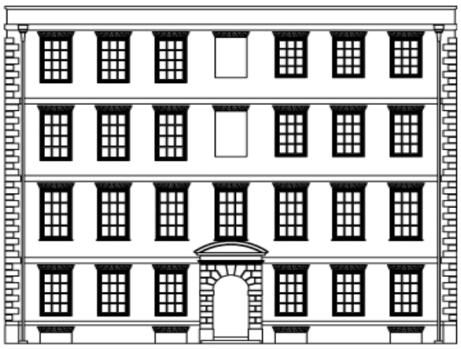

New Court Chambers

NEWSLETTER

February 2025 No. 20

MESSAGE FROM THE HEADS OF CHAMBERS

A very warm welcome to all the readers of our 20th newsletter, the first publication of the 2025 Hilary term.

Across the whole sphere of Family Law, we continue to go through many changes and developments. At such a time, we hope all readers find something of interest in this publication.

For those in the public law children arena, Matthew offers practical help with a threshold and Steven offers help on adoption. For financial remedy practitioners, Michael's article offers an enlightening update. For all going before a Family Court, Iona's article on transparency is invaluable.

This edition concludes with a fascinating article about life in pupillage by our pupil Hannah. This may be of particular interest to any 'eagle-eyed' applicants for next year's pupillages in their preparation for interview.

Very best wishes, enjoy the newsletter and as ever, many thanks to all the contributors.

Giles Bain and Chris Poole

FINANCIAL REMEDY UPDATE:

Domestic abuse and financial remedy proceedings: A complex intersection

Michael Connor

October saw the release of Resolution's Domestic Abuse in Financial Remedy Proceedings, a thought-provoking report, which revealed the often-overlooked link between domestic abuse and financial disputes during separation and divorce.

The report follows the enactment of the **Domestic Abuse Act 2021** and the significant advances in the Family Court's understanding of domestic abuse in recent years, particularly in light of the landmark cases of ***Re H-N and Others (Children) (Domestic Abuse: Finding of Fact Hearings)*** **[2021] 2 FLR 1116** and ***Re K*** **[2022] 2 FLR 1064** in relation to children proceedings.

The report itself, spearheaded by Resolution - a collective of family justice professionals - examines how domestic abuse manifests in financial remedy cases. It outlines typical patterns, such as a spouse withholding financial support, concealing assets, employing delay tactics, coercion, and outright non-compliance with court orders, particularly in respect of full and frank disclosure.

Key Insights from the Report

From the outset, Resolution's research highlights troubling statistics that bring the scale of domestic abuse in financial remedy cases into sharp focus. Responses from 526 professionals, including family law experts and domestic abuse charities, provide a clear picture of this pervasive issue:

- **High incidence rates:** Over 75% of respondents reported encountering domestic abuse in more than 21% of their cases in the past three years. Similarly, nearly two-thirds identified economic abuse, abuse that uses financial control as a weapon, at comparable levels.
- **A pattern of silence:** Despite these high rates, abuse often remains unaddressed and takes a back seat in financial remedy proceedings. As far as 'conduct' is concerned, the well-established legal framework requires that conduct be so egregious that disregarding it would be unjust - a threshold many cases fail to meet.

This gap between the prevalence of abuse and its acknowledgment in financial proceedings is concerning:

- Nearly 80% of respondents said that the long-term impacts of domestic abuse are insufficiently addressed.
- A similar proportion noted that economic abuse is frequently overlooked in these cases.

One of the report's critiques lies in the evidentiary burden placed on survivors. Financial remedy proceedings demand clear proof of a direct causal link between domestic abuse and financial harm. Yet research consistently shows that survivors of abusive relationships are more likely to face both immediate and long-term financial instability. Even where case law recognises that these consequences may not be 'easily measurable', courts continue to struggle to quantify harm at the time of hearings.

A deeper issue highlighted by the report is the **lack of accessible legal aid**, with 90% responding that there was insufficient access to legal aid for victim-survivors. Many survivors, even with evidence of abuse, fail the stringent means test and are left to represent themselves in court - placing them at a significant disadvantage against abusive partners, who can exploit legal processes as another means of control.

