

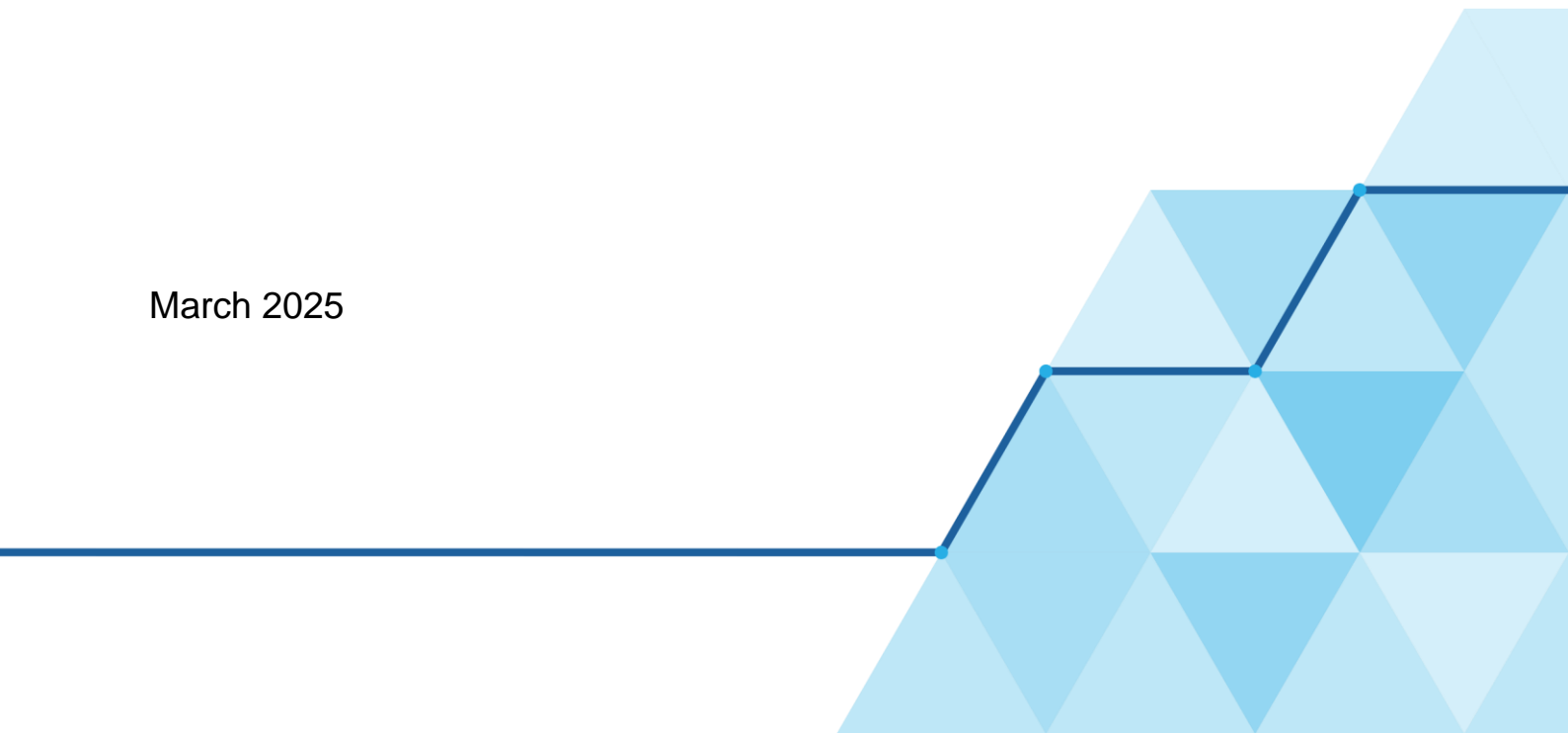


Ministry  
of Justice

# Private Law Pathfinder

**An update on the implementation of the  
Government's Pathfinder programme for  
private law reform**

March 2025



# Contents

Chapter	Item	Page number
1	<b>Ministerial foreword</b>	2
2	<b>Background</b>	4
3	<b>Pathfinder model</b>	6
4	<b>Delivery update</b>	8
4.1	Update from initial pilot court areas	8
4.2	Strengthening programme controls	9
4.3	Lessons learned	10
5	<b>Expansion of the programme</b>	12
5.1	Developing the model	12
5.2	Next steps	13
6	<b>Annex: process maps</b>	14

