

Charles Hale KC Represented Successful Respondent in an Important Costs Decision Following a Stay Proceedings in Monaco

19th February 2024

Charles Hale KC acted for the successful husband in this important costs decision following successful stay proceedings in favour of Monaco.

Arbuthnot J, referring to the recent decision on *H v GH* [2023] EWFC 235 where Mr Colton KC, sitting as a DHCJ, raised the question of the relevance of the guideline hourly rates published as an appendix to Sir Geoffrey Vos, Master of the Rolls' 'Guide to the Summary Assessment of Costs' in civil cases. Whilst making it clear she was giving no formal guidance, Arbuthnot J said,

'In my judgment, each part of the justice system should have a costs framework which is consistent, proportionate and predictable. This will be of great assistance to parties as they enter the system. If costs are treated in that way and parties become aware that they may not be able to recover every penny they have spent, that might have the effect of first encouraging parties not to change representatives frequently and second, in parties looking for solicitors who charge less for similar work'.

A decision that will cause much debate amongst family lawyer, where the costs regime of course prohibits, success fees, uplifts and the like, available in some civil cases.

To read the full judgment, [click here](#).