The report also identifies other recurring patterns in abuse-related financial cases:

- Economic abuse through incomplete or dishonest financial disclosure;
- Non-compliance with court orders; and
- Deliberate stalling tactics, such as failing to cooperate with lenders or delaying the sale of shared assets, such as the family home.

Recommendations for Reform

To tackle these systemic issues, Resolution puts forward a series of considered and actionable recommendations, inclusive of the following:

1. **Updating the Family Procedure Rules:** Modify the rules to explicitly prioritise safeguarding abuse survivors during financial remedy cases.

2. **Clearer guidance for courts:** Introduce a new Practice Direction to clarify how the law should handle abuse-related conduct and ensure victim-survivors are adequately protected.

3. **Enhanced case management:** Ensure every decision made during financial remedy cases *actively* considers the safety and well-being of abuse survivors.

4. **Revised cost rules:** Prevent misuse of the legal system and processes by abusers through amendments to costs rules.

5. **Stronger enforcement mechanisms:** Adopt the Law Commission's 2016 proposals for better enforcement of court orders, including new methods of enforcement.

6. **Reform legal aid accessibility:** Reassess the means-testing criteria to ensure survivors can access essential legal support.

As far as the approach to 'conduct', Resolution is clear that the current approach to this thorny issue leads to unfair outcomes for survivors of domestic abuse. While there is no clear recommendation in respect of this particular issue, Resolution is committed to liaise with a range of stakeholders who have been researching this area, including the Law Commission's possible reform of s.25 MCA 1973, to include conduct as a factor which must be taken into account when deciding financial remedies orders. On this point, interestingly, in ***DP v EP* [2023] EWFC 6**, HHJ Reardon found that there *had* been economic abuse and that this amounted to conduct for the purposes of section 25(g) MCA 1973, and Resolution last year launched the Economic Abuse Working Group.

While these proposals overall address vital aspects of the issue, their implementation will require careful and proactive navigation by the judiciary and policymakers.

Recent case law, such as ***N v J* [2024] EWFC 184**, highlights the precise complexities involved. Mr. Justice Peel acknowledged the challenges of factoring abuse into financial outcomes, stating at [**38**]:

"If the court increases the award because of misconduct, but in the absence of any identifiable financial impact, how is that added sum to be quantified?"

This underscores the precise tension between legal principles and the lived realities of survivors.

The Broader Implications

Resolution's report offers a much-needed spotlight on the interplay between domestic abuse and financial proceedings. It challenges the system to adopt a cultural shift and move beyond narrowly defined legal criteria and address the broader realities of abuse.

With the right reforms, the justice system has the opportunity to better support survivors and ensure financial remedy proceedings become a path to fairness, not a continuation of harm. Many will be watching this space eagerly to see exactly how the recommendations in the report are carried forward.

ADOPTION:

'A sea change' to post-adoption contact

Steven Evans

On 9 November 2023, the President of the Family Division, Sir Andrew McFarlane, gave a speech at the Mayflower Lecture: "Adapting Adoption to the Modern World". The focus of the speech was the issue of post-adoption contact, which is a must-read for all children law practitioners (together with Part Two of the speech to the Parents of Traumatised Adopted Teens Organisation (POTATO) Conference on 17th May 2024). The President concluded the speech:

> "*I would conclude by stressing that adoption is a life changing and life enhancing process. Making an adoption order is one of the most significant decisions and actions the State can take. The plan for any adopted child is to ensure that they become settled on a pathway similar to any child whose life is centred around their birth parents and family, with provision for day to day care, a secure base, stimulation, connection and identity. In addition, an adopted child has needs beyond the 'typical child and family experience' that are stimulated by curiosity and the need to know about family history, relationships, and their past circumstances. The term 'open' is often used to give recognition to these issues in modern adoption – the modern approach is fundamentally different to the evidence and conclusions explored by the Joint Parliamentary Committee in pre-1970's adoption, where secrecy, denial and condemnation were prevalent. What we now know is that the concept of modern adoption needs to be developed further, so that services are improved, in particular with regard to provision for a continuing relationship with and knowledge of the birth family, with the child's needs being at the centre of all that we do. Every adopted child has a right to no less*".

