



A Manifesto for Family Justice



As an alliance of organisations which represents the rights and needs of women, children, families and victims of domestic abuse and/or are engaged in the administration of family justice, we call upon the Government to:

- 1 Protect vulnerable women and children from the risk of harm by pledging to amend aspects of the Legal Aid, Sentencing and Punishment of Offenders Bill which threaten their rights, including:
 - The narrow definition of domestic abuse, which is more restrictive than that used by the Home Office and the Association of Chief Police Officers and will limit legal aid to victims of certain 'types' of abuse
 - Excessively narrow referral mechanisms for victims of domestic abuse, who will not be eligible for civil legal aid if, for example, they have been admitted to a refuge but have chosen not to bring proceedings against their abusive partner
 - The decision to retain legal aid for alleged victims of domestic abuse in private family law cases but not the alleged perpetrator, which will result in an increasing number of vulnerable witnesses being subjected to cross-examination by their alleged abuser in court, and
 - The decision to exclude most adults in private family law cases from the scope of legal aid, even in cases of significant difficulty involving legally represented children, which may result in children alleging abuse being cross-examined by the alleged abuser.



2 Listen to the experienced practitioners who work in family justice and who understand that mediation, whilst beneficial in many cases, will not resolve many others. The interim report of the Family Justice Review recognises that mediation is not a complete solution for the resolution of all family disputes. Experience shows that it is highly likely to fail when one partner is unwilling to compromise or when one or more partner is suffering from mental health or substance misuse problems, for example. For these people, the support of the State will be pulled from beneath their feet when they are most in need. They will be forced to represent themselves in court, sometimes opposite experienced lawyers.

3 Consider with care whether the decision to remove legal aid from private family law cases will save the Government money or, in fact, cost more and lead to poor outcomes. Senior judges and family lawyers have expressed their clear concerns that the rise in individuals conducting their own cases will cause unmanageable delays in the courts. The Government's own research on litigants in person reveals that their participation in court hearings will result in poorer case outcomes, longer delays in the resolution of all cases (including public law cases) and lower prospects of settlement; not to mention the strain placed upon vulnerable people attempting to represent themselves in complex proceedings.

Association of Lawyers for Children
Bar Council
Co-ordinated Action Against Domestic Abuse
Children's Commissioner
Family Law Bar Association
Gingerbread
Liberty
Resolution
NFWI
Women's Aid