# 1. Ministerial foreword

I am delighted to introduce this update on the progress made with the private law Pathfinder pilot in England and Wales.

As those reading this update will know, tackling Violence Against Women and Girls is a top priority for this Government, and the family justice system has a key role to play in supporting delivery against that priority. We are committed to system-wide reform to transform how survivors of domestic abuse are treated in the family courts and, more broadly, to improve experience and outcomes for both children and families involved in proceedings. As part of the work to achieve this aim, the Ministry of Justice is committed to further expansion of the Pathfinder pilot in private family law proceedings relating to children.

As a former magistrate, I spent many years supporting families to resolve private law matters and have seen first-hand the issues that arise from adversarial proceedings and, in particular, the potentially traumatising impact of proceedings on families who have experienced domestic abuse.

The Pathfinder model offers a new way of approaching private law cases. The model represents a holistic transformation of system-wide practice and procedure to be followed in such proceedings. It creates a context in which risk is assessed earlier and is better understood, where conflict is reduced, and where children are put at the centre of proceedings. The model also provides expert domestic abuse support and advice to victim-survivors which is desperately needed.

I have been fortunate enough to visit Pathfinder courts in both Dorset and Wales and was delighted to see the abundant commitment and enthusiasm from judges, court staff, social workers and many others as we pilot and refine a transformed model for conducting private law proceedings relating to children.

I am very pleased that the model is now operational across all of Wales and that, as we announced publicly earlier this year, we have funding to expand into additional court areas later in 2025 in order that more families can benefit from this model.

I hope providing this update on the implementation of this pilot following the first three years reassures practitioners working in the family courts, and wider interested stakeholders, that this Government remains committed to the Pathfinder model. We will seek to provide regular updates on the programme as it expands further.

**Lord Ponsonby of Shulbrede**

**Parliamentary Under Secretary of State**



## 2. Background

In June 2020, the MoJ published the report 'Assessing Risk of Harm to Children and Parents in Private Law Children Cases' (the 'Harm Panel Report') which called for widespread reform to the family court system.

In response to this report, the then Government committed to pilot a reformed approach to child arrangement proceedings. The pilot was designed to test a less adversarial and more problem-solving approach which provides additional support to those who need it, such as domestic abuse survivors.

The model applies to proceedings for an order under section 8 of the Children Act 1989 (child arrangements order, specific issue order, prohibited steps order) and proceedings for an enforcement order following an alleged breach of a child arrangements order. It allows the court to identify families' needs earlier and fosters improved multiagency working between HMCTS, Cafcass, Cafcass Cymru, local authorities, specialist domestic abuse support providers and the police. This approach is designed to improve experiences for families by reducing the time from application to a court order and requiring fewer court hearings for each family.

This model aims to improve the experiences of children and families by:

1. Improving the family court experience for all parties, particularly parent survivors of domestic abuse and their children; improving children's experience of and (appropriate) participation in the court process.
2. Adopting a multi-agency approach to improve coordination between the family court and agencies, such as local authorities and the police, and the way allegations of domestic abuse and other risks of harm are dealt with.
3. Delivering a more efficient court process which reduces delays whilst ensuring that all orders are safe and appropriate to the case.

4. Reducing the re-traumatisation of domestic abuse survivors, including children, that may be experienced during proceedings.
5. Reducing the number of returning cases through a more sustainable court order.