Public Law Working Group report

On 7th November 2024, the Public Law Working Group (PLWG) released its report 'Recommendations for best practice in respect of adoption', which identifies key recommendations in respect of post-adoption contact:

1. There needs to be a sea change in the approach to the question of face-to-face contact between the adopted child and the birth family or other significant individuals.
2. There should be consistent training for prospective adopters throughout England and Wales.
3. There should be on-going training for social work practitioners and lawyers as to the benefits of open adoption.
4. Birth parents should be signposted to independent support, which can provide support workers to enable birth parents to understand how they can continue to be involved in their child's life through different types of contact as soon as adoption is identified as a possible outcome.
5. Identification of those persons who are/may be important to a child should be undertaken at the Family Group Conference and during any pre-proceedings kinship assessment stage.
6. The full range of contact options (including digital options) should be actively considered by professionals and the court during care and placement proceedings, rather than an assumption that contact will be via letterbox only.
7. Consideration should be given in every case to a meeting between the adopters and members of the birth family.
8. There should be a continued line of communication between the adoption social worker and the birth parents, so the adoption social worker can reassess the ability of a relative/other to have contact post proceedings.

Research

The PLWG report summarises the recent research:

1. There is considerable evidence that transparency and openness around the circumstances and experiences of the adoptee's birth family is beneficial to an adopted child.

2. The purpose of contact post-adoption for the adoptee is about enabling a process to help them understand their experiences and develop a sense of identity. Existing relationships with birth parents must change to take into account their different role as a result of the legal process of adoption.

3. Separating siblings can lead to an enduring sense of loss.

4. There are strong indications that face-to-face contact helps adoptees develop a sense of identity, accept the reasons why they were adopted, and move forward with their lives.

5. However, ensuring that contact is safe for the child is pivotal to positive outcomes.

6. Communication with and understanding from the parties involved in contact (birth parents or other relatives/adoptees/adopters) is an important component in its success.

7. Despite the research indicating the benefits of face-to-face contact, where it can be safely managed, the overwhelming majority of cases continue to recommend only letterbox contact. Where direct contact does occur, it often happens without any formal agreement being in place.

8. Letterbox contact can prove problematic. A high number of arrangements stall as a result of one (or both) parties failing to maintain the arrangement. This leaves many adoptees without any effective contact from birth families.

9. The experience in Northern Ireland tends to suggest that a shift in mindset by professionals involved in the process of adoption and strong guidance from the judiciary can bring about a change in approach to post adoption contact without the need for changes in primary legislation.

Current Approach

The table of case law annexed to the PLWG's report is also a must-read in respect of post-adoption contact. In the recent case of ***Luton Borough Council v Ms C (The Mother) and others*** **[2024] EWFC 87**, Mr Justice Harrison KC held: '*I do not consider that it is appropriate for me to make an order for post-adoption contact. Despite the recent research about the potential benefits of ongoing contact, it remains the case that it will rarely be appropriate to impose an order upon unwilling adopters*".

The PLWG report also recognises that imposing an order on unwilling adopters is significant, but considers that if its recommendations are endorsed then, with greater support and training, decisions about contact are overwhelmingly likely to be made by consent.

It is also important to note that the PLWG report does not suggest that contact orders should routinely be made in the face of opposition from adoptive parents, whether at the time of the adoption itself or later. However, it is believed that opposition is much less likely where adoptive parents are given a thorough understanding of the child's needs from the start and are given the right support.

Conclusion

The PLWG made several important recommendations following recent research which are vital to modernising the approach to adoption, including post-adoption contact. However, it remains clear that the recommended 'sea change' will be restricted unless there is good quality training for lawyers, social workers, and prospective adopters.

TRANSPARENCY IN THE FAMILY COURT:

A clearer view: The journey towards open justice in the Family Court

Iona Gallagher

This article examines the progress made since the 2021 Transparency Review, considering the reforms implemented to date and recent case law.

