



Disclosure Team  
Ministry of Justice  
102 Petty France  
London  
SW1H 9AJ

**Gwynne Davies**

By email only to  
request-667041-9f97897a@whatdotheyknow.com

data.access@justice.gov.uk

22 June 2020

Dear Ms Davies

### **Freedom of Information Act (FOIA) Request – 200524002**

Thank you for your request received on 24 May 2020 in which you asked for the following information from the Ministry of Justice (MoJ):

**Please provide guidance and/or policy and/or information on the current training of the judiciary in relation to; 1. barring of father's rights groups and barring of any legal advisers or mckenzie friends associated with such groups. 2. barring any other legal advisers when not from a fathers rights group. 2. tyraining [sic] on gender diversity and equality of representation in court proceedings for fathers and others.**

Your request has been handled under the FOIA.

I can confirm that the MoJ holds the information that you have requested. However, the information is exempt from disclosure under section 21 of the FOIA because it is reasonably accessible to you. The information can be accessed via the following link:

<https://www.judiciary.uk/publications/new-edition-of-the-equal-treatment-bench-book-launched/>

However, outside of the scope of the FOIA and on a discretionary basis please see the information below for contextual understanding of the information requested.

Gender equality and diversity are themes that run through judicial training. Further, the Equal Treatment Bench Book (ETBB) is a judge-written and judge-owned document which provides information and guidance to help ensure that all those in and using a court, leave it conscious of having appeared before a fair-minded tribunal; and it is being progressively embedded in jurisdictional training. A version of the latest (February 2018, amended in March 2020) iteration of the ETBB is available to members of the public at the link provided above.

A judge-led review group is currently working on a comprehensive update of the ETBB with a new iteration expected in 2021.

Statutory responsibility for the provision and content of training for the judiciary rests with the Lord Chief Justice as Head of the Judiciary in England and Wales, and the Senior President of Tribunals, in line with the Constitutional Reform Act 2005, and is delivered through the Judicial College.

Family Judges receive training which covers the provisions of the Legal Services Act 2007 and The Courts and Legal Services Act 1990. The courses include specific reference to the Practice Guidance: Mc Kenzie Friends (Civil and Family Courts), July 2010, issued by the then President of the Family Division and the then Master of the Rolls. The principles contained in those materials are the ones applied by the Judiciary when taking decisions about representation, including gender diversity and equality of representation. The training provided in relation to “barring” legal advisers is that contained in the above-mentioned legislation, with reference also to practice direction and the Equal Treatment Bench Book (more on that below).

A person does not have a right of audience before the Family Court unless they are professionally qualified. The Practice Guidance provides for the exception to that on a case by case basis. There is no policy concerning the barring from proceedings of fathers’ rights groups or any other group. The principles of allowing reasonable assistance to parties appearing in the Family Court are contained in the Practice Note which guides Judges, being a balance between the right to reasonable assistance and the power to refuse to permit such assistance. This element is included in both Private and Public Law training given to Judges who sit in the Family Court.

Training for judges on handling Litigants in Person and McKenzie Friends is provided in all jurisdictions (Criminal, Civil and Family), and in cross-jurisdictional training, including the Faculty Induction Seminar that new judges are expected to attend within their first year of office. Sometimes the training is delivered in stand-alone modules, at other times it is introduced as a pervasive theme in more than one training scenario. There are also online e-learning modules available to judges at any time in the College’s digital Learning Management System. It is also in writing in bench books and the Equal Treatment Bench Book.

## **Appeal Rights**

If you are not satisfied with this response you have the right to request an internal review by responding in writing to one of the addresses below within two months of the date of this response.

[data.access@justice.gov.uk](mailto:data.access@justice.gov.uk)

Disclosure Team, Ministry of Justice

You do have the right to ask the Information Commissioner’s Office (ICO) to investigate any aspect of your complaint. However, please note that the ICO is likely to expect internal complaints procedures to have been exhausted before beginning their investigation.

Yours sincerely

David Hall  
[Judicial College](#)