



In the High Court of Justice
Family Division
Sitting at Royal Courts of Justice

Case no: ZC17P00039

**IN THE MATTER OF THE CHILDREN ACT 1989
AND IN THE MATTER OF CHARLIE DANGER ALCOTT (BORN 10-10-13)(MINOR)
AND IN THE MATTER OF AN APPLICATION FOR LEAVE TO INTERVENE**

B E T W E E N:-

BEN JONAS ALCOTT	<u>Applicant</u>
AND	
KATY ELIZABETH ASHWORTH	<u>1st Respondent</u>
AND	
CHARLIE DANGER ALCOTT	<u>2nd Respondent</u>
[Through his Guardian Eileen Carr]	
AND	
MATTHEW O'CONNOR	<u>1st Proposed Intervenor</u>
AND	
NADINE TAYLOR	<u>2nd Proposed Intervenor</u>
AND	
FATHERS FOR JUSTICE LTD	<u>3rd Proposed Intervenor</u>
[Co.Regn 05954235]	

ORDER

**BEFORE THE HONOURABLE MRS JUSTICE ARBUTHNOT SITTING IN CHAMBERS
AT THE ROYAL COURTS OF JUSTICE, STRAND, LONDON WC2A 2LL ON THE 20TH
& 21ST FEBRUARY 2023**

The names of the child, parties, proposed intervenors and advocates of the parties and proposed intervenors named in this Order are not to be disclosed in public without the permission of the Court

UPON APPLICATIONS by the Proposed Intervenor ["the Intervenor"] dated 18 November 2022 for Leave to Intervene and to Apply for certain Relief & Remedies, and 20 January 2023 for Adjournment of the Hearing listed for 20 February 2023

AND UPON HEARING Dr Michael J.Pelling (by Leave of the Court under the *Legal Services Act 2007*) for the applicant Intervenor, the Applicant Father in person, Mr Christopher Hames KC & Ms Jane Campbell of counsel for the 1st Respondent Mother, and Ms Fiona Holloran & Ms Anna White of counsel for the 2nd Respondent child by his Guardian

Please address all communications for the Court to The Family Division of the High Court, 1st Mezzanine, Queen's Building, Royal Courts of Justice, Strand, London WC2A 2LL quoting the case number in the top right hand corner of this form. The Court Office is open between 10.00 a.m. and 4.30 p.m. on Mondays to Fridays.

IT IS ORDERED THAT:

1. **(By Consent)** Pursuant to provisions of the *Legal Services Act 2007* Dr Michael J. Pelling be granted a Right of Audience on behalf of the Intervenors.
2. The Intervenors' application for their application that the Proceedings on their substantive Applications be heard in Open Court be itself heard in Open Court, is refused.
3. The Intervenors' application for the Proceedings on their substantive Applications to be heard in Open Court, is refused.
4. The Intervenors' main Application in Form C2 dated 18 November 2022 for Leave to Intervene, is refused (and consequentially no Relief or Remedies as sought therein is granted).
5. The Intervenors' Application in Form C2 dated 20 January 2023 for Adjournment is hereby formally dismissed (as in the event the individual Intervenors were able to attend Court in person on 20 February 2023).
6. The Intervenors' application in the course of the Hearing on 20 February 2023 for provision to them of the full unredacted Transcripts of the Hearings held in Case ZC17P00039 on 27 June 2022 and 8 February 2023 (the latter being a Pre-Trial Review which the Proposed Intervenors were invited to attend), and adjournment of the part-heard main Application dated 18 November 2022 of the Intervenors pending provision of those Transcripts, is refused.
7. The Intervenors' application in the course of the Hearing on 20 February 2023 for leave to make an immediate application for recusal of Mrs Justice Arbuthnot as regards the intervenor proceedings, is refused.
8. The Intervenors' application to be provided with a copy of Ms Janet Broadley's Response to the Complaints by Ms Nadine Taylor, 2nd Intervenor, dated 30 August 2022 and 21 October 2022 about alleged professional misconduct of the 1st Respondent's Solicitor Ms Janet Broadley in the context of Case ZC17P00039, is refused.
9. The Intervenors' and their advocate's (in his personal capacity as also affected) application that the standard order preamble rubric forbidding disclosure in public of the names of the child, parties and advocates named in the order without leave of the court be not included (save in regard to the name of the child) on the instant Order, is refused.
10. The Intervenors' and their advocate's (in his personal capacity) application that they do have Leave (insofar as such Leave be required) to publicly report forthwith on the whole of the instant Intervenor Proceedings on 20 & 21 February 2023 including submissions and Judgment with no anonymisation save that of the name of the 2nd Respondent child, is refused.
11. The Intervenors' application for Leave to obtain a Transcript of the whole of these intervenor Proceedings for the first day of hearing on 20 February 2023, is refused.
12. The original requests by Form EX107 by the Intervenors for 5 Transcripts of hearings respectively on 17/2/2022, 27/6/2022, 7/9/2022, 13/9/2022, & 22/11/2022 which were effectively renewed by a Submission to the Court dated 17 February 2023 (and which need leave of the Court to proceed to the Transcribers as the Intervenors were not and are not Parties in Case ZC17P00039), are refused.
13. **STAY OF EXECUTION** There be forthwith a Stay of Execution on any publication Order made on the 1st Respondent's application or pending application so far as such Order would

permit publication of any material in Case ZC17P00039 such as evidence, reports, submissions, judgments, findings of fact, & orders, which refer to or relate to or involve, directly or indirectly, Matthew O'Connor, Nadine Taylor, or Fathers for Justice Ltd, pending an Application to be made to the Court of Appeal by the Intervenors for Leave to Appeal and to hold until determination of that Application and of their Appeal if Leave to Appeal be granted by the Court of Appeal (in whole or in part) or until further order in respect of this Stay by the Court of Appeal. If the intended Application of the Intervenors to the Court of Appeal is not filed within 16 days from the date of this Order, that is by 4 PM on Thursday 9 March 2023, then this Stay order shall expire and be of no further effect as from 4 PM on 9 March 2023.

14. LEAVE TO APPEAL Leave to Appeal to the Intervenors in respect of all Clauses in the above Order (but excluding Clauses **1, 5, & 13** where Leave to Appeal is not sought) is hereby refused.

15. No Order for Costs in regard to these Intervenor Proceedings.

Dated 21 February 2023

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