



**Courts and
Tribunals Judiciary**

Family Court Annual Report

October 2023 to September 2024

December 2024



Independence, impartiality, integrity

Contents

Foreword	3
The Family Court	4
Children: Public law	5
Children: Private law	14
International child abduction	21
Divorce and dissolution of civil partnerships	22
Financial Remedies Court	24
Transparency	25
Family Justice Council	29
Family Procedure Rule Committee	31

Foreword

I am delighted to introduce this the Family Court’s first annual report, recording activity and developments from 2023 to 2024. Publication of an annual report is a key step in the general move of the Family Court towards greater transparency. In the past year, the Family Court, which carries a substantial backlog of cases, has faced another busy and challenging period. Digital systems started to bed down, with judiciary and practitioners continuing to adapt to the new ways of working. In particular, the relaunch of the Public Law Outline case management template in child protection cases, and the successful piloting of a new approach to private law cases (‘Pathfinder’) are seen as engines for positive improvement in the court’s approach to these two very busy areas.



Judges and magistrates sitting on family cases have undergone targeted training on domestic abuse. The default position is that Independent Domestic Violence Advisers are now permitted to attend court hearings. As President, I have continued to welcome and to support the work of the national Domestic Abuse Commissioner and her office.

Publication by the Ministry of Justice, under the previous government of policy for early intervention to support separating parents in resolving disagreements without resort to court should be seen as a major step forward and which should have a substantial beneficial impact.

Work to implement the Transparency Review recommendations has continued. The Reporting Pilot is now in operation in approximately half of all Family Court areas. The intention is for it to be introduced in all remaining courts in early 2025.

Beneath these headlines, the real work of the court continues, day-in day-out, throughout England and Wales, with dedicated judges, magistrates, court staff, social workers, children’s guardians and practitioners applying themselves, case by case, to the resolution of family discord and the protection of the vulnerable. The practice of Family Law is something of a vocation and I never cease to be grateful for the unrelenting commitment of each and every person who supports the work of the Family Court.

**Sir Andrew McFarlane,
President of the Family Division**

The Family Court

The Family Court was created ten years' ago by amendments made to the Matrimonial and Family Proceedings Act 1984 (by Part 2 of the Crime and Courts Act 2013), which created the Family Court and gave it jurisdiction to hear family proceedings which previously were heard in the County Court or the Magistrates' Courts. This followed the Family Justice Review, published in November 2011, which as part of its proposals for transforming the family justice system, recommended that a single Family Court should be established.

The creation of a single Family Court was designed to increase efficiency and reduce the confusion experienced by court users who were previously confronted with various tiers of court. It also enabled cases to be allocated to the appropriate level of the judiciary without the need to transfer proceedings to a different level of court, thereby reducing cost and delay.

In England and Wales, family cases are heard in the Family Court and the Family Division of the High Court. The Family Court decides matters relating to marriage, divorce and financial remedies, protection from domestic abuse, child arrangements, child protection, adoption, child abduction, surrogacy, forced marriage and female genital mutilation. It exists to help families resolve disputes arising in respect of family matters quickly and with a minimum of disruption to those involved.

The Family Court and Family Division of the High Court are headed by the President of the Family Division (PFD), who is also the Head of Family Justice. There are 42 local Family Court areas throughout England and Wales, each with a Designated Family Judge. Each area sits within one of seven circuits (or regions) and there are nine Family Presiding Judges.

Children: Public law

Children public law involves cases brought by local authorities or by an authorised person to protect a child from significant harm and ensure they get the care they need.

Children public law cases are those in which the state, through a local authority, seeks to protect children from significant harm by applying to the court for a Care order or a Supervision order. Such cases are of a high order of importance for the children, for the family and for society, with the potential for a child to be placed for adoption where there is no safe placement available with their parents or wider family. As a result of an increase in the volume of applications in public law cases from 2017 onwards, compounded with delays during the Covid-19 pandemic, the Family Court has not been able to meet the statutory requirement to complete these cases within 26 weeks. As this report describes, a system-wide set of interventions are being implemented to turn this situation around.

Performance data¹

Public law cases

	2018	2019	2020	2021	2022	2023
Receipts	19,306	18,633	18,261	16,677	16,543	15,552
Determinations	15,861	15,283	13,862	14,980	15,307	16,871

Public law individual children²

	2018	2019	2020	2021	2022	2023
Receipts	31,992	30,462	29,785	27,496	28,021	26,349
Determinations	29,375	28,087	24,413	25,637	*	*

1 'Receipts' are applications received by the court and 'determinations' are applications disposed of (or dealt with).

2 A new data management system, Core Case Data, is being rolled out in the family courts. Asterisks indicate where the published data series for children public law are not currently available. Data will be reinstated in due course.

Public law care proceedings average case duration

	Mean duration (weeks)	Median duration (weeks)	% within 26 weeks
2018	29.6	25.9	52%
2019	32.4	28.1	45%
2020	37.2	32.9	34%
2021	42.8	38.0	25%
2022	43.9	38.7	26%
2023	43.5	36.6	29%

Outstanding children public law cases

July 2023	12,955
July 2024	10,708

From 2023 to 2024 outstanding public law cases have reduced by 2,247.

Initiatives to address delay and backlogs in children public law cases

Over the past five years a number of initiatives have been taken forward to address delay and to reduce the backlog of cases. As this is the first annual report of the Family Court, a short account of these initiatives is set out below. They are:

- PFD’s Public Law Working Group’s reports on:
 - care proceedings
 - supervision orders
 - adoption
- ‘Make Every Hearing Count’
- Relaunch of the Public Law Outline

PFD’s Public Law Working Group

Care proceedings

In order to address issues of delay and efficiency, the PFD established a multi-disciplinary Public Law Working Group (PubLWG) in 2018 with Mr Justice Michael Keehan as its chair. The group and its various sub-groups included around 60 members drawn from a wide range of professionals involved in public law children cases. The PubLWG published a report on best practice in the child protection and family justice systems.³

The central recommendation of the group was for all potential public law cases, save for a case of true emergency, to be subject to a period of intense assessment by the local authority before deciding whether or not to issue court proceedings. On 1 March 2021, the PFD formally adopted the recommendations and stated that in accordance with those recommendations, the Family Court would require all local authorities in England and Wales to undertake pre-application work, with the expectation that a proportion of cases would not require court proceedings. However, those cases that did need to come to court could proceed more swiftly on the basis that many or all necessary assessments had already been undertaken.

It is believed that the improvement in pre-court practice that followed adoption of the PubLWG recommendations contributed to a 13% reduction in public law receipts when compared to 2019 levels.