Transparency Review 2021

In 2021, the President of the Family Division published The Transparency Review. This review offered a revised approach to transparency on the basis that the system then in place, whereby a journalist may attend any hearing but may not always report what they observe, was not sustainable. Keeping both principles of confidence and confidentiality at play, the review explored whether a better balance can be struck to ensure more open justice, leading to greater public confidence in the family justice system from a better understanding of how and why decisions are made.

Another key focus was the publication of judgments. This is important because, whilst a handful of family court decisions were published, the majority were not, particularly at District and Circuit Judge level. The review offered a practical solution by calling for an increase in anonymised judgments to allow greater scrutiny of judicial reasoning, without compromising confidentiality. It also re-stated the importance of confidentiality for children and vulnerable adults, and recognised that this must be maintained and protected irrespective of any demands for greater transparency.

The Transparency Implementation Group (TIG) was formed following the Review, to implement the proposed changes with three main objectives:

1. To encourage reporting by allowing journalists to attend family proceedings and report on what they saw and heard while maintaining confidentiality;
2. To increase the number of published judgments to promote a better understanding of how and why decisions are made in the family court; and
3. To collect data at the conclusion of proceedings to identify trends in family law cases and analyse the outcomes.

Changes to the Family Procedure Rules

One of the most significant outcomes of the review were the changes to the Family Procedure Rules to include, for the first time, journalists acting for research or public legal educational purposes. Previously, as per **FPR 27.11(2)** only '*duly accredited representatives of news gathering and reporting organisations*' were permitted to attend certain family hearings, including public and private law proceedings or those exercising Inherent Jurisdiction. In 2021, the FPR was amended to include, 'a duly authorised lawyer attending for journalistic, research or public legal educational purposes.'

FPR 27.11(3) currently provides that reporters can be excluded from a hearing where:

a) it is necessary:
   i) in the interests of any child concerned in, or connected with, the proceedings;
   ii) for the safety or protection of a party, a witness, or a person connected with such a party or witness; or
   iii) for the orderly conduct of the proceedings; or
b) where justice will otherwise be impeded or prejudiced

The starting point for the press is that it remains bound by section 12 of the Administration of Justice Act 1960 and section 97 of the Children Act 1989, and will be held in contempt of court by reporting information that could lead to the identification of children, either directly or indirectly. However, the press can apply for permission to report such details, and thereby be exempt from s12 and s97, although thus far the balance has almost exclusively fell in favour of confidentiality over that of confidence or public interest.

Transparency Orders and Reporting Restrictions

When a Transparency Order is made, it replaces the automatic restrictions on reporting as set out in s12 and s97 (above) with tailored restrictions. The restrictions seek to preserve the

confidentiality of the child, and, consequently, that of the adult parties to proceedings as well.

What can be reported under a Transparency Order?

Reportable:

1. Name of the local authority
2. CAFCASS
3. NHS Trust
4. Court-appointed experts
5. Legal representatives, judges, magistrates

Non-Reportable:

1. Children's name, date of birth, or address
2. Names of parents of family members
3. Schools or hospitals where the child attends
4. Photos of the child, parents, or carers
5. Details of abuse in sexual abuse cases

The Reporting Pilot: A practical experiment in transparency

The January 2023 Reporting Pilot has been a major milestone in transparency reform as it offered a view of how greater transparency might work in practice, which can inform future change. It was introduced in January 2023 in Carlisle and Leeds, focusing on public law proceedings, before being expanded in July 2023 to include private law cases. By January 2024, it had expanded to include public law proceedings in 16 more courts, and by July 2024 it also covered private law cases in those courts. Further, as of November 2024, the pilot scheme applied to financial remedy proceedings in Birmingham, Leeds, the Central Family Court, and the Royal Courts of Justice.

Requirements for journalists:

- Reporters must provide a press card or a signed letter from their editor
- Bloggers must fill in Form FP301
- Reporters' names and contact details are recorded in the Case Management Order
- Both bloggers and reporters must seek a Transparency Order from the court to report on the case, which will then automatically apply to future hearings, unless discharged or varied.

What do reporters get access to in a Default Transparency Order?

- Position statements;
- Skeleton arguments;
- Chronologies; and
- Case index.

Reporters can request additional documentation, but the starting point will be that they are not allowed access to additional documents.