## 3. Pathfinder model

In the Pathfinder courts where the model has been implemented, the usual Child Arrangements Programme (CAP) is suspended and replaced with a revised process for relevant cases. This revision was introduced through Practice Direction 12b (Pilot) which is annexed to pilot Practice Direction 36Z.<sup>1</sup>

There are two stages to the model:

### Stage 1: Information gathering and assessment

This stage involves information gathering and the preparation of an assessment to understand the impact of issues in the case on the children involved. A Child Impact Report (CIR) is developed which summarises the key evidence and issues for the court. In some cases, independent domestic abuse services will assess risk which will be included in the CIR.

### Stage 2: Interventions and/or decisions hearing

In this stage the court reviews the CIR and decides how to proceed. This may involve:

- Recommending non-court resolution
- Further investigation of issues
- Interim orders (such as periods of supervised contact)
- Holding a decisions hearing and making a final order

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<sup>1</sup> [https://www.justice.gov.uk/courts/procedure-rules/family/practice\\_directions/new-practice-direction-36z-pilot-scheme-private-law-reform-investigative-approach](https://www.justice.gov.uk/courts/procedure-rules/family/practice_directions/new-practice-direction-36z-pilot-scheme-private-law-reform-investigative-approach)

Diagrams showing the process models between Pathfinder and CAP can be found annexed to this document.



## 4. Delivery update

### 4.1 Update from initial pilot court areas

The MoJ published an update in May 2023 following the first year of implementing the model in North Wales and Dorset.<sup>2</sup> Since that report was published, the pilots have been monitored closely by local partners as well by the responsible agencies and through formal Pathfinder governance structures, including a Programme Board.

The Programme Board includes key delivery partners and stakeholders from across the system, many of whom have visited the pilot courts in the past two years, with all considering the model to be an improvement on CAP. The Domestic Abuse Commissioner published a report in 2023 finding the courts had been well received and ‘effective at engaging with domestic abuse’.<sup>3</sup> Data published in February 2025 showed these courts resolve cases 11 weeks earlier on average and the backlog of cases has reduced by over 50% since the pilot started.<sup>4</sup>

The implementation of the pilot in the first two areas has been evaluated in two parts. The first, a process evaluation, examined how the model works at an operational level from the perspectives of delivery staff. It sought to explore what has worked well, critical components of the model required for successful implementation, lessons learned and good practice. This evaluation also included an exploratory financial analysis which compared the costs of delivering Pathfinder in the two pilot areas to delivering the CAP in two comparator areas. The findings of this evaluation have been published alongside this delivery update.

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<sup>2</sup>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1158907/annex-integrated-domestic-abuse-courts.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1158907/annex-integrated-domestic-abuse-courts.pdf)

<sup>3</sup> [https://domesticabusecommissioner.uk/wp-content/uploads/2023/07/DAC\\_Family-Court-Report-2023\\_Digital.pdf](https://domesticabusecommissioner.uk/wp-content/uploads/2023/07/DAC_Family-Court-Report-2023_Digital.pdf)

<sup>4</sup> <https://www.gov.uk/government/news/thousands-of-children-to-be-supported-thanks-to-multi-million-expansion-of-innovation-in-family-courts>

The second strand of evaluation (upcoming) has explored the experiences of children and families who have been through the Pathfinder courts to understand their experiences and how well these align with the goals of Pathfinder. This will be published later in 2025.

The Pathfinder model was extended to two additional court areas, Birmingham, and South East Wales, in May and June 2024 respectively, and was most recently extend to Mid-West Wales in March 2025, which means the model is now operating across the whole of Wales. The pilot will next launch in West Yorkshire in June and the Government is committed to building momentum with further expansion between April 2025 and March 2026.

## **4.2 Strengthening programme controls**

We have strengthened arrangements to oversee delivery and expansion of the model into new court areas and ensure we are effectively learning lessons both around implementation and the impact of the model.

