

Domestic Abuse Information Sheet



Llywodraeth Cymru
Welsh Government

Key Principles

Cafcass Cymru has a vital role in supporting children and families in family court proceedings. We advise the courts on the best course of action on what we consider to be in the best interests of children. All cases are referred to us by a court. The child's future welfare is at the heart of every decision taken by Cafcass Cymru. We are part of the Welsh Government's Health and Social Services Group. We are accountable to both the Minister and the Director General for Health and Social Services.

Domestic abuse is the misuse of power and control by one person over another within an intimate or family relationship. It can take the form of physical, emotional, psychological, financial or sexual abuse, or a combination of all of these. It is usually a pattern of behaviour and happens regardless of gender, gender identity, class, disability, immigration status, ethnicity, geography or religion. This behaviour can be obvious; it can also be subtle, such as socially isolating someone or their children.

You will be reading this information sheet because you or someone you know will be trying to reach an agreement about arrangements for your children and have sought the assistance of the court.

Most children living in a household where there is domestic abuse are aware that this abuse is taking place. Children can suffer both short and long-term problems as a result of being a victim or witness of domestic abuse. For example, they may be physically injured but also suffer emotional problems such as becoming anxious or depressed, developing problems at school or becoming aggressive or withdrawn.

We know that it can be difficult to talk about any domestic abuse you may be suffering or may have suffered. However, if you are a victim, it is important that you let us know as soon as possible.

Victims of domestic abuse who meet certain criteria may be eligible for legal aid; you can find out more information on this here: www.gov.uk/legal-aid/domestic-abuse-or-violence

What will Cafcass Cymru do?

If we learn that there is, or has been, domestic abuse in your case, we will tell the court so the judge can make a decision about your children and prioritise their safety; we may also inform the local authority. We will not expect you to sit in a room with the alleged perpetrator and you can have someone with you for support, providing the court agrees to this.

What will the court do?

The court can agree for you to have someone to support you during court hearings, this could be someone from an agency, a family member or friend. It is important that you raise this with the court as soon as possible, for the court to make this decision.

Sometimes, one parent may make an allegation of domestic abuse which the other parent denies. In these cases, the court may decide to hold a 'finding of fact' hearing. This will allow each parent to give their account and allow the court to look carefully at all the information before making a judgement. This judgement will inform the court's later decisions about arrangements for your children. The court will make a final decision about your children based on what it thinks is best for them.

Where to go to get help?

Live Fear Free Helpline: 0808 8010800 – for help, advice and information.
A free 24 hour domestic abuse helpline for all.
info@livefearfreehelpline.wales

Childline: 08001111

Provides support and assistance to children

NSPCC Helpline: 0808 8005000
help@nspcc.org.uk

Provides support and assistance to children