

# Domestic abuse survivors invited to shape future of family court

- Public 'call for evidence' to strengthen protection for children in family courts
- Will consider impact of continued contact with parents with a history of abuse
- Part of wider spotlight on child safety, health and well-being in the current system

A Government call for evidence, launched today (19 July 2019), is part of a three-month project overseen by a panel of experts, aimed at throwing a spotlight on how the family courts manage the safety and well-being of children when there is a risk of domestic abuse.

Responding directly to concerns raised recently including in the Government's Domestic Abuse Consultation, the review will also consider the use of 'barring orders'- court orders which can prevent abusive parents from making further court applications that often serve to simply re-traumatise their victims.

Crucially, it will also examine what the risk is to children and parents in continuing to have a relationship with a parent with a history of abusive behaviour, including where continuing contact between the parents is required by court orders.

Justice Minister Paul Maynard said:

Domestic abuse destroys lives, which is why survivors and their children must have every confidence that they will be protected in the family courts.

Just this week we introduced legislation that will ban abusers from cross-examining their victims in the family courts, and throughout our review we will be engaging with victims across the country to make sure we are doing all we can to protect them further.

The review – ordered by ministers in May – will also consider the level of encouragement victims are given to raise concerns, the standard of domestic abuse information shared with courts, as well as looking to better understand the different types of coercive control.

It will also look at how these courts handle a range of offences including

rape, child abuse, assault, sexual assault, murder and other violent crimes.

The focus on family courts follows a number of government changes to tackle domestic abuse, including widening the evidence requirements to allow victims access to legal aid.

In addition, £900k has been allocated to fund organisations who provide emotional and practical support to domestic abuse victims before, during and after hearings in the family court. Earlier this week the Government introduced its Domestic Abuse Bill, which outlined a raft of measures to further protect victims, including:

- introducing the first ever statutory government definition of domestic abuse, which will include economic abuse
- establishing a Domestic Abuse Commissioner to champion victims and survivors
- introducing new Domestic Abuse Protection Notices and Domestic Abuse Protection Orders to further protect victims and place restrictions on the actions of offenders
- providing automatic eligibility for special measures to support more victims to give evidence in the criminal courts

The call for evidence will close on 26 August.

## Notes to editors

- The call for evidence includes an option to submit via email or post. It will be open for 6 weeks before closing on 26 August.
- Specifically, the call for evidence will focus on private family law proceedings and will ask:
  - how Practice Direction 12J is being applied – this relates to child arrangement cases where domestic abuse is a factor. This includes its interaction with the presumption of parental involvement in the Children Act 1989
  - how ‘barring orders’ are being used – these prevent further applications being made without leave of the court which could be used to re-traumatise those who’ve faced abuse
  - how FPR Part 3A and Practice Direction 3AA are being applied – this relates to special measures
- what is the impact on the child and parent victim where child contact is sought by someone alleged to have, or who has, committed domestic abuse or other relevant offences
- The [panel members](#) represent key organisations from across family justice including the Judiciary, academia, social care, policy officials and third sector organisations which represent and advocate for victims of domestic abuse.
- The Children Act 1989 states that the welfare of the child must be the court’s paramount consideration when making any decision about their

upbringing, including with whom the child is to live or spend time, and there is no automatic right to parental involvement.

- In circumstances where there is evidence of domestic abuse, the courts are bound by law to consider potential harm to the child and parent.
- The court also has a duty to consider a range of factors, such as the wishes and feelings of the child (including instances where a child wishes to see a parent) and any evidence of risk of harm to the child and to the other parent, and has a wide discretion to conclude what is in the best interests of the child.
- Practice Direction 12J sets out what the court is required to do in any case where domestic abuse is alleged or admitted, and applies to any application relating to children where there are allegations that a party or child has experienced domestic abuse.
- Practice Direction 12J was revised in October 2017 to place greater emphasis on both the indirect harm that domestic abuse can cause to a child and parent, and the impact of non-physical forms of abusive behaviour. The Children Act also makes clear that the presumption of parental involvement will not apply where there is evidence that the involvement of that parent in the child's life would put the child at risk of suffering harm.
- Section 91 (14) of the Children Act 1989 empowers the court, when disposing of an application under the Act, to make an order that prevents future applications without leave of the court. This review will explore how the court handles multiple and repeat applications and whether this is used to coerce and frustrate victims.