### **Governance**

We have introduced a new programme governance structure led by the Pathfinder Programme Board and supported by groups responsible for model design, operational readiness and data and evaluation.

The Programme Board is chaired by the Ministry of Justice and has senior representation from Cafcass, Cafcass Cymru, HMCTS and observers from the judiciary. There are representatives from the Domestic Abuse Commissioner's office, the Association of Police and Crime Commissioners and local authorities. The Board oversees delivery, agrees recommendations and makes decisions on how the operation of the model can be improved, and facilitates collective agreement to provide relevant advice to MoJ ministers. The programme will also be supported by an external group of stakeholders who will provide advice and challenge on the model. The governance structure ensures decisions are made collectively.

### **Risk management**

We have introduced a risk management strategy which establishes clear escalation routes and risk owners to ensure mitigations are put in place. Programme risks and issues are reviewed by the Programme Board every meeting.

### **Communications strategy**

We have introduced a new communications strategy to identify all stakeholders and ensure updates about the programme are regularly shared, including through Local Family Justice Boards and other forums.

## **4.3 Lessons learned**

In addition to the already completed and ongoing externally commissioned evaluations, data and insights from the pilot areas are regularly reviewed by a multi-agency data and evaluation group which reports into the Programme Board. Collectively, these operational insights, formal monitoring and evaluation and system governance have identified a number of key lessons which have been used to refine the model and the approach to implementation, These include:

- **Reduce the number of open cases in the court prior to launch.** We found in North Wales and Dorset that having many open cases when the new model is introduced creates a significant burden on the system due to professionals needing to manage cases following two separate processes. Ahead of implementing the model in Birmingham and South East Wales we worked with the courts involved to actively manage down the outstanding private law caseload prior to implementation, and will build this into our approach for expansion for further court areas, .
- **The review stage was confusing for families and difficult to operationalise.** The model initially included a third stage whereby, between 3-12 months after a final order, families would be contacted to understand how the court order was working and to signpost families to further support. When reviews were offered, we heard from frontline professionals that families were confused by the process. With the agreement of all operational agencies, the review stage was removed from the

Practice Direction in December 2024. Work is ongoing to identify an alternative way to support families after a final order.

- **Commissioning domestic abuse services.** Independent domestic abuse support agencies are commissioned to provide support to domestic abuse survivors. The services were initially commissioned directly by MoJ but we learned the initial arrangements did not provide stability or appropriate assurance to providers or to the MoJ. The services are now commissioned through grant funding and working with offices of the Police and Crime Commissioners who have expertise in commissioning these services, We have learned the importance of ensuring the services are commissioned in good time ahead of implementation to enable Independent Domestic Violence Advisers (IDVAs) to be appropriately trained and inducted. We will review the commissioning arrangements as further areas start the Pathfinder model, learning from feedback from providers and stakeholders, to ensure they are sustainable, scalable, and provide good outcomes and value for money.

## 5. Expansion of the programme

There will be further expansion of Pathfinder in late 2025 and this will help us continue to improve our understanding of the model, its costs and benefits, and implications for national roll out in subsequent years. As noted above, expansion into Mid and West Wales in March 2025 means that all family court areas in Wales have now adopted Pathfinder. It has been agreed with national and local partners that the model will be extended into West Yorkshire from 3 June 2025 which will align a family court area with an entire Cafcass Operational Service Area. Both these changes will enable Cafcass and Cafcass Cymru to evaluate whether operational efficiencies may arise from following a single model rather than managing CAP and Pathfinder simultaneously within a single operational area.

In February, the Government announced £12.5m funding to support the expansion of Pathfinder in 2025/26. With this funding, we intend to expand the model to four additional Designated Family Judge areas – Wolverhampton, Worcester, Stoke-on-Trent and Hampshire and the Isle of Wight - by the end of the 2025/2026 financial year. These areas are adjacent to existing Pathfinder courts and as such will allow for expansion in a way which aligns with the geographical footprint of Cafcass's operational service areas and to further test the implications for operating the model at a wider scale.