Subsequently the PubLWG has undertaken further work on supervision orders, adoption and case management. After five most valuable years as chair of the PubLWG, Mr Justice Keehan has been succeeded by Mrs Justice Frances Judd.

Supervision orders

The PubLWG’s Supervision Order sub-group was established to consider whether supervision orders could be made more robust and effective, and if so how. In November 2022 the sub-group consulted on proposals for changes to law, policy and practice in relation to supervision orders made at the conclusion of care proceedings to support a child to live with their parent(s).

On 24 April 2023, the PFD and Mr Justice Keehan hosted a webinar to launch the final [Supervision Order Report and the resulting best practice guidance](#).⁴ The report made recommendations that aimed to ensure that supervision orders

3 Public law working group, ‘Recommendations to achieve best practice in the child protection and family justice systems’ (March 2021). Available at: www.judiciary.uk/wp-content/uploads/2021/03/March-2021-report-final_clickable.pdf

4 Public law working group, ‘Recommendations to achieve best practice in the child protection and family justice systems: Supervision orders’, (April 2023). Available at: www.judiciary.uk/wp-content/uploads/2023/04/April-2023-Report-Supervision-Orders-Final.pdf

are robust and effective public law orders which secure and promote the welfare of children in the care of their parent(s) or wider family. The best practice guidance set out six core principles which underpin the making and operation of supervision orders. These are:

1. partnership and co-production with children and families
2. multi-agency, multi-disciplinary working
3. clear, tailored plans including steps to address ongoing risks, and the findings and conclusions of the court in care proceedings
4. resource clarity
5. formal, robust review
6. accountability

Adoption

In September 2023, the PubLWG's adoption sub-group chaired by Mrs Justice Judd published its interim report 'Recommendations for best practice in respect of adoption'. The interim report considered the wide variety of circumstances in which adoption orders are made and offered recommendations on a range of matters such as openness within adoption. It also addressed more detailed issues of procedure for both domestic and international adoption. The recommendations were published for consultation. A number of responses were received which were carefully considered by the sub-group. The final report follows four years of research and consultation across the fields of child protection, adoption and family justice, and focuses on five areas: international adoption; consensual adoption; access to adoption records; processes and procedures in court and contact. The report noted that the model of adoption has adapted and changed over the years, but more needs to be done to make it effective now, including making use of digital tools for both training, information and contact.⁵

5 Public law working group: adoption sub-ground, 'Recommendations for best practice in respect of adoption: interim report', (September 2023). Available at: www.judiciary.uk/wp-content/uploads/2023/09/11-Sep-23-Report-v3.pdf

Make Every Hearing Count

In March 2022, the PFD issued guidance ‘Make Every Hearing Count: Case Management Guidance in Public Law Children Cases’.⁶ The guidance was based on the recommendations of the PubLWC, with the aim of promoting good practice and ensuring local authorities and court centres adopt an interventional approach focused on two goals: reducing the volume of applications by ensuring that care applications are made after a thorough assessment process and secondly, allowing the court to engage immediately, and efficiently, with the determination of an application that has been made because of the soundness of the pre-proceedings assessment and process.

Relaunch of the Public Law Outline

In November 2022, the autumn edition of ‘A View from The President’s Chambers’ announced the PFD’s intention to push for all involved in care cases to reconnect with the core principles of the Public Law Outline (PLO).⁷

The PLO is a protocol for the case management of care proceedings. It was first introduced in 2014 with the aim of reducing the average length of cases from around 62 weeks (as it then was) to the new statutory limit of 26 weeks. The Family Procedure Rules 2010 require adherence to the PLO which is set out at Practice Direction 12A. Through huge efforts by all involved, this ambitious target was successfully achieved. By 2016, the national average duration for care cases had gone down to 27 weeks, with 62% of the 24,150 concluded cases finishing within 26 weeks. However, due to a subsequent increase of around 25% in the volume of cases and the impact of the pandemic, the length of cases increased.

In order to reset the 26-week expectation and to combat the normalisation of a culture of delay, the PFD relaunched the PLO on 16 January 2023.⁸ The PFD, along with Mr Justice Keehan, hosted two live webinars with around 1,300 attendees and presentations from key stakeholders. The webinars emphasised the PLO’s key messages: to make every hearing count, adhere to timelines, avoid short notice hearings (which are often adjourned thereby requiring more hearings) and bearing down on non-compliance with court directions.

6 President of the Family Division, ‘Make Every Hearing Count: Case Management Guidance in Public Law Children Cases’, (March 2022). Available at: www.judiciary.uk/wp-content/uploads/2022/03/Case-management-guidance-March-22.pdf

7 Courts and Tribunals Judiciary, ‘A View from The President’s Chambers’, (November 2022). Available at: www.judiciary.uk/guidance-and-resources/a-view-from-the-presidents-chambers-november-2022/

8 Courts and Tribunals Judiciary, ‘Re-Launch of the Public Law Outline (PLO)’, (January 2023). Available at: www.judiciary.uk/courts-and-tribunals/family-law-courts/re-launch-of-the-public-law-outline-plo/

The PFD established a PLO Monitoring and Support Group with membership drawn from the judiciary and key family justice partners including the Children and Family Court Advisory and Support Service (Cafcass), Cafcass Cymru, local authorities, the Association of Directors of Children’s Services, Department for Education (DfE), Ministry of Justice (MOJ) and His Majesty’s Courts and Tribunals Service (HMCTS). The group tracks progress and supports the courts in reinforcing the PLO. Data from quarter 1 of 2024 shows that care cases are currently being completed in 41.2 weeks. This is the lowest case duration since the last quarter of 2020.⁹

Experts

The Family Justice Council (FJC) Committee on Experts, chaired by Mr Justice David Williams, continued to implement the 22 recommendations made in the final report of the PFD’s Working Group on Medical Experts in the Family Court, which was published in November 2020. Significant achievements over the past year included the completion of a proposal put to the Department for Education, Department of Health and Social Care and NHS England to improve commissioning arrangements, which established the Suspected Inflicted Head Injury Service (SIHIS) Pilot led by the Department for Education. The aims of the Pilot include; improving the investigation and treatment of children, improving the quality of evidence emanating from clinicians, reducing delay in the Family Justice System and widening the pool of experts. The pilot will run until April 2025. Also, this year the committee has organised an experts symposium to provide training and a creative forum for generating ideas and sharing best practice, as well as the commencement of work on a comprehensive practical handbook for experts. The committee has also supported the PFD’s initiatives to ensure experts are only instructed or called when necessary.

