

OPENING FOR JUDGES CONDUCTING

SETTLEMENT CONFERENCES

1. Thank you for coming to see me today on the Settlement Conference.
2. Before we begin, can I confirm that you have all agreed to taking part in a Settlement Conference and that we can now proceed.
3. I am an experienced Family Judge and the idea behind the Settlement Conference is to see what are the issues in this case and whether or not some of those issues can be resolved (agreed) or if not agreed whether they can be narrowed in any way.
4. Sometimes in a Settlement Conference we discuss the issues so that parties can understand what the other side is saying about those issues and it helps to promote understanding and sometimes it resolves the differences between you.
5. There is no pressure at all to agree anything. You must only do what you want to do and there is no pressure to do anything else.
6. Please remember that if you cannot agree the issues, there is a hearing date set for this matter and that is on the day of [x].
7. As to the procedure, that largely depends upon you and how you wish to proceed. However, anything which I say to you or you say to me or you say to each other is confidential to this process. Nothing which is said during this process should be relayed to the trial Judge. That is because the trial Judge (if such a final hearing is needed) will be deciding the case on the evidence before him/her and not on the basis of what you or I have said today.
8. There is only one exception to that rule and that is if something is said today which reflects upon the welfare of the child which the trial Judge needs to know, that is something which will be disclosed to the trial Judge (which will not be me).
9. As I have said, the procedure is flexible, and sometimes I may come off the bench to speak to you. In exceptional cases and with the consent of all the parties, I can speak to one of those parties with their legal representative in the presence of all or some of the other parties. That depends upon how you want to proceed.
10. If that is clear, let us now begin and I would first like to ask each of the parties in turn what they consider to be the issues in the case.

HER HONOUR JUDGE MARGARET DE HAAS Q.C.

DESIGNATED FAMILY JUDGE FOR CHESHIRE & MERSEYSIDE