Recent Case Law

***BBC v Cardiff Council* [2024] EWCOP 50**

This was a Court of Protection matter brought by the BBC. The young person concerned, MC, had been the subject of ongoing proceedings in the Court of Protection for a number of years. The BBC sought to include MC in a documentary, and made an application to discharge or vary the Court's transparency order. Hayden J refused the application, and considered MC's Article 8 rights, "*supported by qualitatively greater evidence than that which can be afforded to the Article 10 rights of the BBC*" as per [24].

The case set out guidance for future disclosure applications:

- Initial applications must be made to the original court
- Consideration to be given to service on respondents
- Potential two-stage process for disputed cases
- Clarification on publication permissions and requests for transcripts.

***Re T* [2024] EWCA Civ 697**

Arbuthnot J ordered that the names of the parents of two children involved in lengthy private law proceedings could be published upon the younger child (who was then 16) turning 18. The judgment would remain anonymous until then.

This was reversed by Jackson LJ on appeal due to concerns about the impact this may have on the children over the next two years, including the potential psychological burden on the children who may feel anxiety over the publication of their parents' names. The court recognised that if the parents' names were published and there was minimal impact, this could have caused the children unnecessary anxiety. Alternatively, if the impact was significant, it could have led to the children being identified by their peers or future employers.

***Tortoise Media v M, F, X and Y* [2024] EWFC 50**

This case concerned care proceedings in which there was an ongoing police investigation following the discovery of a baby's body. The parents were charged with concealing the birth, charges which were later discontinued, but the parents remained under investigation for the child's death. Tortoise Media sought to report the names of the parents and there was disagreement as to whether or not this reporting should be during proceedings or after they had concluded. Joint Head of New Court Chambers, Chris Poole, acted for the local authority as the 1st respondent and successfully argued that permission should not be granted at this stage.

Henke J determined there should be no publication until the conclusion of the police investigation or the conclusion of any criminal proceedings, whichever is the latter. In making her decision, she considered there was a risk of jigsaw identification, but that it was artificial to suggest that the parents could not be identified given their names were already in the public domain and linked to the murder of a baby in the mother's home. This judgment emphasises the balance between public interest and the rights of vulnerable individuals in care proceedings.

Conclusion

Since 2021, there has been an increase both in the number of family cases attended by the press and the types of cases that the press is now allowed to report on. The courts have also given clear guidance on what the press can and cannot report under a Transparency Order.

Under the reporting pilot, courts embraced the scheme, with a departure from the normal default position of privacy, towards one of greater transparency. Even in non-pilot courts there was a trend towards positive attitudes on reporting, with many judges and magistrates using the reporting pilot and Transparency Order framework as guidance. High Court judges in particular were supportive of this approach, which served as an indication that senior members of the judiciary support greater transparency in the family court.

Due to the success of the reporting pilot, approval was granted for the pilot to be rolled out nationally. As of 27 January 2025, reporters are now permitted to attend and report on all public law children proceedings within family courts. It is proposed that from 1 May 2025 private law children cases in all courts will also be included.

FAMILY LAWYER'S TOOLKIT:
Threshold: Essentials to consider when drafting threshold

Matthew Burman

It has been ten years since the judgment of Sir James Munby P (as he then was) in the well-known case of ***Re A (A Child)*** **[2015] EWFC 11**. For those readers unfamiliar with this case, Sir James Munby P provided essential guidance to all practitioners on what the court expects to see in a threshold document. The decision was expressly approved by the Court of Appeal in ***Re J (A Child)*** **[2015] EWCA Civ 22**.

From my own experience, in the years since ***Re A***, there have been many times when I've been instructed to represent a local authority at first hearing, only to face grumbles from the other parties and/or the Judge that the threshold document is not '*Re-A compliant*'.

So, what is the court looking for and what are the key principles to bear in mind? Here's my bullet-point list of the essentials to consider when drafting threshold.

- **Go back to the statute – section 31(2) Children Act 1989:** I find it's always useful to go back to the original statute to remind myself of the test. Remember, the harm must be **significant harm**. Also, remember that the child may not have suffered any significant harm - it is entirely compliant with s.31(2) for threshold to be pleaded solely on the basis of **likelihood** of harm.