Deprivation of liberty

Children who are at risk of causing serious harm to themselves or others may require placement within a regime that restricts their liberty and freedom of movement. There is a statutory scheme for such cases in which the Family Court has jurisdiction to make a ‘secure accommodation order’ under the Children Act 1989, section 25. Unfortunately, the number of secure placements within the statutory scheme is limited, and for some years the number of children needing a secure ‘bed’ is far greater than the number of those beds available. In such cases, where making a section 25 order will not achieve a safe placement for a child, or where the young person’s needs require a more bespoke arrangement, the High Court has been persuaded to use powers under its inherent jurisdiction to authorise

⁹ HM Courts and Tribunals Service, ‘HMCTS management information’, (2019). Available at: www.gov.uk/government/collections/hmcts-management-information

‘deprivation of liberty’.¹⁰ In contrast to deprivation of liberty orders made with respect to incapacitated adults under the Mental Capacity Act 2005, deprivation of liberty orders made with respect to children under the inherent jurisdiction are not covered by any statutory scheme. The exercise of this jurisdiction, which the judges have undertaken out of necessity and pending Parliament taking up the issue, has been a cause for significant judicial concern as evidenced in a number of published judgments.

In July 2022, the PFD decided that, due to their complexity and sensitivity, all new applications seeking authorisation to deprive children of their liberty under the inherent jurisdiction of the High Court should be first listed at the Royal Courts of Justice in London.¹¹ This model would last for a 12-month pilot phase.

The judiciary have seen a national increase in deprivation of liberty applications, but there had been no quantitative data on the number of applications prior to piloting this approach. The PFD is grateful to the Nuffield Family Justice Observatory (NFJO) for collecting and [publishing data on applications](#) to deprive children of their liberty which helped to enhance our understanding of the nature of this work.

In January 2023, the PFD handed down a judgment in the case of *Re X*, which highlighted the need for action in order to meet the need for more secure accommodation.¹²

The data collected by NFJO found that during the first 12 months of the National Deprivation of Liberty Court (July 2022 to June 2023) the court received a total of 1,389 applications seeking authorisation to deprive children of their liberty under the inherent jurisdiction. As there were some repeat applications, this means a total of 1,249 children were subject to deprivation of liberty applications in this period.¹³ Data collected from the National Deprivation of Liberty Court between July 2022 and the end of June 2023 suggests that the number of applications has more than

10 It is the duty of the court under its inherent jurisdiction to ensure that a child who is the subject of proceedings is protected and properly taken care of. The court may in exercising its inherent jurisdiction make any order or determine any issue in respect of a child unless limited by case law or statute. The High Court’s inherent jurisdiction in relation to children, including making a child a Ward of Court, is a power that the court has to protect children in areas where statutory remedies are inadequate.

11 Courts and Tribunals Judiciary, ‘Launch of National Deprivation of Liberty (DoLs) Court at the Royal Courts of Justice’, (July 2022). Available at: www.judiciary.uk/launch-of-national-deprivation-of-liberty-dols-court-at-the-royal-courts-of-justice-4-july-2022/

12 Judgment in the case of *Re X* (2023). Available at: www.judiciary.uk/wp-content/uploads/2023/01/DE22C00016-RE-X-Judgment-25-January-2022-Approved.pdf

13 This data is from the Nuffield Family Justice Observatory, rather than published MOJ statistics. MOJ family justice statistics cover DoL applications made under the Mental Capacity Act 2005 by the Court of Protection.

doubled since 2020 to 2021.¹⁴ Cafcass data shows that in 2017 to 2018 there were 102 applications and in 2018 to 2019 there were 211 applications.¹⁵

From October 2023, all initial applications for deprivation of liberty orders would be dealt with as part of the National Deprivation of Liberty List, which continues to be overseen as part of the work of the Family Division at the Royal Courts of Justice. Courts also ceased to monitor the regulation of unregistered placements for children deprived of their liberty because of the considerable burdens this placed on the justice system. HMCTS data shows that from July 2023 to June 2024, 1,240 applications for deprivation of liberty orders were received by the High Court.¹⁶

Family Drug and Alcohol Courts

Family Drug and Alcohol Courts (FDACs) offer an alternative to standard care proceedings involving parental drug or alcohol use, using a “problem-solving” approach to justice to support parents to turn their lives around and address the presenting issues, which often include poor mental health, domestic abuse and their reliance on abusive substances.

The first UK FDAC was set up in London in 2008 as a three-year pilot funded by central government. Since then, the model has grown and they are now in their sixteenth year of operation. At the time of publication, FDACs are located in 13 areas of the jurisdiction, working in 19 courts and serving families in 35 local authorities. Since FDAC was first piloted, the DfE has invested in increasing the number of FDACs across England and Wales. According to the Centre for Justice Innovation, 191 cases were completed in 2022/23 involving 230 parents and 376 children.

Foundations commissioned the National Centre for Social Research (NatCen) to assess and understand the impact of FDAC and to assess how FDAC has been implemented to date in England. Their report was published in August 2023.¹⁷ This evaluation added to the existing literature supporting the positive impact of FDACs on the intended outcomes. In particular, it found that:

- children with a primary carer in FDAC care proceedings were more likely to be reunified with their primary carer at the end of the care proceedings in comparison to children with a primary carer in non-FDAC care proceedings (52.0% versus 12.5%)

¹⁴ NFJO, ‘Children subject to deprivation of liberty orders’, (September 2023). Available at: www.nuffieldfjo.org.uk/wp-content/uploads/2023/09/CHILDR1.1.pdf

¹⁵ Cafcass data (2023). Available at: <https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fwww.cafcass.gov.uk%2Fsites%2Fdefault%2Ffiles%2F2023-12%2F2023%252010%2520Official%2520Stats%2520-%2520Private%2520Law1.xlsx&wdOrigin=BROWSELINK>

¹⁶ www.gov.uk/crime-justice-and-law/family-justice-system

¹⁷ Foundations, ‘Evaluation of Family Drug and Alcohol Courts’, (August 2023). Available at: www-foundations.org.uk/our-work/publications/evaluation-of-family-drug-and-alcohol-courts/

- a higher proportion of FDAC parents than comparison parents had ceased to use drugs or alcohol by the end of the proceedings (33.6% versus 8.1%)
- the proportion of hearings being contested was lower for FDACs than standard care proceedings (4.2% versus 23.8%)
- a lower proportion of FDAC cases used external expert witness assessments compared with non-FDAC care proceedings (7.7% versus 96.1%)
- children in FDAC sites had lower probability of being placed in local authority care compared with non-FDAC care proceedings (28.6% versus 54.7%)

Independent evaluations of FDAC carried out by Brunel and Lancaster Universities also found that FDAC was more successful than ordinary proceedings in helping parents achieve abstinence from drugs and alcohol and thus enabled more children to be reunified with their parents.¹⁸

18 Lancaster University, 'After FDAC: outcomes 5 years later Final Report' (2016). Available at: www.cfj-lancaster.org.uk/files/pdfs/After-FDAC-outcomes-5-years-later-Final-Report-December-2016.pdf

Children: Private law

Private law children cases are proceedings between parents or others who are trying to resolve a dispute over the future arrangements for a child's care and wellbeing.

