

Domestic abusers barred from cross-examining victims in family and civil courts

Press release

Victims of domestic abuse can be spared from being cross-examined by their alleged attackers in family and civil courts under measures coming into force today (21 July 2022).



- victims spared trauma of being quizzed by abusers in court
- legal professionals to conduct cross-examinations in domestic abuse cases
- part of government's landmark Domestic Abuse Act to transform the response to this crime

It follows concerns that perpetrators were using the process as a means of extending their abuse, and victims were being retraumatised by their experiences in court.

The change is part of the government's landmark Domestic Abuse Act (2021). It places a legal bar on parties cross-examining each other where there is evidence of abuse.

Instead, this will be done by a court-appointed legal professional to ensure that justice continues to be done fairly for both sides. Hundreds of lawyers have already signed up to fulfil this important role.

Justice Minister, Tom Pursglove MP said:

Going to court about family issues can be a traumatic experience, so victims of domestic abuse shouldn't face the extra torment of being cross-examined by their abuser.

This is already banned in criminal trials and from today it will be

banned in family and civil courts too – to protect victims, ease the stress and make sure they get a fair hearing.

The change forms part of government efforts to reduce the trauma of appearing in court and ensure that victims are better supported. This includes introducing special measures in family and civil courts, such as screens and separate entrances, to minimise stress and help witnesses to give their best evidence.

The ban will only be applied in cases where there is specified evidence of domestic abuse between those involved, or there is a conviction or protective injunction in place between the parties.

Earlier this year, the government published a draft Victims Bill which seeks to amplify victims' voices throughout the criminal justice system. The Bill also places greater accountability on agencies such as the Crown Prosecution Service (CPS) and police for the service they provide to them.

Meanwhile, victim support services will receive more than £460 million in grant funding over the next three years, helping to fund more than 1,000 Independent Sexual and Domestic Violence Advisors and a 24/7 rape crisis helpline.

Notes to editors

Published 21 July 2022