

# Appendix 5

## Practice Direction (family proceedings: citation of authorities) [2000] 4 All ER 288

### Human Rights Act 1998

1. It is directed that the following practice shall apply as from the 2 October 2000 in all family proceedings:

#### Citation of authorities

2. When an authority referred to in section 2 of the Human Rights Act 1998 ('the Act') is to be cited at a hearing:
  - a) the authority to be cited shall be an authoritative and complete report;
  - b) the court must be provided with a list of authorities it is intended to cite and copies of the reports:
    - i) in cases to which the President's Direction (Court Bundles) dated 10 March 2000 applies, as part of the bundle;
    - ii) otherwise, not less than two clear days before the hearing, and
  - c) copies of the original texts issued by the European Court and Commission, either paper based or from the Court's judgment database (HUDOC) which is available on the internet, may be used.

#### Allocation of Judges

- 3(1) The hearing and determination of the following will be confined to a High Court Judge:
  - a) a claim for a declaration of incompatibility under section 4 of the Act; or
  - b) an issue which may lead to the court considering making such a declaration.
- (2) The hearing and determination of a claim made under the Act in respect of a judicial act shall be confined in the High Court Judge and in county courts a circuit judge.