Performance data

Private law children cases

	2018	2019	2020	2021	2022	2023
Receipts	52,229	55,394	55,711	54,652	52,217	50,807
Determinations	40,550	42,440	37,014	43,376	42,432	45,123

Private law individual children

	2018	2019	2020	2021	2022	2023
Receipts	79,612	84,730	85,044	83,905	80,247	77,956
Determinations	121,664	134,929	111,451	125,588	120,683	124,694

Private law average case duration

	Mean duration (weeks)	Median case duration (weeks)
2018	25.1	19.7
2019	27.5	21.3
2020	32.3	25.3
2021	40.2	32.7
2022	44.2	35.3
2023	45.2	34.3
2024	43.3	

Outstanding children private law cases

July 2023	46,690
July 2024	41,020

From July 2023 to July 2024 the number of outstanding cases in the system reduced by 5,670.

The volume of private law children cases demonstrates that much of the time of the Family Court is taken up by disputes between parents over the arrangements for their children. The PFD has consistently drawn attention to the need to find a better way for parents to resolve disagreements over the exercise of their parental responsibility, rather than turning to court proceedings. In an address in 2019 after describing the range of initiatives that might better support separating parents, the PFD said:

“Cases of straightforward relationship dysfunction, not involving abuse or a need for protection, should not need to come before a magistrate or judge for resolution. Indeed, because, for this group of cases, the issues concern matters of emotion and psychology, a court is most unlikely to be the best place to achieve any lasting resolution. The court, with its clunky legalistic approach will undoubtedly, in the end, produce a result which may then have to be imposed upon the parents, but I would suggest, for this substantial group of cases, the court process is not one that either adds value to the welfare of the child or is in any way beneficial for the parents. In some cases, it may simply provide a pitch and a referee for them to play out further rounds in their adult contest.”¹⁹

He continued:

“To my mind, there has got to be a better way of assisting those couples who need some help and support at what is plainly a difficult time for them and for their children. The task of identifying, developing and then funding a better way to achieve good enough co-parenting between separated parents is a matter for society in general, policy makers, government and, ultimately Parliament; it is not for the judges. My purpose today is, therefore, simply to call out what is going on in society’s name, and at the State’s expense, and invite others to take up that call.”

¹⁹ President of the Family Division, ‘Resolution conference 2019’. Available at: www.judiciary.uk/wp-content/uploads/2019/04/Resolution-Key-Note-2019-final.docx-8-APRIL-2019.pdf

In a further address in October 2021, the PFD identified the promotion of a better way of resolving private law disputes between parents with respect to the care of their children as the priority for the remainder of his time as President.²⁰ He repeated his call for this issue to be taken up by government and promoted the range of proposals set out in the Family Solutions Group’s report ‘What about Me?’.²¹

To this end, two separate initiatives have been undertaken over the past two years. First, a way of working that prioritises a focus on the impact of parental disputes on the child has been piloted under the working title of ‘Pathfinder’. Secondly, at the instigation of the then Lord Chancellor, Dominic Raab MP, the MoJ developed and consulted upon a range of initiatives that might be led or encouraged by government to support separating parents. On 26 January 2024, the MoJ published proposals for their implementation. Details of these initiatives are set out below.

Pathfinder Courts pilot

In March 2022, a new 18-month ‘Pathfinder Courts’ pilot was launched at Family Courts in North Wales and Dorset. The Pathfinder approach was designed for all court users, but with a particular focus on improving the family court experience and outcomes for survivors of domestic abuse, including children and litigants in person.

The pilot sought to test a more investigative and problem-solving approach, with earlier information gathering and engagement with parties, rather than through multiple hearings.

The key innovation is the Child Impact Report produced by Cafcass, Cafcass Cymru or the local authority, which looks to understand what impact the dispute is having on the child and thereby focus the first court hearing on how to address that. In this way, the court hears the voice of the child more clearly from the start of the court proceedings.

Pathfinder encourages a more holistic, multi-agency approach, with the court engaging and developing positive working relationships with key local partners such as third sector domestic abuse agencies and Independent Domestic Violence Advisers, commissioned by the MOJ.

20 Courts and Tribunals Judiciary, ‘Speech by the President of the Family Division: Supporting Families in Conflict – There is a better way’, (2021). Available at: www.judiciary.uk/speech-by-the-president-of-the-family-division-supporting-families-in-conflict-there-is-a-better-way/

21 [What about me?: Reframing Support for Families following Parental Separation - Courts and Tribunals Judiciary](#)

The Domestic Abuse Commissioner, in her report, ‘The Family Court and domestic abuse: achieving cultural change’ said “the two Pathfinder Courts have shown how effective abuse-informed courts are in recognising and effectively engaging with domestic abuse. These pilots give valuable insight into how the legal system can properly address domestic abuse and protect adult and child victims and survivors. The Pathfinder Courts have the capacity to be instrumental in bringing the Domestic Abuse Act 2021 to life for adult and child victims and survivors. The knowledge from these pilots is invaluable and must be incorporated into reform work going forward”.²²

A December 2023 report published by the Welsh Government found that Family Court Advisors felt the Pathfinder model put children’s views at the forefront, accorded them greater and more detailed consideration earlier on, and that courts were taking their views seriously.²³ This was supported by children’s accounts, with most being happy with the outcome of their case and feeling that they had been listened to by their Family Court Advisor and during the course of the proceedings.

The Pathfinder model was launched in family courts in Cardiff and Birmingham in April and May 2024 respectively. Anecdotal evidence shows that Pathfinder courts have seen the best performance improvements in terms of private law timeliness and outstanding cases. The PFD has concluded that Pathfinder is a significantly better way for courts to engage with parents and children in private law. The PFD therefore supports the adoption of this new way of working by all family courts in England and Wales at the earliest opportunity. In this regard the PFD welcomed the proposals put forward by the previous Government in January 2024 contained in its consultation outcome on ‘Supporting earlier resolution of private family law arrangements’.²⁴

22 Domestic Abuse Commissioner, ‘The Family Court and domestic abuse: achieving cultural change’, (July 2023). Available at: https://domesticabusecommissioner.uk/wp-content/uploads/2023/07/DAC_Family-Court-Report-2023_Digital.pdf

23 Welsh Government, ‘Children and young people’s experiences of participation in private proceedings in the family courts’, (December 2023). Available at: www.gov.wales/children-and-young-peoples-experiences-participation-private-proceedings-family-courts

24 Ministry of Justice, ‘Supporting earlier resolution of private family law arrangements’, (2023). Available at: www.gov.uk/government/consultations/supporting-earlier-resolution-of-private-family-law-arrangements

Supporting earlier resolution

In the aforementioned publication, the previous Government set out a number of measures intended to support separating families to reach agreements on private law matters earlier, and outside of court where safe and appropriate.

