



# Martin Dancey

**Solicitor:** 1981

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## Overview

His Honour Martin Dancey was admitted as a solicitor in 1981, becoming a partner with law firm Ellis Jones in Bournemouth in 1985 and their managing partner in 1993. He specialised in financial and children work (private and public) and was a member of the Law Society's Children Panel.

An associate member of chambers, Martin returned to private practice with 3PB in Bournemouth in January 2023 and now undertakes private financial dispute resolution appointments as well as early neutral evaluation and problem solving in private children cases.

Martin was appointed a deputy district judge in 1993 and as a district judge in 1999. He was a regional costs judge between 2005 and 2015 when he was appointed a circuit judge. He was Designated Family Judge for Dorset from 2018 until his retirement in 2022. He continues to sit regularly in retirement in family work including in the financial remedies court at first instance and hearing appeals. Martin drafted the current standard children orders at the invitation of Munby P.

Martin has lectured frequently locally and nationally to judges and other professionals.

### Published articles:

- *Contact Activities: Parenting Programmes [2010] Fam Law 1101*
- *Judicial Conciliation in Private Law Cases [2013] Fam Law 472*
- *Family Justice: the Human Condition [2022] Fam Law 436*

Away from the law, Martin enjoys music and sailing and spending time with his family.

## Academic qualifications

LLB Hons, Brunel University

## Professional bodies

- Chair, Dorset Family Mediation
- Judicial training co-ordinator, Western Circuit

- Western Circuit district judge representative, Cafcass/Judicial Liaison
- Tutor Judge, Judicial College Family Team
- Course Director, Judicial College Family Team
- Family Bar Association, vulnerable witness training contributor
- Private Law Working Group, closely involved in formulation of the Pathfinder Private Law Pilot
- Member, Family Solutions Group

# Expertise

## FDR Hearing Service

HHJ Dancey, recently retired as the Designated Family Judge for Dorset after 23 years on the Bench, now accepts appointments as a Private FDR Judge. Martin is also offering a Children Conciliation Service as well as Early Neutral Evaluation (ENE) in disputes over children.

Before becoming a judge, Martin was a family lawyer with the South Coast law firm Ellis Jones from his admission as a solicitor in 1981, until his appointment as a District Judge in 1999. He was appointed a Circuit Judge in 2015, happily (for him at least) continued to sit in Bournemouth hearing family and civil cases.

Martin was a member of the Private Law Working Group and Family Solutions Group, established to work with separated parents and their children outside of the court, and has been closely involved in developing the private law reforms pilot that has recently launched in the family courts in Dorset and North Wales. This focuses on restoring the child to the centre in systems that currently operate largely for parents.

Appointed as a tutor judge with the Judicial College Family Team in 2009, Martin was a Course Director between 2013 and 2017, spending much of his time planning family courses, writing materials and delivering talks to fellow judges. This included drafting guidance for the conduct of financial dispute resolution appointments for a pilot ancillary relief course.

### Published judgments

*E (A Child) (Step-parent adoption) [2022] EWFC B3*

*A Child (Application of PD12J) (No 2 – Findings of Fact) [2022] EWFC B5*

*A Child (Application of PD12J) [2021] EWFC B58*

*Dorset Council v M & Ors (Removal – Balance of Harm) [2021] EWFC B43*

*BCP Council v A & Ors [2021] EWFC B17*

*Dorset Council v E (Unregulated placement: Lack of secure placements) [2020] EWFC 1098*

*BCP Council v KC & Ors (Care proceedings: Return to Poland: Child Arrangements Order) [2020] EWFC 20*

*JD & Anor v VB and Ors [2020] EWFC 16*

*BCP Council v A & Ors (Inflicted injuries: failure to protect) [2020] EWFC B4*

*Dorset Council v M (Failure to prove non-accidental injury) [2019] EWFC B63*

*Dorset Council v A (Residential Placement: Lack of Resources) [2019] EWFC 62*

*Dorset Council v E (Article 15 B11R) [2019] EWFC 35*

*A Mother v Dorset County Council (Older Children – Long-term fostering or Adoption) [2019] EWFC B3*

*A Local Authority v B, H and I (Sibling as carer or adoption) [2019] EWFC B1*

*A Local Authority v G (Parent with Learning Disability) [2017] EWFC B94*

## Family Law Arbitration

### Conciliation and early neutral evaluation in private law cases – finding solutions

All professionals agree that, whenever it is safe to do so, child arrangements are better dealt with by families outside the court arena. Ongoing parental conflict is highly damaging for children and the adversarial nature of court proceedings tends to promote rather than alleviate conflict, however hard the courts strive to adopt a problem-solving approach.

Martin Dancey was influential in the development and launch in February 2022 of the Pathfinder Pilot in Dorset, a new solution finding approach in private law cases. Part of the ethos of the Pilot is to encourage parents to resolve issues about arrangements for their children outside the court process.

Martin has spent over 40 years working in children cases, the last 23 years of them as a family judge. Conscious that court orders often offer little more than a sticking plaster to more deep-seated problems, Martin initiated judicial conciliation in private law cases, giving parents (and other family members) a more informal environment, within the court process, to discuss worries and find solutions, including improving communication.

Over the course of 5 years, Martin dealt with some 150 cases with a high rate of successful resolution.

Conciliation/early neutral evaluation offers an opportunity for parents and other family members:

- to discuss their worries
- to listen to others' worries
- in an informal, less stressed environment
- to explore and improve communication and relationship issues
- to seek their own solutions to issues between them
- assisted where needed with neutral evaluation of likely outcome in the event of court proceedings
- avoiding the need for costly and stressful court proceedings
- achieving more sustainable child-focussed agreements

## Children

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Over the course of 5 years Martin dealt with some 150 cases with a high rate of successful resolution.

He now offers a conciliation and early neutral evaluation service in private law cases, helping families find solutions.