

## *Draft Answers to Questionnaire*

- A1** Yes: Thorpe LJ for England and Wales
- A2** N/A
- B1(a)** President's nomination
- B1(b)** (i) To receive and channel all international judicial incoming communications and to initiate or facilitate such outgoing judicial communications  
(ii) To represent the jurisdiction at international family law conferences  
(iii) To promote international family law collaboration generally
- B1(c)** In England and Wales the judiciary have always received the fullest support and assistance from the central authority
- B1(d)** No: but none yet encountered
- B1(e)** Yes
- B1(f)** Yes, informally
- B2** N/A
- B3** N/A
- C1** Such communications have been commonplace and long precede the 1998 de Ruwenberg proposals: for specific recent examples see the next edition of the Permanent Bureau judicial newsletter
- C2** Yes: for example see *Re M and J (Abduction: International Judicial Collaboration)* [2000] 1 FLR 803 and in *Re HB (Abduction: Children's Objections)* [1998] 1 FLR 422 at 428
- C3** We support the safeguards agreed at the Fourth Special Commission. However these should not be interpreted as absolute or prescriptive. Circumstances may render strict observance of safeguards impossible. A measure of discretion must be afforded, provided that rules of natural justice are always regarded as paramount.
- D1** It has an important contribution to make to child protection and welfare by the curtailment of adversariality and unnecessarily elaborate judicial process. By disseminating knowledge of and information concerning the law and practice of other states, judicial confidence in ordering returns to requesting states is thereby encouraged.
- D2** Yes
- D3** Yes: this must be regarded as a crucial evolving practice, the continuation of which should not be in question.
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