Since this publication we have seen:

- changes to the family procedure rules to place dispute resolution at the heart of court proceedings, where safe and appropriate for them. These changes also ensure more people attend the Mediation Information and Assessment Meeting (MIAM) and benefit from consideration of non-court dispute resolution options before they come to court
- establishment of new pre-application protocols, attached to the family procedure rules, which set out to families and their legal representatives what is expected of them before they make an application to court, and providing signposting to a number of sources of support and information
- Parties to a child arrangements case in the family court are sent a letter following receipt of an application, letting them know about options for reaching agreements outside of court where that is safe and appropriate, and encouraging them to focus on the best interests of their child(ren)
- improvements to the information available to families on the range of options and support accessible to them, including development work to explore a new online tool to serve as a source of relevant, accessible, and trusted information

The new Government has recognised the importance of support for separating families and where appropriate, helping them to resolve their issues quickly and without the need to come to court.

Domestic abuse

It is regrettably the case that many private children law cases before the Family Court involve one or both parties asserting that they and/or their children have been or are victims of domestic abuse. Over the past decade, professional understanding of abusive behaviour in domestic settings has developed and expanded. The importance of the issue, and the need to protect those vulnerable to abuse, has been underlined by Parliament in passing the Domestic Abuse Act 2021.

The Judicial College delivered an intensive one-year programme of live training on the harms of domestic abuse. This was mandatory for all family judges, family magistrates and legal advisers, building on the digital domestic abuse training launched in 2021-2022. That work involved the inclusion of a module on domestic abuse in all continuation courses for judges in family and civil jurisdictions from April 2022. The training reflected the wide nature of domestic abuse and covered

all forms of abuse, ranging from: physical abuse, including serious sexual and other assaults; emotional and psychological abuse; coercive and controlling behaviour, including financial coercion and control. The Judicial College provided more than 2,100 places on courses on this training across the training year. This was followed by the launch of a new programme of domestic abuse training, building on the existing programme and aligned with the new judicial training, for family magistrates and legal advisers from September 2022. The Judicial College provided “train the trainer” training for just under 40 HMCTS trainers, ahead of the training being rolled out to magistrates and legal advisers. By the end of March 2023, places had been provided for around 3,000 magistrates and their legal advisers to attend this training.

Building on the intensive one-year programme of live training on domestic abuse, mandatory for all family judges, family magistrates and legal advisers, a small further provision was made in the first half of the 2023 to 2024 training year for those judges who had not been able to attend the training in the main rollout. This training was also supplemented by an e-learning resource, which can be used more broadly as a refresher for existing judges, and a tool for new judges. Thanks are due to the Judicial College for their work in creating and delivering this important training.

In May 2022, the PFD issued practical guidance for judges and magistrates concerning fact finding hearings and domestic abuse in private law children proceedings in the Family Court. This guidance was drafted following consultation with judges and provided clear considerations for judges to follow when making determinations on case management and the use of the court in circumstances of domestic abuse allegations. The general theme of the guidance further reiterated the ‘Make Every Hearing Count’ approach and encouraged judges to challenge the views of parties, Cafcass officers and advocates robustly throughout the progress of the case. This guidance sits alongside other key Court of Appeal decisions on fact finding hearings.²⁵

In July 2022, Practice Direction 3AB and statutory guidance was issued to enable courts to appoint a qualified legal representative (QLR) to cross-examine vulnerable witnesses. The scheme ensures that a person who has been convicted of, cautioned for, or charged with a specific offence is prohibited by statute from cross-examining a witness who is the victim, or alleged victim, of that offence and vice versa. Although there have been challenges with the availability of QLRs, the introduction of travel expenses payments and a ten per cent increase in fees in early 2024 was welcomed and it is hoped that this will help to increase the attractiveness of this critical work.

25 Judgment in the case of *Re H-N and Others*(2021). Available at: www.judiciary.uk/wp-content/uploads/2022/07/H-N-and-Others-children-judgment-1.pdf and Judgment in the case of *Re K v K* (2022). Available at: www.bailii.org/cgi-bin/format.cgi?doc=/ew/cases/EWCA/Civ/2022/468.html&query=K+and+K+2022.+EWCA+Civ+468+

In April 2023 the PFD issued practice guidance on Independent Domestic Violence Advisers and Independent Sexual Violence Advisers (Family Courts).²⁶ This guidance was released to support new rules that came into force on 6 April 2023 and a practice direction relating to the attendance of Independent Domestic Violence Advisers or Independent Sexual Violence Advisers at any Family Court hearing as a support to litigants.

Language matters

The PFD commissioned a report into the use of language in cases of separating parents by the Family Solutions Group, a sub-group of PFD's private law working group. Published in October 2022, the 'Language Matters' report set out a framework and language which promotes child welfare and a cooperative parenting approach.²⁷ The report recommended removing adversarial language from the Family Court's processes, in favour of language that emphasises co-operation. The report also considered that language about processes in the Family Court could be made more accessible, for example hearings are 'cancelled' rather than 'vacated' and referring to 'court approval' rather than 'court seals'.

The report suggested re-framing public understanding about family separation and the law, for example, by dispelling widely held views about 'custody' and emphasising the importance of acting in the best interests of children. The report also argued for a move away from legal language to a language of wellbeing and co-operation focused on providing separating parents and children with holistic support. The report invited the PFD to issue guidance on the use of language in the Family Court. The PFD set up a working group to consider whether the recommendations can be implemented. The Family Solutions Group and the PFD have continued to engage with interested parties on how to better reflect the needs of children and families in the language used in the Family Court.

26 Courts and Tribunals Judiciary, 'Practice Guidance: Independent Domestic Violence Advisers and Independent Sexual Violence Advisers (Family Courts)', (April 2023). Available at: www.judiciary.uk/guidance-and-resources/practice-guidance-independent-domestic-violence-advisers-and-independent-sexual-violence-advisers-family-courts/

27 Family Solutions Group, 'Language Matters'. Available at: www.familysolutionsgroup.co.uk/language-matters/

International child abduction

The International Family Justice Office (IFJO) provides legal and administrative support to the Head and Deputy Head of International Family Justice for England and Wales, Lord Justice Moylan and Mr Justice MacDonald respectively. They are also both members, for England and Wales, of the International Hague Network of Judges.

