

# Well-being in the Central Family Court

1. The Central Family Court and all who work or practise here value the well-being of everyone.
2. We should be running as simple a system as possible consistent with the rules. Complexity is the enemy of well-being.
3. Everyone is trying to do their best most of the time. Criticism may sometimes be necessary but rarely improves performance.
4. Contested litigation, and especially a courtroom, is a stressful environment, particularly for those who are not used to it.  
Everyone must understand this.
5. Everyone is entitled to respect, all the time.
6. There is no place for aggression.

## TIME

7. Listed hearings should not take place before 10 am and the court day should end by 4.30 pm.
8. If the court intends to sit late, then an enquiry as to whether and to what extent this is consistent with everyone's commitments is expected of the judge or magistrates.
9. Everyone needs a lunch break so the court should rise for an hour at lunch time. Ideally the lunch break should be between 1 pm and 2 pm. Significant variations should not be made by the judge or magistrates without warning.
10. The court should do what it can in trials lasting more than a day to give a sensible "not before..." start for the case on the second and subsequent days.

11. When listing or adjourning a case every effort will be made to accommodate prior commitments, although it is never possible to list solely for someone's convenience.

## **EMAILS**

12. Practitioners may send their emails when they like but there is no need, as far as the court is concerned, to reply to an email after 6 pm or before 8 am.
13. Hitting "Reply All" is often unnecessary and adds to the burden of "All".

## **ORDERS**

14. Orders (except perhaps the first order) should be as short as possible. Long orders take up the time of practitioners, judges, magistrates and staff unnecessarily. They add to stress, confuse and deflect.
15. Everyone's time is saved if orders are drafted on the day of the hearing. Long rival drafts are bad for everyone.
16. FAS forms should include all time necessary for drafting of orders.

## **DOCUMENTS**

17. Every document can be short, concentrated on the issues, and avoid repetition.
18. Any position statement, whenever filed, is better than none. Bullet points are fine. Judges will be grateful for

position statements and understand that professionals get a case up shortly before the hearing in order to be efficient.

## **ATTENDANCE**

19. We don't need teams of people. One lawyer is almost always enough. Solicitors do not ordinarily have to attend with barristers. Team managers do not have to attend with social workers. The present practice in respect of represented guardians being excused attendance is working well.
20. Lawyers and professional witnesses must be committed to cases, but must juggle their commitments and judges and magistrates must understand this and be understanding. This applies when listing cases and on a day by day basis.

## **BUNDLES**

21. The digital courtroom is coming and we must all seek to use it to ease stress and not add to it. Judges and lawyers must understand that everyone's adaptation to technology goes at a different pace.
22. We are not slaves to the Practice Direction and there is no such thing as the perfect bundle.

## **Mis-Describing Cases**

23. Urgent means urgent. Maintaining that a hearing is urgent when it is not is queue-jumping (or worse) and adds to stress.

24. The Central Family Court is resourced only for cases within its catchment area (or its other particular jurisdictions). It may be convenient for practitioners to bring out-of-area cases here but it adds to the workload and stress levels of staff and courts.

HHJ Robin Tolson QC

Central Family Court

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