### 5.1 Developing the model

Lessons learnt from Dorset and North Wales and findings from the process evaluation have already helped to refine the model. The upcoming research with children and families will be key in ensuring the voice and experience of court users shapes the future development of the model. Monitoring data is being collected across all areas to help identify areas for improvement.

As the model expands and is tested in new areas, we will build on this existing learning and continually monitor how effectively the model is operating. Where required, we will work with partners to refine the model as currently set out in PD12B (Pilot) (annexed to PD36Z) and other supporting guidance to ensure that the delivery model is scalable whilst

meeting its objectives. As noted above, PD12B (Pilot) was amended in December 2024 to remove the Review Stage following feedback regarding the operational feasibility of this stage and the confusion it caused to families. Work is underway to develop a model to offer support after proceedings have ended.

We are reviewing the operating model to increase consistency between areas where different practices have emerged during the pilot. Some of these differences may require amendments to the underpinning Practice Directions.

Consideration will also be given to how domestic abuse harms are assessed and managed and we will review how the model works for non-parent parties, such as grandparents.

## 5.2 Next steps

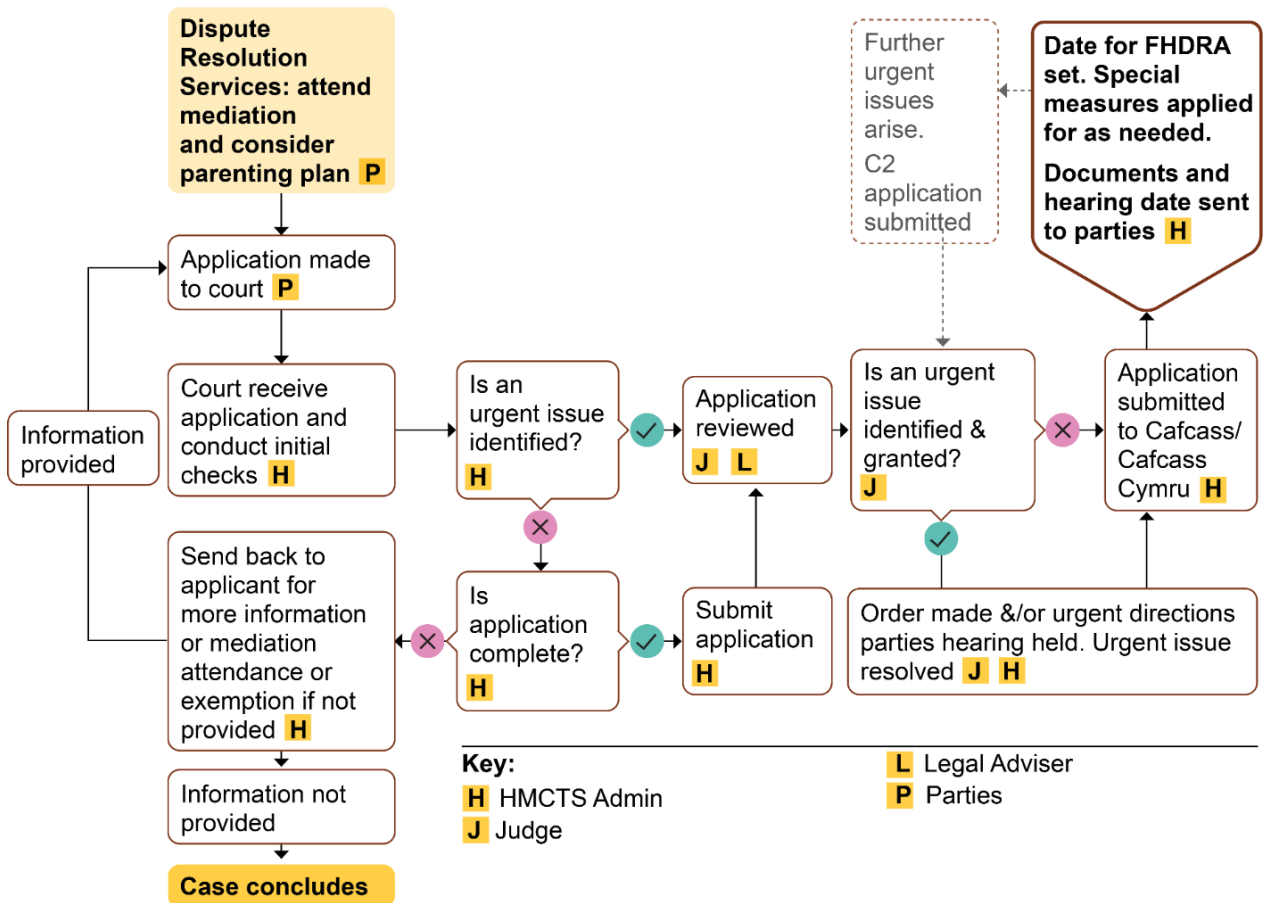
- Working with key stakeholders, we will continue to collect, monitor and improve available data related to Pathfinder. This will help identify areas for improvement as well enabling us to better understand key activities and outputs.
- The evaluation which explores the experiences of children and families under the Pathfinder model will be published later this year.
- We will publish annual updates on the implementation and delivery of Pathfinder, similar to this document.
- We are currently undertaking a feasibility study to explore potential approaches to this evaluation. This will be published later in 2025.
- Following the feasibility study, we will commission an impact evaluation. This will build on previous evaluations to understand the impact Pathfinder has on both the family justice system and on the outcomes for children and families.