As part of its functions and acting on behalf of the Hague Network Judges for England and Wales, the IFJO is the primary contact point for international liaison in the efficient resolution of cross-border family cases.

The work of the IFJO and of the Hague Network of Judges is not confined to the Hague Convention but is much broader and covers a wide range of cross-border family justice issues.

A key function of the IFJO and of the Hague Network of Judges is to liaise with various stakeholders, including the International Child Abduction and Contact Unit, the MOJ, the Foreign Commonwealth and Development Office, various European and international bodies, judges in England and Wales, Scotland, Northern Ireland and in other jurisdictions, practitioners, academics and officials in the field of international family law.

The IFJO receives enquiries on a range of subject matters and from a number of jurisdictions including:

- where a need arises for direct communication, or judicial collaboration and liaison between judges from England and Wales and another jurisdiction in respect of ongoing family proceedings
- where a judge, from England and Wales or overseas, needs advice and assistance relating to an international family law matter

During the period of July 2023 to July 2024 the IFJO received approximately 240 enquiries concerning around 66 different jurisdictions (excluding England and Wales, noting that some enquiries related to more than one jurisdiction). This number includes cases where the IFJO was unable to assist for various reasons or provided suggestions for alternative sources of help.

Divorce and dissolution of civil partnerships

In 2018 HMCTS launched its online divorce application nationally on GOV.UK. This provides separating couples with the ability to use a simpler, quicker, web-based application process. The online divorce service allows couples to apply for joint divorce and includes a lead applicant for the process. The service gives divorcing couples control over the process and builds in time for reflection and future planning. The process of applying for divorce is now fully online which means people can make, submit and pay for their applications from any location and at a time that is convenient. In 2022 HMCTS released an additional divorce service in support of the ‘no fault divorce’ approach which came into force in April 2022. The feedback received has been positive.

Dissolution of marriage (including civil partnerships)

	2018	2019	2020	2021	2022	2023
Applications	118,349	116,561	112,808	108,308	122,140	110,770
Conditional Orders	91,993	115,188	106,614	114,048	80,242	104,990
Mean time (weeks) to Conditional Order	29.7	31.6	27.6	25.2	35.1	39.6
Median time (weeks) to Conditional Order	22.3	24.4	19.0	13.3	26.1	28.8
Final Orders	91,994	107,293	103,956	113,774	80,380	103,501
Mean time (weeks) to Final Order	55.2	56.7	51.0	51.6	60.0	64.3
Median time (weeks) to Final Order	35.2	39.7	34.5	29.5	35.5	39.1

Nullity of marriage

	2018	2019	2020	2021	2022	2023
Applications	414	468	429	318	361	451
Conditional Orders	279	315	272	209	172	272
Final Orders	274	301	260	236	169	253

Judicial separation

	2018	2019	2020	2021	2022	2023
Applications	308	261	222	263	291	
Final Orders	134	148	119	89	87	253

The table below provides data under the ‘new’ divorce law²⁸ and includes civil partnership.²⁹

	2022			2023				
	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Total
Applications	35,021	30,903	25,636	31,230	27,827	28,196	23,517	110,770
Conditional Orders		646	20,860	29,621	23,458	20,954	21,174	95,207
Mean time (weeks) to Conditional Order		24.5	27.5	29.6	29.0	31.0	34.3	30.8
Median time (weeks) to Conditional Order		24.1	26.9	28.0	26.0	26.9	29.9	28.1
Final Orders			7,448	18,198	20,263	20,227	18,249	76,937
Mean time (weeks) to Final Order			32.8	36.0	37.5	40.1	43.8	39.3
Median time (weeks) to Final Order			32.6	34.7	34.4	35.0	37.3	35.2
% of Applications that are sole	79%	78%	78%	76%	76%	76%	75%	76%

28 ‘New’ divorce law refers to divorces after the Divorce, Dissolution and Separation Act 2020 came into force on 6 April 2022 (no fault divorce). This introduced a mandatory gap of 20 weeks between the start of proceedings and application for conditional order.

29 Ministry of Justice, ‘Family Court Statistics Quarterly: October to December 2023’, Table 12B (March 2024). Available at: www.gov.uk/government/statistics/family-court-statistics-quarterly-october-to-december-2023

Financial Remedies Court

The Financial Remedies Court (FRC) is a specialist part of the Family Court. Following the breakdown of a marriage or civil partnership there are often financial issues that need to be resolved. The purpose of the FRC is to ensure that family finances are resolved fairly and efficiently.

The FRC has a national network of specialist judges overseen by regional leadership judges and national lead judges (the national lead judge is Mr Justice Robert Peel). Family finance disputes are issued and referred locally to a judge who will assign cases to an allocated judge who is responsible for the progress of that case through the court process. The FRC has its own protocols and guidelines designed to ensure that cases run smoothly and at all times are overseen by judges who are experienced in this type of work and are nominated by leadership judges to undertake financial work.

The FRC Efficiency Statement, which was promulgated in January 2022, continues to be well received. It has streamlined the process and encouraged a sharper focus on the issues at hand. Composite documents, in particular asset schedules, are now embedded into the procedure.

In the calendar year 2023, there were 44,563 financial remedy applications issued (slightly less than previous years). Approximately 14% of final orders were made at contested final hearings, and 86% were settled beforehand; these figures are broadly consistent with previous years. The use of alternative dispute resolution in the financial remedies process is widespread; mediation, arbitration and private financial dispute resolution are commonplace. The Single Lawyer Model is gaining traction, with Resolution launching their version of it, Resolution Together.

Training is available for all judges who wish to sit in the FRC. The Judicial College runs two such courses every year.

A fast-track approach is being evaluated in the hope that a pilot scheme can soon be launched.

Consideration is being given as to how the wealth of important information contained in Form D81 (statement of information) can aid data collection. To do so would present a much clearer picture of the nature of financial remedies cases; the scale of resources, ages of parties, number of children and outcomes, which would be highly informative for any future financial remedy projects.

Transparency

In October 2021, the PFD published the Transparency Review Report, 'Confidence and Confidentiality: Transparency in the Family Courts', which highlighted the need for increased openness in the Family Court.³⁰ The report concluded that the time had come for accredited media representatives and legal bloggers to be able to report on what they observed in Family Court hearings. However, this should be done with clear rules in place, protecting the anonymity of children and their family members who come before the court, and confidentiality with respect to the intimate details of their private lives.