- Staying with statute, it is worth remembering that the harm (or likelihood of harm) is either attributable to parenting OR the child being beyond parental control. In my experience, in a lot of 'beyond parental control' cases, parenting deficits are also pleaded, but this is not always necessary. In particular, I have often found that Guardians are uncomfortable with threshold being pleaded solely on the basis of 'beyond parental control' as this may send a message to the child or young person that 'it's all their fault' and they are 'to blame'. Whilst this is an understandable concern on behalf of the child, it is not necessary to plead parenting deficits in every single case if it can clearly be established that the child is beyond parental control.

- Nothing in s31(2) requires both parents to be included in threshold. Threshold should not just be a shopping list of all the reasons the parents can't care for the child. It should reflect the reasons why the care proceedings were started. If the concerns only relate to one parent, it would not be fair or appropriate to strain to find something concerning about the other parent to ensure they are also mentioned in the threshold document.

- **Relevant date:** Care proceedings obviously should be concluding within 26 weeks but, in reality, particularly with the current pressures on court listings, some cases are taking a year, if not more, to conclude. The passage of time between issuing proceedings and coming to the IRH can be many months and many more concerns may arise in that period. I find this is particularly true if a local authority sought to remove a child from their parents at the start of proceedings, but this was not sanctioned by the court. If a child is then left in their parents' care under, for example, an interim supervision order during proceedings, there is often a temptation by local authorities to use this period of time to build up a dossier against the parents. The long-established decision of ***Re G (Care Proceedings: Threshold Conditions)*** **[2001] 2 FLR 1111** does permit local authorities to rely on fresh evidence that proves a concern previously held. I would, however, urge caution against over-complicating a threshold document. Threshold should really focus on the state of affairs that was in existence when the local authority took protective measures. My best advice is to 'keep it simple' - the real question to answer is: What were the key concerns of the local authority that led to them issuing care proceedings for this child?

- It is also important not to go too far back in time. Previous care proceedings about the same child or older siblings will, in most cases, be relevant. If, however, the last set of proceedings concluded ten years ago, is it truly relevant to understanding why the local authority issued this fresh set of proceedings?

- **Evidence:** one of the key points made by Sir James Munby P in ***Re A*** was that findings must be based on evidence, not mere speculation or suspicion. Social work statements will, by their very nature, contain a whole host of concerns about a parent. Good social workers will often 'have a hunch' about what is going on behind closed doors, but this is simply not enough for threshold. The key question is: what harm or risk of harm do we actually have evidence to prove? For concerns like drug misuse, this may be fairly simple to evidence by way of hair strand testing or police photographs of drug paraphernalia in the home. One particularly thorny issue is often domestic abuse within a parental relationship. We need to ask what evidence we have to support this. Hearsay evidence is admissible, but it will always be a matter for the Judge as to how much weight to attach to it. So, for example, if the only 'evidence' to support a finding of domestic abuse is that the next door neighbour states that the parents were always fighting, is this enough? Is the neighbour willing to give a statement and attend court if required?

- ***Re A*** also guides us against relying on assertions. A typical example of this in a badly drafted threshold would be "the social worker reported that…" or "there are concerns that…" - this will not be sufficient to establish threshold.

- **Linking facts with harm:** It may seem obvious, but the allegations in threshold must actually link up to harm to the child. Sometimes this will be an easy connection to make, e.g. a baby born prematurely with severe withdrawal symptoms due to mother using cocaine throughout her pregnancy. Sometimes, however, we run the risk of assuming there is harm where there might not be. If, for example, a young person has poor school attendance but happens to be very bright and is still getting good grades, can she really be said to be suffering significant harm? Another common issue is when threshold documents rely on a lack of parents' insight. The threshold has to link this lack of insight with harm (or risk thereof). Often the lack of insight is not in and of itself harmful, but the result of it will be. For example, consider that a first time mother lacks insight into weaning her 2 month old baby and tries to feed her some solid food. The lack of insight does not cause harm in and of itself, rather what should be pleaded in this example is a risk of physical harm by way of choking.