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## PM calls for greater equality in parental leave

Prime Minister Theresa May has today launched a consultation calling for views on changes to parental leave entitlements to ensure they better reflect our modern society and the desire to share childcare more equally.

It asks questions on whether statutory Paternity leave for fathers and same sex partners should be changed and for suggestions on ways in which the shared parental leave policy introduced in 2015 could be improved.

It also sets out how the government is looking to introduce a new Neonatal Leave and Pay entitlement, for parents of premature and sick babies who need to spend a prolonged period in neonatal care following birth.

Parents would receive one week of Neonatal Leave and Pay for every week that their baby is in hospital. This would be available to mothers, fathers and partners.

The new entitlement would mean that fathers and partners will no longer need

to rely on taking annual and unpaid leave if their child is in hospital for longer than their paternity leave period. It would also provide them with additional time at home with their child to make up for the time spent in hospital.

In the UK, an estimated 100,000 babies are admitted to neonatal care every year following their birth. For fathers and partners, typically their whole 2 weeks of Paternity Leave is spent with the mother and baby in hospital. Where a baby is kept in neonatal care for longer than 2 weeks, a Bliss survey found that around 36% of fathers and partners were signed off sick while their baby was in neonatal care.

Prime Minister Theresa May said:

The experience of parenting has changed almost beyond recognition over the past 40 years, with fathers wanting to share caring responsibilities more equally from the outset.

In introducing shared parental leave, we have taken significant steps to support parents to do this, but all too often it is still mothers, not fathers, who shoulder the burden of childcare. It is clear that we need to do more and that's why today we have launched a consultation calling for views on how we can improve the current system.

We also want to look at further specific support for parents who are already dealing with the unimaginable stress of their babies needing special neonatal care. Parents have more than enough on their plates without worrying about their parental leave running out and having to return to work before their precious newborn comes home.

That's not fair and it's not right. So we're also proposing a new Neonatal Leave and Pay entitlement to make this time a bit easier for parents whose babies need to spend a prolonged period in neonatal care.

Minister for Women & Equalities, Penny Mordaunt, said:

Shared parental leave is hugely advantageous for both men and women and forms a key part of the government's equalities agenda. It allows men to spend more time with their child, helping them to develop that paternal bond, and provides women with vital support at home during such an important time in their child's life.

This announcement is another step in the right direction, towards giving parents even more choice about how they manage work and parenting responsibilities. Fathers should not have to rely on annual and unpaid leave if they want to be involved in the first months of their child's life.

We also want to make sure that potential parents have the information they need about their potential employers from the outset so they can make the choices that are right for them. That's why we're also consulting on whether employers should publish their leave and pay and flexible working policies and whether there should be a requirement for employers to consider advertising jobs as flexible.

The government's consultation aims to challenge the assumption entrenched in our parental leave entitlements that the mother must be the primary carer in the early stages of a child's life.

The active involvement of both parents in parenting duties at home has clear benefits for families, for relationships, for childcare, for business and for wider society.

The government believes that changing paternity leave could have an important impact in promoting better gender equality in work and at home. The UK is below the OECD average in terms of length of dedicated paternity leave offered, though highest on length of maternity leave, demonstrating the size of the current discrepancy.

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## Commission releases first round of evidence of extremism

The Independent Commission for Countering Extremism publishes statistics from call for evidence, which received 3,000 responses.

It also releases 5 peer-reviewed academic papers on the threat from the Far Right and the Far Left. The views are those of the author and not necessarily the Commission's.

This marks the start of a summer of publishing evidence as the Commission builds up to a report making recommendations on extremism for the Home Secretary.

More than half (52%) of the respondents to a first-of-its kind call for evidence have witnessed extremism in some way, the independent Commission for Countering Extremism has revealed.

Of these almost half (45%) said they'd seen it online and two-fifths (39%) said they'd seen it in their local area.

Between November 2018 and January 2019, the Commission led by Sara Khan, asked the public to share their experience and views on extremism.

Almost 3,000 people responded, and the Commission is today publishing a

statistical digest.