To implement the recommendations and conclusions set out in the Transparency Review Report, the PFD established a Transparency Implementation Group (TIG) with five sub-groups working on the various projects which they had been tasked to develop. A progress report for each sub-group is set out below:

Reporting Pilot sub-group

The Reporting Pilot sub-group was established to devise and implement the headline recommendation of the Transparency Review, which was to allow journalists to report on what they see and hear in Family Court hearings relating to children. The sub-group designed the Reporting Pilot which expects the court to actively consider whether to make a Transparency Order where accredited journalists or legal bloggers attend a Family Court hearing in proceedings relating to a child. The Transparency Order makes clear what can be reported about the proceedings without amounting to contempt of court, subject to strict rules of anonymity.

A great deal of care was taken in formulating a standard order, which prohibits the reporting of the most common pieces of the jigsaw information that may lead to identification, and the protection of certain professionals.

The Reporting Pilot launched on 30 January 2023 in three Court centres: Carlisle (rural), Leeds (urban) and Cardiff (mixed). The pilot applied to children public law initially and extended to children private law cases in May 2023. The Reporting Pilot was rolled out to 16 more areas in January 2024, so that it is live in approximately half of all family court areas, initially for children public law cases, with children private law and magistrates proceedings following later in the year. Guidance for Designated Family Judges in pilot areas was published in August 2024.³¹

30 Courts and Tribunals Judiciary, 'Confidence and Confidentiality: Transparency in the Family Courts', (2021). Available at: www.judiciary.uk/wp-content/uploads/2021/10/Confidence-and-Confidentiality-Transparency-in-the-Family-Courts-final.pdf

31 Courts and Tribunals Judiciary, 'The Reporting Pilot Guidance', (August 2024). Available at: www.judiciary.uk/wp-content/uploads/2024/08/Reporting-Pilot-Guidance-2024.pdf

NatCen Social Research conducted an evaluation of the Reporting Pilot in Cardiff, Leeds and Carlisle. The work was supported by a steering group drawn from the Transparency Implementation Group. Research participants included judges, practitioners, court staff, legal bloggers, journalists and a family member who all had direct experience of the pilot and the processes involved.

The published evaluation report said that the Reporting Pilot enjoyed strong support among court staff, legal professionals and media stakeholders.³² A minority of court staff and legal professionals expressed concerns about the impact of greater transparency in family courts. However, even among more sceptical participants, the ability to report on the functioning of family courts was viewed as an inevitability, due to the demand for greater transparency and accountability from the public and the media. The evaluation found no evidence of notable incidents of potential jigsaw identification, whereby someone can be identified by piecing together information such as their school and local authority, occurring during the pilot. The administration of the pilot in the three pilot areas ran smoothly, with thanks to the court staff involved. Media participants struggled with judicial listings and in some cases found it hard to know whether to attend hearings when they had an interest in a case. A system of coding on court lists in public law cases was introduced to mitigate this.

Media Engagement sub-group

The aim of the Media Engagement sub-group is to implement the PFD's goal of establishing a relationship of trust and confidence between the media and the Family Court and to ensure that reporting of family court proceedings is reliable and well informed, whilst maintaining the anonymity of children and family members who are before the court.

A key goal of the sub-group is to establish channels of communication between the Family Court and the media. At a national level, this will mean links between the PFD and national organisations/bodies, with a wider national group to be established which will meet regularly, and at a local level between Designated Family Judges within the regional courts and their local media.

As part of the process, a large media group meeting was convened, attended by members of the sub-group and various media representatives. The purpose of the meeting was to discover what those with the relevant expertise consider to be the optimal arrangements for establishing the proposed media groups, nationally and regionally.

32 National Centre for Social Research, 'Media in Family Courts Pilot Evaluation', (2023). Available at: <https://natcen.ac.uk/participant-contents/family-court-media-pilot-evaluation>

The sub-group have produced a guidance document, which reflects the purposes, aims and parameters of the national media group, and next steps will be to develop guidance for Designated Family Judges on how to engage and build relationships with editors and others in local media agencies.

Publication and Anonymisation of Judgments sub-group

The Transparency Review highlighted that the availability of decisions in many ‘ordinary’ cases is key to public confidence and understanding of family justice and that the number of published judgments had fallen dramatically in the five years before 2020. A publication target of 10% was suggested per judge per year, with streamlining of the guidance and process used by judges when publishing their decisions.

The sub-group worked collaboratively to consolidate two guidance documents about publishing judgments: one from 2014 and another from 2018.

To look at why the number of judgments being published had fallen, the sub-group ran a series of focus groups to consider the barriers to publication. The sub-group drafted a comprehensive guidance document outlining new principles for publication and anonymisation of judgments.³³ They are also progressing a funding bid for administrative support for judges in anonymising their judgments.

Data Collection sub-group

The Data Collection sub-group has focussed on developing and implementing a data strategy and roadmap for the collection and analysis of data in the family justice system. The roadmap will lead to a set of collected data within an agreed ownership structure, with the publication of annual reports providing data-driven insights.

The sub-group identified three key aims:

- to identify any gaps in the data that is currently collected within the family justice system and to ascertain what additional data ought to be collected
- to put in place processes to enable that additional data to be collected and processed effectively
- to report on the data collected, incorporating private children law, public children law and financial remedies

In order to achieve these aims, the sub-group developed a draft data strategy, incorporating the broad areas collected data will be used to illuminate.

³³ President of the Family Division, ‘Transparency in the Family Courts: publication of judgments’, (June 2024). Available at: [Publication-of-Judgments-Practice-Guidance-JUNE-2024-1.docx \(live.com\)](#)

The sub-group commissioned the National Centre for Social Research to carry out a discrete piece of work, identifying where data relating to these areas is held and how it is available to practitioners, researchers and the public.³⁴ The report concluded that current practice means that there are very limited options for identifying the answers to the questions posed in the areas identified. For instance, there is an absence of data or statistics on the support provided to families before they enter court proceedings or what happens to them afterwards. The report points to three practical reasons that many of the questions cannot be answered: data is not captured, data is captured in a way that is not accessible or there is a lack of routine and timely data linkage to other sources. The report highlights that the work of MOJ, HMCTS and Cafcass has taken huge strides forward, but a more comprehensive strategy is now required. It also recommends that the system should capitalise on existing efforts to digitise family justice data through the Core Case Data system.

The sub-group is now considering how to move forward on the basis of these core recommendations from the report.

Financial Remedies Court sub-group

The aim of the Financial Remedies Court (FRC) sub-group, chaired by HHJ Stuart Farquhar, is to consider all aspects of transparency as far as it concerns the work of the FRC and to report as to suggested ways forward. The sub-group undertook an information gathering process with a view to putting forward recommendations to the PFD.