- **Social engineering:** Sir James Munby P made clear that the court must guard against social engineering, especially where the care plan is one of adoption. In other words, not every person with convictions or addiction issues should be denied the chance to parent their child. Pleading in threshold that a parent has been smoking cannabis for twenty years will not be enough. Again, it is essential to link this concern to actual harm or risk of harm. What impact does the cannabis use have on their parenting capacity? Have there been any specific incidents that occurred when the parent was under the influence? A similar line of questioning would relate to previous convictions. Convictions are facts that neither the parent nor the court can go behind. However, does the conviction link to harm? Benefit fraud, for example, may be socially undesirable, but has it actually caused harm to the child?

I hope the above is helpful to anyone tasked with drafting a threshold document. Above all, my key tip would be to always bear in mind the relevant date. Of course every case will be different, but by focussing on the relevant date, it really does help to distil the real reasons why the local authority issued proceedings in the first place.

The full judgment of Sir James Munby in ***Re A*** can be found at: https://www.judiciary.uk/wp-content/uploads/2015/02/re-a-child-2.pdf

PUPILLAGE AT NEW COURT:
An insight into New Court's pupil's start to pupillage

Hannah Watson

Since starting at New Court, my first supervisor has been Chris Poole, Joint Head of Chambers. During my first few months as a pupil, I have been shadowing Chris in and out of court. So far one of the most enjoyable aspects of pupillage has been that there hasn't been a typical day, and the nature of Chris' diary has meant that there has been a wide variation in how each of my days have looked.

At the very beginning of pupillage, we were entirely remote for a week. This gave me an opportunity to settle into Chambers, gain access to all the required systems, and learn how to navigate court bundles. I observed an urgent hearing on my first day and then drafted the attendance note for the solicitor.

I normally get to chambers for around 9.30am, unless we are meeting elsewhere for a hearing, and Chris and I catch up on any updates for the next case which have happened overnight and discuss any specific priorities for me to focus on that day. I also attend the pre-hearing advocates' meeting, which give me additional context and insight into the positions of the parties and the likely issues to be raised at the hearing.

If we are in court, I will shadow Chris from the start to end of a hearing. Recently, in a case in the High Court, I joined the advocates' discussions before going into court and then met the witnesses, giving them an opportunity to re-read their statements and answer any questions about the format of the hearing. I then observed the witnesses giving evidence, including Chris' cross-examination of certain witnesses. Afterwards, Chris and I headed back to chambers to discuss the outcome with the solicitor, and I drafted and provided my attendance note. I also began drafting the order and shared it with Chris so we could discuss different aspects that I was unfamiliar with.

So far during pupillage I haven't had to travel very far (yet!), but one interesting trip outside of London was accompanying Chris to Luton for an evening discussion regarding the Reporting Pilot and the role of the Media in Family proceedings. Chris chaired the discussion, and we heard several perspectives, including from journalists, judges, and members of CAFCASS. It was very thought provoking to hear a variety of opinions, and I look forward to gaining experience of the Pilot in action now that it has been rolled out nationally.

More recently I also spent the day with another senior member of Chambers, Andrew Shaw. Andrew was acting in a private law matter and asked for my assistance in taking a note of judgment. Prior to the hearing we discussed the background facts of the case, the issues which had arisen, and I was able to read through the parties' submissions filed for the hearing. At court I took a detailed note of the judgment, and Andrew and I talked through the Judge's decision, with Andrew giving me an opportunity to ask any questions arising from what I'd observed. Andrew also took the time to bring me up to speed on another public law case in which he is instructed. We discussed the Local Authority's position and drafting of the threshold document, which I then attempted myself, before we discussed the content and style of the threshold document.

It's safe to say that my first few months of pupillage at New Court have flown by, and already I've enjoyed experiencing the variety of work undertaken by different members, as well as the opportunity to be in chambers nearly every day. Every week I also meet more members of New Court and really appreciate the offers which have been extended to me to ask any questions and to share support or guidance. While my second six is still a couple of months away, I know it will be upon me in no time, and I look forward to continuing to expand my knowledge and understanding of family law matters in readiness for then.