order. Do I simply proceed with the D11 and ask the court to attach to earnings or for imprisonment until he pays or ?



JIMLAWYER, Solicitor

Yes, it's the way forward (form D11) - if an attachment of earnings is possible then it's better to do that as the alternative is he is sent to prison and getting money from him may be more problematic

I would do the D11 and at the next hearing it should be dealt with first (before the anonymity issue)

Customer reply

Welcome! How can I help with your legal question? 

Ok, I will go ahead and file another D11. Thank you

**JIMLAWYER, Solicitor**

My pleasure, thanks again

Customer reply

What does finding of contempt mean ? Would it not be rude to ask a judge that?

**JIMLAWYER, Solicitor**

Disobeying a court order with the end result that they are fined and/or sent to prison. You just need to show that an order has been breached and a warning has been given (which it has already) for the judge to make such a finding

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My wife and I are going through a divorce. I have sent her a

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I've done the Decree Nissi and on 23 January I can do the

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I have a financial remedy order - where my ex - husband was

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hello, I have a financial remedy order - where my ex - husband was asked to pay a lump sum by 12/8/24.this was final draft this -The Husband is to pay ... read more

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I attended a second financial remedy hearing on the 4th of

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I attended a second financial remedy hearing on the 4th of September 2024. I am a litigant in person. The judge made a number of procedural ... read more

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**Alexander A**

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