

# HUMAN RIGHTS ACT 1998

## Human Rights Act 1998

- 1.1** It is directed that the following practice shall apply as from 2 October 2000 in all family proceedings:

### Citation of authorities

- 2.1** When an authority referred to in s 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 *Practice Direction (Family Proceedings: Court Bundles)* (10 March 2000) [2000] 1 FLR 536 applies, as part of the bundle;
    - (ii) otherwise, not less than 2 clear days before the hearing; an
  - (c) copies of the complete 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 to 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 s 4 of the Act; or
  - (b) an issue which may lead to the court considering making such a declaration.
- 3.2** The hearing and determination of a claim made under the Act in respect of a judicial act shall be confined in the High Court to a High Court judge and in county courts to a circuit judge.

