

Mapping the Landscape of Domestic Abuse Activity in the Family Justice System

New provisions and developments: 2020 – January 2025

Category	Organisation	Specific Activity or Output
Legislation and Rules	Government	Domestic Abuse Act 2021
		Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015
		Matrimonial and Family Proceedings Act 1984, Part 4B
		The Prohibition of Cross-Examination in Person (Civil and Family Proceedings) Regulations 2022
		The Prohibition of Cross-Examination in Person (Fees of Court-Appointed Qualified Legal Representatives) (Amendment) Regulations 2024
		The Legal Aid, Sentencing and Punishment of Offenders Act 2012 (Legal Aid: Family and Domestic Abuse) (Miscellaneous Amendments) Order 2023, articles 4(3), 7(3)
		The Legal Aid, Sentencing and Punishment of Offenders Act 2012 (Legal Aid: Domestic Abuse) (Amendment) Order 2024
	Family Procedure Rules Committee (FPRC)	Family Procedure Rules Part 3A, rule 2A
Case Law	Court of Appeal	Re H-N [2021] EWCA Civ 448
		K v K [2022] EWCA Civ 468
		Re B [2022] EWCA Civ 1439
		Re A (A Child: Findings of Fact) [2022] EWCA Civ 1652
		A v B and C [2023] EWCA Civ 360
	High Court (Family Division)	Re M (Private Law Proceedings: Case Management: Intimate Images) [2022] EWHC 986 (Fam)
		F v M [2023] EWFC 5
		Re Z (Disclosure to Social Work England: Findings of Domestic Abuse) [2023] EWHC 447 (Fam)
		A Local Authority v D and others [2024] EWFC 61 (concerning the HMCTS Protocol for Managing Potentially Violent People).

Practice Directions	FPRC	PD12J – Child arrangements and contact orders: domestic abuse and harm
		PD3AA – Vulnerable witnesses
		PD3AB – Prohibition of cross-examination in person
		PD12Q – Orders under s.91(14) Children Act 1989
		PD27C – Attendance of IDVAs and ISVAs
		PD36Z – Pilot scheme: private law reform: investigative approach
Practice Guidance	Senior Judiciary	Disclosure of Information between Family and Criminal Agencies and Jurisdictions: 2024 Protocol
	Family Justice Council	Remote and Hybrid Hearings Guidance (November 2020)
		Guidance on responding to a child’s unexplained reluctance, resistance or refusal to spend time with a parent and allegations of alienating behaviour (December 2024)
		Fact-Finding Hearings and Domestic Abuse in Private Law Children Proceedings: Guidance for Judges and Magistrates (May 2022)
	President of the Family Division	Practice Guidance: Independent Domestic Violence Advisers and Independent Sexual Violence Advisers (Family Courts) (April 2023)
		Practice Guidance: Non-molestation Injunctions (July 2023)
		Standard Orders – cross-examination and QLR provisions
	Mr Justice Peel	Domestic Abuse Practice Guidance
Statutory Guidance	Cafcass	Domestic Abuse Practice Policy (Amended January 2025)
	Cafcass Cymru	Domestic Abuse Practice Guidance (2019)
	Home Office	Statutory Guidance on the Domestic Abuse Act 2021 (July 2022)
		Statutory Guidance: Qualified Legal Representative Appointed by the Court (July 2022)
	Welsh Government	National Training Framework on Violence Against Women, Domestic Abuse and Sexual Violence (Wales)
Training	Judicial College	Mandatory half day domestic abuse training for all family judges (2022-23)
		Private law induction for new family judges (ongoing)
		Financial Remedies Court induction (ongoing)
	SafeLives	Domestic Abuse Training for Family Lawyers
	Family Law Bar Association and Inns of Court College of Advocacy	Advocacy and the Vulnerable (Family) training
	Cafcass	Domestic Abuse Learning and Development Programme for Family Court Advisers
	Cafcass Cymru	Safe and Together training for Family Court Advisers

Research, Reports	Ministry of Justice	Assessing Risk of Harm to Children and Parents in Private Law Children Cases (2020)
		Domestic Abuse and Private Law Children Cases: A Literature Review (2020)
		Implementation Plan (2020)
		Implementation Plan: Delivery Update (2023)
		Domestic Abuse Commissioner's Report – 'The Family Court and Domestic Abuse: Achieving Cultural Change' – Government Response (November 2023)
	Domestic Abuse Commissioner and Victims' Commissioner	Improving the Family Court Response to Domestic Abuse (November 2021)
	Domestic Abuse Commissioner	The Family Court and Domestic Abuse: Achieving Cultural Change (July 2023)
	Resolution	Domestic Abuse in Financial Remedy Proceedings (October 2024)
	Women's Aid England	Two Years, Too Long: Mapping Action on the Harm Panel's Findings (June 2022)
Pilot Projects	Surviving Economic Abuse	Seen Yet Sidelined (September 2023)
	House of Commons Library	Child Maintenance: Support for Victims of Domestic Abuse (May 2024)
	Ministry of Justice	Pathfinder Courts: Dorset and North Wales (see PD36Z above), 2022-24; evaluation pending. Extended to Birmingham and SE Wales Summer 2024
Reviews	Domestic Abuse Commissioner	National Family Court Review and Reporting Mechanism, October 2023-May 2025
	Home Office	Domestic Abuse Protection Notices and Domestic Abuse Protection Orders: Greater Manchester, Croydon, Bromley and Sutton, November 2024-2026
Committees, Working Groups	Ministry of Justice	Review of the presumption of parental involvement, 2020-24
		Review of Civil Legal Aid, 2023-24
	Family Justice Board	Domestic Abuse and Positive Outcomes for Children Sub-Group
	FPRC	Domestic Abuse Working Group
	Cafcass	Domestic Abuse Practice Reference Group