## 6. Annex: process maps

This annex contains process maps for the Child Arrangements Programme (CAP) (figures 1-4) and Pathfinder (figures 5-8). Further information on the process can be found in the process evaluation which is published alongside this update.

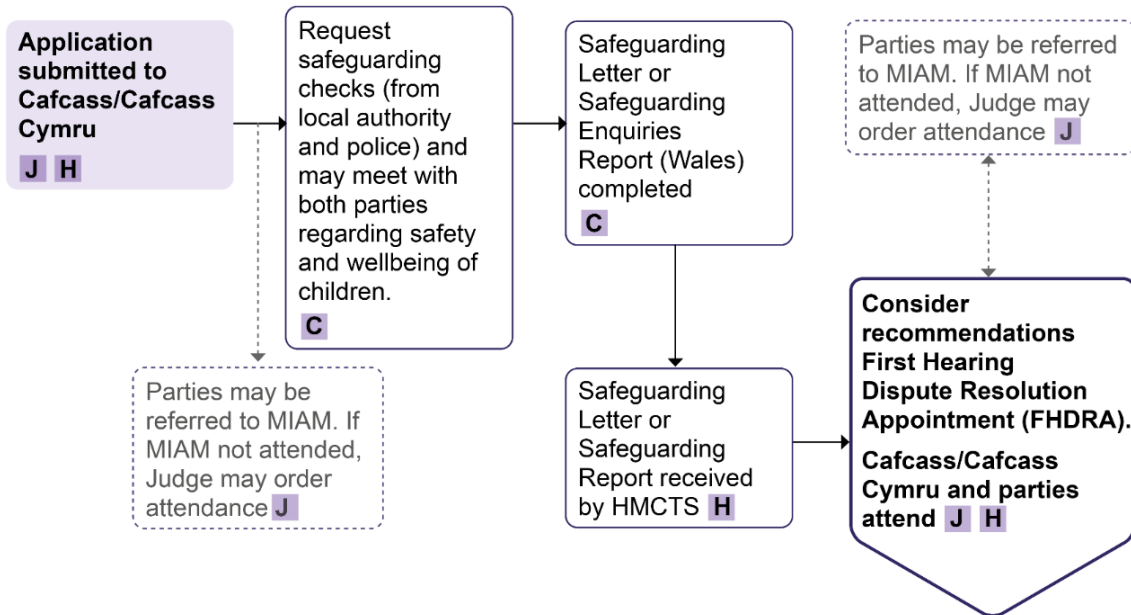
**Figure 1. Child Arrangements Programme: Application and Initial Gatekeeping**