In April 2023, the subgroup presented a comprehensive report on transparency in financial remedy proceedings. The group received significant input from beyond the specific field of financial remedies, including representatives of the media, legal bloggers, and practitioners with expertise in the King's Bench Division, Chancery, media and Court of Protection work. A full consultation process was undertaken, receiving 585 responses, and evidence of the practices in a number of overseas jurisdictions was gathered. The subsequent report made a number of recommendations, including that reporters should be entitled to publish what takes place in financial remedy hearings, provided that the confidentiality and anonymity of the parties is preserved.

The PFD gave his approval for the FRC reporting pilot to launch on 29 January 2024 in the Central Family Court, Birmingham and Leeds. It has proceeded smoothly with no significant issues reported. From November 2024, financial remedy cases proceeding in the Royal Courts of Justice at High Court level will be included in the pilot scheme.

³⁴ National Centre for Social Research, 'Data in the Family justice system: what is available and to whom', (July 2024). Available at: www.judiciary.uk/wp-content/uploads/2024/08/Family-Justice-Data-Mapping-Final-Report-31.07.24.pdf

Family Justice Council

The Family Justice Council (FJC) is an independent non-statutory, advisory body which promotes an inter-disciplinary approach to family justice and monitors the system. The FJC is chaired by the PFD, supported by the Deputy Chair, Mr Justice Keehan. Its membership is made up of individuals from across the family justice system which include judiciary, legal and medical practitioners, a social worker, parents that have experience of family proceedings and an academic.

Events

Annual debate

The FJC held its annual debate in December 2023, where the motion was ‘Should cohabiting couples have the same financial rights and responsibilities as those who are married/in a civil partnership?’. Following the well-balanced debate, the in-person and online audience voted for the motion. The next debate will take place on 5 December 2024 with the motion, ‘Has the time come to widen the scope of legal parentage?’.

Annual conference

Following on from the 2023 conference on, ‘Trauma in the family justice system’ with Dr Sheena Webb giving the Bridget Lindley memorial lecture ‘Hidden in plain sight: trauma and the Family Court’, the 2024 conference was on the theme of ‘Children and young people: Promoting a developmental approach in the family justice system.’ It featured a memorial lecture given by Jacky Tiotto, CEO of Cafcass, on the topic of children and young people in the family justice system. The event was well attended with around 100 in-person and over 200 joining online for the Bridget Lindley memorial lecture.

Open meeting

The FJC holds an annual open meeting every July. This allows members of the public to attend and observe its work. The public can also submit questions in advance which will be answered by one of the FJC members during the meeting. Around 80 members of the public joined the July 2024 online meeting.

Working groups

The FJC currently has ten working groups which undertake a substantial proportion of the FJC’s work throughout the year.

In October 2023, the FJC created an information sheet for professionals working in the court system.³⁵ The document aims to give advice and signposting on what to do if a ‘client’ discloses thoughts of suicide.

In October 2023 the consultation on ‘Responding to allegations of alienating behaviour’ closed. The guidance aims to assist the Family Court at whatever stage of the proceedings an allegation of alienating behaviour falls to be considered. The working group has reviewed the 96 responses received and has updated the guidance to provide a final version that is being considered by the FJC for approval in late 2024.

In January 2024, the Domestic Abuse working group produced ‘Mapping the Landscape of Domestic Abuse Activity in the Family Justice System’ to assist professionals and the public by collating the range of activity into one place.³⁶

In March 2024, the Financial Needs working group published an updated version of its guide on ‘Sorting Out Finances on Divorce’, last published in 2016.³⁷

The FJC has set up two new working groups since October 2023: Neurodiversity in the Family Justice System and Diversity and Inclusion and revived the working group on the Voice of the Child. The working group on neurodiversity has drafted guidance for practitioners that is due to be published in late 2024.

The FJC will also be publishing guidance on procedures for applications for medical treatment orders in relation to children and an updated version of its Financial Needs on Divorce Guidance.

The Family Justice Board

The FJC feeds into the Family Justice Board which is co-chaired by ministers in the Department for Education and MoJ. This Board sets direction and oversees performance in the family justice system. In March 2024, the Board set six ambitious priorities to address delays in children public and children private law to be achieved over the financial year, including to have no open cases older than 100 weeks for children public and children private law.

35 Courts and Tribunals Judiciary, ‘At Risk of Suicide: Information for professionals working within the court system’ (October 2023). Available at: <https://www.judiciary.uk/wp-content/uploads/2023/10/At-Risk-of-Suicide-Information-for-professionals-working-within-the-court-system-FJC.pdf>

36 Courts and Tribunals Judiciary, ‘Mapping the Landscape of Domestic Abuse Activity in the Family Justice System’ (2023) Available at: www.judiciary.uk/wp-content/uploads/2024/01/Mapping-the-Landscape-of-Domestic-Abuse-Activity-in-the-Family-Justice-System.pdf

37 [Sorting Out Finances on Divorce - Courts and Tribunals Judiciary](#)

Family Procedure Rule Committee

The FPRC is an advisory non-departmental public body, sponsored by the MOJ. It is chaired by the PFD and Mr Justice Keehan. Membership comprises judiciary, legal advisers, practitioners, Cafcass, Cafcass Cymru and a lay member.

The FPRC makes rules of court that govern the practice and procedure followed in family proceedings in the High Court and the Family Court. The following amendments were made to the Family Procedure Rules (FPR) in January 2023:

- Amendments to various references to ‘Her Majesty’ and ‘Queen’s Bench Division’ to refer to ‘His Majesty’ and ‘King’s Bench Division’.
- Amendments to provide for provisions relating to the attendance of Independent Domestic Violence Advisers and Independent Sexual Violence Advisers at family proceedings.
- The procedure for applications for the court to consent to a 16- or 17-year-old to marry or enter a civil partnership was removed from the Family Procedure Rules, as a result of changes made to primary legislation.
- An additional category of judge was added to the list of those who can direct that an application for permission to appeal may not be renewed at an oral hearing when the application has been dismissed on the papers as being totally without merit.
- The procedure to be followed when an application is made to enforce an order in family proceedings was altered so that the debtor is required to provide details of their financial means at least seven days before the first court hearing on the application.

The following amendments were made to the FPR in December 2023:

- Amendments were made to Part 3 FPR on Mediation Information and Assessment Meetings (MIAMs) and non-court dispute resolution, and Part 28 FPR, on ‘costs’. These amendments were recommended by the FPRC following the MOJ’s public consultation on Early Resolution in March 2023.
- Amendments also reflect the changes in terminology and definition across the FPR and practice directions, from ‘domestic violence’ to ‘domestic abuse’ in line with the Domestic Abuse Act 2021.

During this reporting period there were two Family Procedure Rule amendments and six updates to the Practice Direction.³⁸

38 <https://www.justice.gov.uk/courts/procedure-rules/family>



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