Alongside the statistics, the Commission is also publishing five academic papers.

Dr Chris Allen's paper charts National Action's embrace of violence and explores the impact of banning the group.

Dr Joe Mulhall's paper describes the modern Far Right targeting the mainstream with anti-Muslim politics and co-opting the free speech debate.

Dr Ben Lee offers an overview of the Far Right.

Dr Ajmal Hussain et al, in association with the Peace Foundation offer a review of a project to build dialogue between young men with 'Islamist' and 'Extreme Right' views.

Dr Daniel Allington et al use innovative polling methods to explore the attitudes of the Far Left.

The views in the academic papers are those of the author and not necessarily the Commission's views.

They are the first batch of the academic papers it commissioned in April on the Far Right, Islamism and other forms of extremism, drivers of extremism, online extremism and responses to extremism.

The commission will be publishing evidence and analysis across the summer as it builds up to a report making recommendations on extremism for the Home Secretary.

The call for evidence statistics and the academic papers are available on the Commission's [website](#).

Lead Commissioner Sara Khan said:

My work is built on evidence, engagement and impartiality.

I've travelled across the country and have told Government about the deep concerns that exist about extremism.

I'm grateful to everyone who has contributed to this call for evidence.

I was shocked that more than half of the respondents have witnessed extremism in some way, and that two-fifths of them said they'd seen it in their local area.

We are also publishing the first set of our academic papers. They are important and powerful contributions to the debate.

Together they underline the breadth and severity of the concerns we have in 2019.

We must guard our right to debate, protest and offend. We should use the word 'extremism' with caution.

But I believe we can, and must, do more.

The Government's 2015 strategy was an important milestone. It laid the foundations for vital work.

But there's a real need update the strategy to keep pace with the nature of the problems in 2019.

This isn't just a job for government. I want to see all of society involved in a proportionate and fair response to these critical issues.

I believe we need to put forward a positive vision of countering extremism, which is about upholding our democratic society and our great country.

## **Summary of Call for Evidence**

### **What do people understand by 'extremism'?**

Three quarters (75%) of the public respondents find the government's current definition of extremism "very unhelpful" or "unhelpful". Yet just over half (55%) of practitioners found it either "very helpful" or "helpful".

### **The scale of extremism**

Just over half (52%) of all respondents had witnessed extremism in some way. Of these, two fifths (39%) reported seeing it in their local area. Of those who had witnessed extremism, just under half (45%) reported seeing it online.

### **Extremists' tactics and objectives**

The public and practitioners associated the Far Right with propaganda (e.g. on social or traditional media), events (e.g. marches) and criminal offending (for example, hate crime) more than with any other activities.

The public associated Muslim / Islamist extremism with criminal offending and links to terrorism, while practitioners associated propaganda, criminal offending and incidents in regulated spaces.

### **Harms caused by extremism**

The top 5 that are most at risk:

1. Everyone
2. Religious minority communities
3. Black, Asian, and minority ethnic communities
4. People countering extremism

## 5. Women

Eighty-three percent of practitioner respondents were concerned that extremism is causing harm to our wider society and democracy.

### **How to respond to extremism**

The public and practitioners agreed that “a lot more” should be done online to counter extremism (56% and 73% respectively). When asked who has a role to play, practitioner respondents’ top choice was social media and tech companies and the public respondents chose faith groups and leaders.

### **Methodology**

We ran an online call for evidence on extremism between November 2018 and January 2019.

Over a 12-week period we received 2,824 responses through an online questionnaire – including 244 submitted by practitioners or on behalf of an organisation.

We received 78 additional documents via the online questionnaire and 12 written responses by post. In addition, we received 43 submissions from practitioners and organisations by email.

These submissions will feature in the wider analysis for our report, but they were not included in the statistical analysis referenced in this release.

We developed the questions based on the commission’s terms of reference.

We tested them with our expert group and with academics with expertise in extremism and public surveys.

The questionnaire had two sections. Section 1 was structured, semi-structured and short open questions (100-word limit) that were intended to be answered by all respondents, designed to allow people to share experiences and views on countering extremism.

