

A SINGLE CIVIL COURT?

Response on behalf of the United Kingdom Association of Women Judges to DCA CP 06/05

The United Kingdom Association of Women Judges was officially formed in 2004 with the aims, among others, (1) of contributing to the understanding and resolution of legal issues affecting women and of the broad range of factors which influence women affected by the court system; and (2) increasing understanding about women judges and the barriers which may interfere with their selection, with a view to achieving a judiciary which more accurately reflects the population it serves. Most of the questions raised in the Consultation Paper, although important, are not directly relevant to those aims. But we comment on those which are most relevant.

Question 1

From our point of view, the case for a unified family court is the same as that for a unified civil court.

Question 2

While we appreciate that jurisdiction and judicial appointments are two separate issues, the unification and simplification of the jurisdictions could eventually contribute to the unification and simplification of the judiciary in ways which we believe would enhance the opportunities for women and other diverse candidates. As was made clear in our response to the Consultation Paper on Diversity in the Judiciary, we favour a single point of entry for part time, fee paid judicial appointments, with appropriate deployment thereafter; successful performance in such appointments should be a necessary qualification for a permanent salaried appointment at any level; and there should be a recognised promotion ladder available within the permanent judiciary, although appointments direct to the higher levels should remain possible.

Questions 6 and 7

We are very concerned that the civil and family courts should remain easily accessible to the weak and disadvantaged, especially those who need speedy remedies, such as the victims of domestic violence; those who have responsibility for the care of young children or elderly or disabled relatives, who cannot be spared for long periods away from home; and those whose homes are at risk in the litigation. These will often be women. Any relaxation of geographical jurisdictional limits should nevertheless enable allocation both for trial and for case management to maintain this vital accessibility.

Question 17

The present rights of audience should certainly be retained and ideally we would like to see both rights of audience and eligibility for judicial appointment opened up to all

members of the legal profession of a sufficient number of years' standing in keeping with the Lord Chancellor's declared policy that advocacy is not an essential qualification for appointment at any level.

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About me

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Please acknowledge

Group: This is a response by the officers on behalf of the United Kingdom Association of Women Judges, the relevant objects of which are explained in the introduction.