**PRESS RELEASE**

**THE TRANSPARENCY PROJECT LAUNCHES GUIDE FOR FAMILIES CONCERNED ABOUT THE PUBLICATION OF FAMILY COURT JUDGMENTS**

7 JULY 2017

**A new guide will help parties caught up in the family justice system navigate the complicated issue of publishing judgments about private family matters.**

**The Transparency Project’s guide aims to help those dealing with cases involving privacy issues affecting children and vulnerable adults.**

The guide is directed at families and the professionals working with them, to help them think through the possible pros and cons, and the potential practical consequences of publication. Rather than focusing just on issues of anonymisation and jigsaw identification, it aims to involve families in the decision making process about publication, and with the process of anonymising judgments so that privacy protection is robust and effective.

Lucy Reed, Chair of The Transparency Project said,

*“We identified that there were no materials for families involved in family court cases to help them understand when, why and how judgments in their case might be published. Our guide aims to fill that gap. It isn’t practical or appropriate for every judgment in every family court case to be published, but we hope that it will both help make sure judgments are reliably anonymised before publication, and help families and professionals to support publication where that can be achieved without jeopardising the family’s privacy or welfare. We hope that our guide will be used by lawyers, social workers and children’s guardians to talk through questions of publication of judgments with the children and parents they are working with, so that safe transparency can be facilitated where possible, and unnecessary anxiety avoided.”*

**Publication of Family Court Judgments** - A guidance note for families & professionals, can be found at http://[www.transparencyproject.org.uk/resources](http://www.transparencyproject.org.uk/resources) in pdf format.

It can be used as a tool to assist parents and their lawyers to discuss and think through whether publication is likely or appropriate in their case, and if so how it should be done, and can be used by social workers or children’s guardians to work through similar issues with older children, depending on their understanding and maturity.

**NOTES TO EDITORS**

1. For further information or press enquiries please contact info@transparencyproject.org.uk / twitter @seethrujustice or ring Lucy Reed on 07967998226.
2. Most hearings in Family Court cases are held in private, and although the media are entitled to attend most hearings there are often restrictions on what they can report. In 2014 The President of the Family Division, Sir James Munby, issued guidance to Family Court judges, encouraging them to publish more judgments from family cases to increase transparency of the work of the Family Courts (TRANSPARENCY IN THE FAMILY COURTS PUBLICATION OF JUDGMENTS - PRACTICE GUIDANCE issued on 16 January 2014 by SIR JAMES MUNBY, PRESIDENT OF THE FAMILY DIVISION, <https://www.judiciary.gov.uk/wp-content/uploads/2014/01/transparency-in-the-family-courts-jan-2014-1.pdf>). Since an initial surge in publication rates, the number of published judgments has begun to decline again. Recent research carried out by academics at Cardiff and Bristol Universities suggested that the reasons for the comparatively modest increase in publication rates were complex, and in part due to time and resource pressures. The research also showed that publication rates were inconsistent from judge to judge and from region to region. (http://www.nuffieldfoundation.org/news/family-court-transparency-plans-fall-short-judges-struggle-find-time-publish-judgments-safely)
3. Since the publication in 2014 of judicial guidance encouraging publication of judgments in particular circumstances, concerns have been raised that some judgments which are published do not effectively anonymise the families involved. In 2016 guidance for judges (http://www.familylaw.co.uk/system/froala\_assets/documents/1053/Draft\_Guidance\_-\_Anonymisation\_and\_avoidance\_of\_the\_identification\_of\_children\_and\_treatment\_of\_descriptions\_of\_sexual\_abuse\_of\_children\_in\_judgments\_intended\_for\_the\_public\_arena.pdf) was put forward by the Association of Lawyers for Children which focused on the risks of jigsaw identification and on cases involving allegations of sexual abuse. That guidance has not been adopted by the judiciary. Chapter 4 of the Cardiff research (see note 2 above) also considered issues with anonymisation in practice.

The Transparency Project is a registered educational charity which aims to improve public understanding of family law. Read more : <http://www.transparencyproject.org.uk/about-us/>. The Transparency Project has published a series of Guidance Notes for families and professionals on various topics. See http://www.transparencyproject.org.uk/resources/.

The guide has been funded by a grant from the Legal Education Foundation. It is not judicially approved guidance.