Section 2 had longer, open questions with space for answers of up to 750 words, with the option to attach additional documents or evidence, primarily aimed at practitioners and experts. We received responses from across the country and from a wide range of age groups and demographics. The data therefore reflects the views of both the public and those who have direct experience of extremism.

## **The 5 academic papers**

### **Overview of the far right**

Dr Benjamin Lee, Senior Research Associate, Politics, Philosophy and Religion, Lancaster University, Centre for Research and Evidence on Security Threats (CREST)



Dr Lee says:

This paper provides readers with an overview of the far-right in the UK. It covers the various ideological strains that inhabit the far-right space (broadly interpreted) as well as some of their different aims and objectives.

The paper finishes by setting out some of the available indicators of the scale of far-right support in the UK.

## **Modernising and Mainstreaming: The Contemporary British Far Right**

Dr Joe Mulhall, Senior Researcher, at HOPE not hate, Panel Tutor, University of Cambridge Institute of Continuing Education

Dr Mulhall says:

By analysing the rhetoric espoused at a series of major far-right events across 2018 and comparing it to societal polling it becomes evident that large parts of the contemporary far-right's platform – namely anti-Muslim politics, co-option of the free speech debate and an anti-elite populism – has widespread public support.

## **National Action: Links between the far right, extremism and terrorism**

Dr Chris Allen, Associate Professor in Hate Studies, The Centre for Hate Studies, Department of Criminology, University of Leicester

Dr Allen says:

In 2016, National Action made history for being the first far-right group to be proscribed in the UK. Investigating the group's history, ideology and activities, this article considers how its commitment to a 'pure' form of nationalism helped it to transition from non-violent to violent extremism.

## **The values of the Far Left and their acceptance among the general British public and the self-identifying 'very leftwing'**

Daniel Allington, Senior Lecturer in Social and Cultural Artificial Intelligence, King's College London, Siobhan McAndrew, Lecturer in Sociology with Quantitative Methods at the University of Bristol & David Hirsh, Senior Lecturer in Sociology at Goldsmiths, University of London

Allington says:

The sectarian Far Left consists of a number of small, close-knit groups, each of which aspires to lead the workers into revolution. Survey data suggest that people who agree with the ideas promoted by the sectarian far left are more likely to sympathise with violent extremism.

## **Talking Our Way Out of Conflict: Critical reflections on 'mediated dialogue' as a tool for secondary level CVE**

Dr Ajmal Hussain, Research Fellow in Sociology, School of Social Sciences, University of Manchester, Professor Hilary Pilkington, Professor of Sociology, School of Social Sciences, University of Manchester, Jon Nicholas, Kelly Simcock and Harriet Vickers of the Tim Parry Johnathan Ball Peace Foundation, along with Lee Rogerson of Street Talk.

Professor Pilkington says:

This paper reflects on a researcher-practitioner collaboration in conducting a mediated dialogue between young people from an 'Islamist' milieu and from an 'extreme right' milieu. It situates the intervention in the literature on the effectiveness of intergroup contact in reducing prejudice and on social cohesion and suggests how it might be developed for use in community led counter extremism practice.

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## **UK and Canada lead global campaign to defend media freedom**

Jeremy Hunt, the UK Foreign Secretary, and Chrystia Freeland, Canadian Minister of Foreign Affairs, co-hosted the first ever global conference on media freedom in London. It is part of an international campaign to shine a global spotlight on media freedom and increase the cost to those that are attempting to restrict it.

The conference was structured around 4 themes:

- protection and prosecution, including impunity
- national frameworks and legislation
- building trust in media and countering disinformation
- media sustainability

Over 1,500 global leaders, representatives from the media industry, journalists, civil society and academia gathered to attend interactive panel

discussions. The first day focused on defining the challenges, the second on framing solutions. View the [full conference agenda](#).

In his [opening speech](#), Foreign Secretary Jeremy Hunt highlighted the importance of investigative journalism in uncovering corruption. He said:

In Peru, Gustavo Gorriti of IDL Reporteros has brought to light a series of corruption scandals involving business, the government and the judiciary.

Peruvian investigative journalists Paola Ugaz and Pedro Salinas attended the conference. Gustavo Gorriti delivered a video message from Lima on media freedom.

