

any trading activity (in particular in relation to all dealings with his UK-based trading platform [name omitted], reference to [his home address], STE Capital Corporation SA and shall further expressly include documents 1-10 as served by the Tenth Respondent in the Schedule headed "Initial Disclosure" dated 21 February 2020."

80. Mr Howard QC on behalf of Temur made it plain that he was not seeking to have the proceedings heard in private or for representatives of the media to be excluded from hearings or that the proceedings should be in any way anonymised. He accepted that the press could report Temur's name, the allegations against him, and his defence but wished to prevent details of his personal finances being made public or the media having access to written material which might disclose details of his client's finances.
81. In connection with this application, I received a letter dated 3 April 2020 from The Guardian newspaper setting out its objections to the order sought. The letter made plain that the concerns raised by The Guardian were shared by the BBC, the Financial Times, and the Press Association. On 6 April 2020 I received a supplemental email from The Guardian in response to revisions made to the draft order sought by Temur. Both communications were forwarded by my clerk to the parties. Representatives of the media were present during the hearing, but none appeared via counsel to make any submissions additional to those made in written form by The Guardian.
82. This is a case which has generated considerable media interest for reasons I summarise as follows:
- a) these are matrimonial proceedings which concern the largest award for ancillary relief apparently ever made in this jurisdiction;
 - b) the Husband has not voluntarily paid a penny of that award and the Wife seeks enforcement against him;
 - c) and the Wife now claims her son. Temur, has assisted the Husband to evade payment of the award and seeks to enforce settlement via an examination of Temur's financial affairs with a view to recovering from him monies gifted to him by the Husband with the intention of putting those assets out of her reach.
83. In this case, none of the statutory prohibitions on publication (for example, in relation to children) apply. Nevertheless, the court has an inherent jurisdiction based on the Human Rights Act 1998 to restrict the reporting of private matters. In the present case, Articles 6, 8 and 10 are engaged and, where Article 10 is engaged, Article 12(4) requires the court to have particular regard to the importance of the right to freedom of expression as well as the principle of open justice. In so doing, the court must specifically consider the extent to which the information has already (or is about to become) available to the public and the extent to which it would be in the public interest for it to be published.
84. These proceedings are being heard in public and thus the presumption of open justice applies with full force. In *H v News Group Newspapers Ltd (Practice Note)* [\[2011\] 1 WLR 1645](#), Lord Neuberger MR (as he then was) gave helpful guidance on the principles to be applied as regards open justice:

[9] Open justice is a fundamental principle. The general rule is that hearings are carried out in, and judgments and orders are public: see Article 6(1) of the Convention, CPR 39.2 and Scott v Scott [\[1913\] AC 417](#) ...

[10] Derogations from the general principle can only be justified in exceptional