IDL-Reporteros published an [article](#) on the universal value of media freedom.

## **Media Freedom Coalition Pledge**

In London, Foreign Secretary Jeremy Hunt and Canadian Foreign Minister Chrystia Freeland announced the launch of a new Media Freedom Coalition.

The Coalition will be formed by governments who sign up to a [pledge](#) that commits them to speak out and take action together when media freedom is at risk, and to champion the cause around the world.

The [global pledge](#) was published and signed as part of the conference and commits those governments that sign it to:

- speak out and take action together, through a Media Freedom Coalition
- harness the power of diplomatic networks, through a new Media Freedom Contact Group
- reinforce international initiatives to champion media freedom
- meet annually to renew our commitments and to address emerging threats and opportunities

## **High-Level Panel of Legal Experts**

Lord Neuberger, Chair of the [High Level Panel of Legal Experts](#), and Amal Clooney, Deputy Chair of the Panel, announced at the conference the composition of the independent High Level Panel of Legal Experts. The panel convened for the first time in London to develop the legal frameworks to help defend media freedom.

The High Level Panel is an independent body convened at the request of the UK and Canadian governments and chaired by Lord Neuberger, former President of the UK Supreme Court.

## **National Committee for the Safety of Journalists**

Secretary of State for Digital, Culture, Media and Sport Jeremy Wright announced at the conference that the UK will set up a [National Committee for](#)

## [the Safety of Journalists.](#)

The Committee will be asked to devise a National Action Plan on the Safety of Journalists and ensure that those who threaten journalists are held to account. The plan will examine current protections offered to journalists in the UK, and consider how to work together to build on existing strengths.

A free and independent media plays a vital role in protecting human rights and holding the powerful to account. Media freedom is the lifeblood of democracy and can be the foundation for economic prosperity and social development. It means that society can be free, fair and open. Journalistic scrutiny is an essential part of a vibrant and healthy democracy.

The world is becoming a more hostile place for journalists. Reporters Without Borders called 2018 the deadliest year on record for journalists. UNESCO confirms that at least 99 journalists were killed, a further 348 imprisoned and 60 held hostage. Freedom of expression is being stifled and barriers are preventing the functioning of an independent media. We must address this and the dangers it presents.

## **Facts and figures about media freedom**

This information is sourced from organisations including the Committee to Protect Journalists, Freedom House, International Federation of Journalists, Reporters Without Borders and UNESCO:

- 2018 is the worst year on record for violence and abuse against journalists: more than half of the journalists were deliberately targeted and there has been a 15% increase in such killings since 2017. Source: Reporters Without Borders: [2018 round-up of deadly attacks and abuses against journalists](#)
- in 2018, at least 99 journalists were killed, a further 348 imprisoned and 60 held hostage. Sources: United Nations press release [‘Informing is not a crime’ UN chief calls for better protection of journalists press release](#) and Reporters Without Borders: [2018 round-up](#)
- almost 1,000 journalists and media workers have been killed in the past decade. Source: Committee to Protect Journalists data on [journalists killed, 1992 to 2019, with a confirmed motive](#)
- 93% of those killed are local journalists and 7% are foreign correspondents. Source: UNESCO press release [International Day to End Impunity for Crimes Against Journalists 2017](#)
- 9 in 10 cases of killed journalists remain unresolved. Source: [UNESCO International Day](#) press release
- only 10% of the world’s population enjoys a free press, and media independence and the autonomy of independent regulators has faced increased pressure. Source: [Freedom of the Press 2019](#)
- there has been an increase in incidents against journalists across all categories including murders, imprisonment, hostage-taking and enforced disappearances. Source: Reporters Without Borders [2018 round-up](#)
- journalists face dangers beyond warzones and extremism, including increasing intolerance to independent reporting, populism, rampant corruption, crime and the breakdown of law and order. Source:

International Federation of Journalists press release [2018 reverses downward trend in killings of journalists and media staff with 94 victims of violence](#)

- impunity for crimes against journalists remains the norm, with justice in only 1 in 10 cases. Source: [UNESCO International Day](#) press release
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## **UK and Central America sign continuity agreement**

The UK government has today signed a trade and political continuity agreement with Central America.