### Application and Initial Gatekeeping



**Figure 2. Child Arrangements Programme: Safeguarding and First Hearing Dispute Resolution Appointment (FHDR)**

**Safeguarding and First Hearing Dispute Resolution Appointment (2 to 6 months to FHDR)**



**Key:**

- C** Cafcass/Cafcass Cymru or Local Authority
- H** HMCTS Admin
- J** Judge



Figure 3. Child Arrangements Programme: Case Management

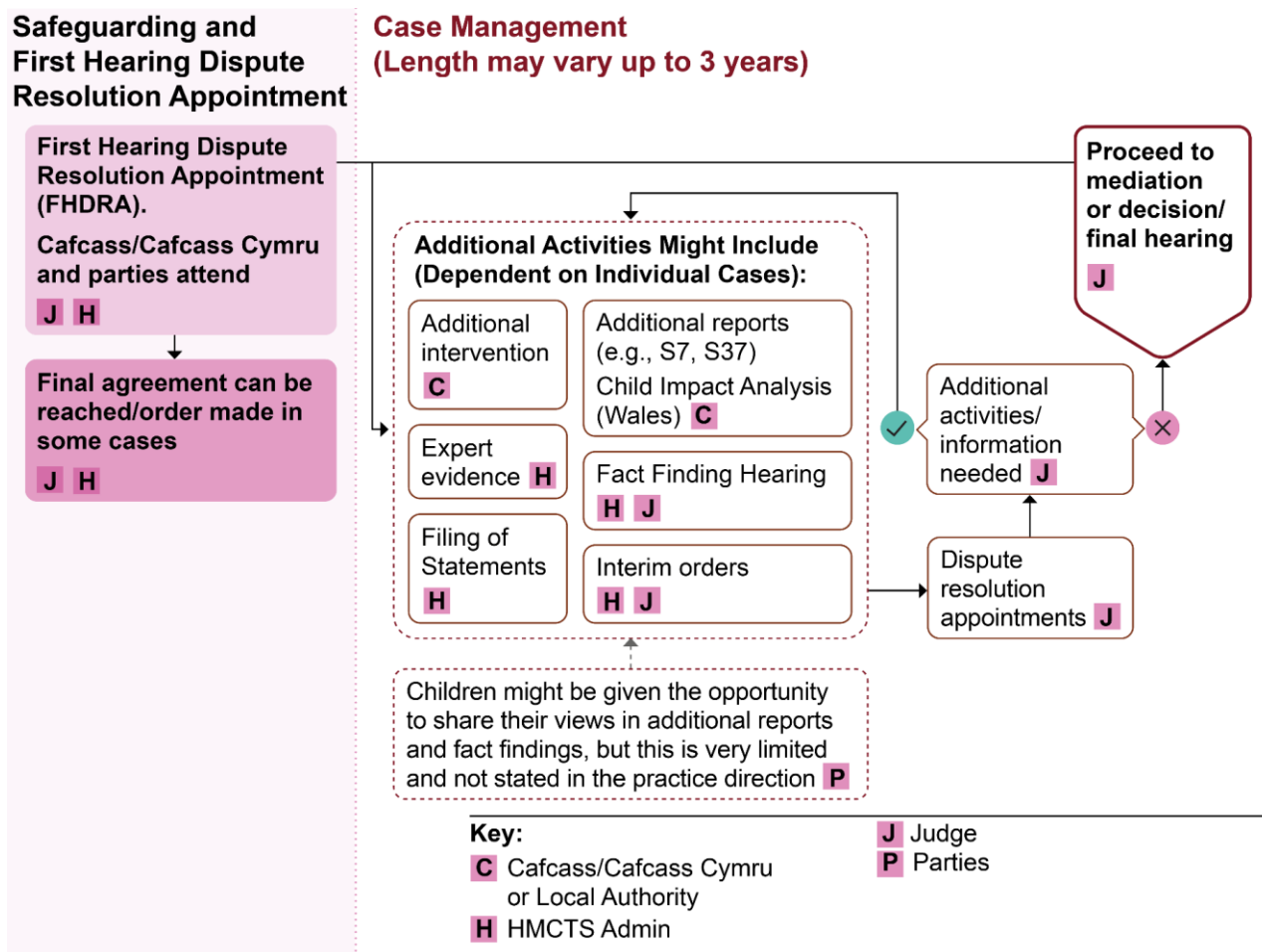


Figure 4. Child Arrangements Programme: Final decision

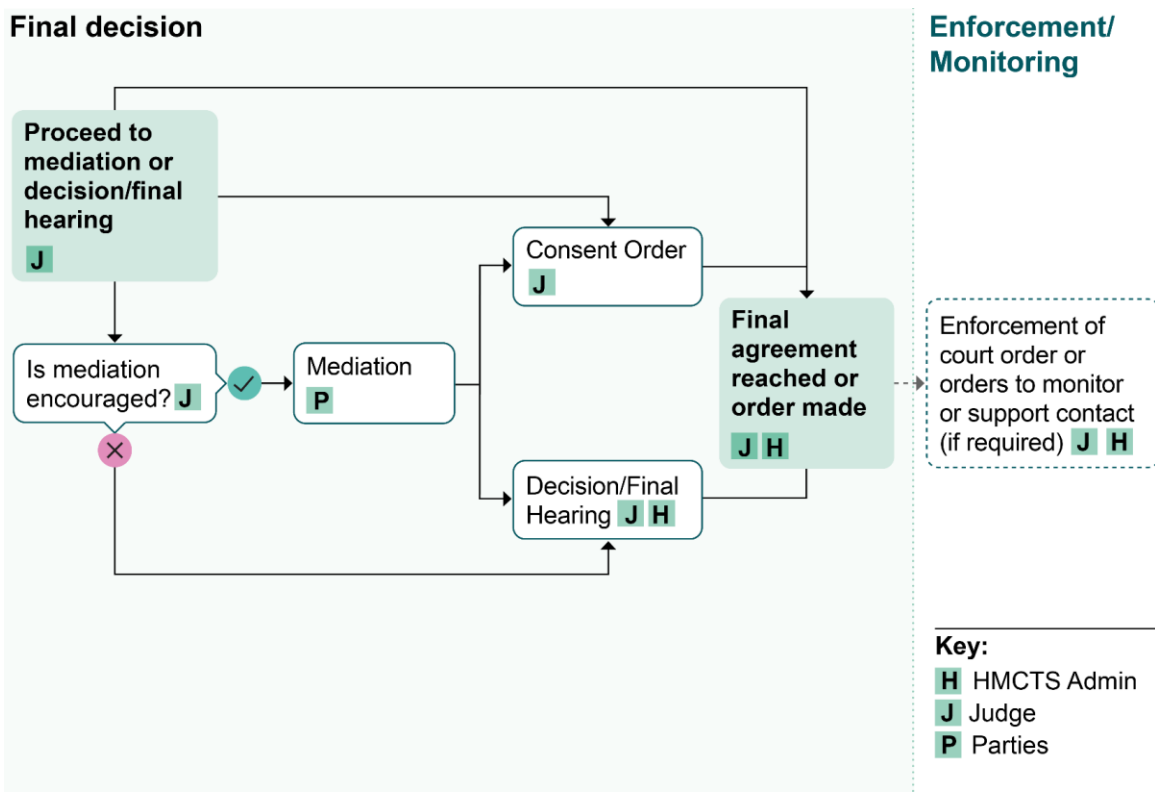
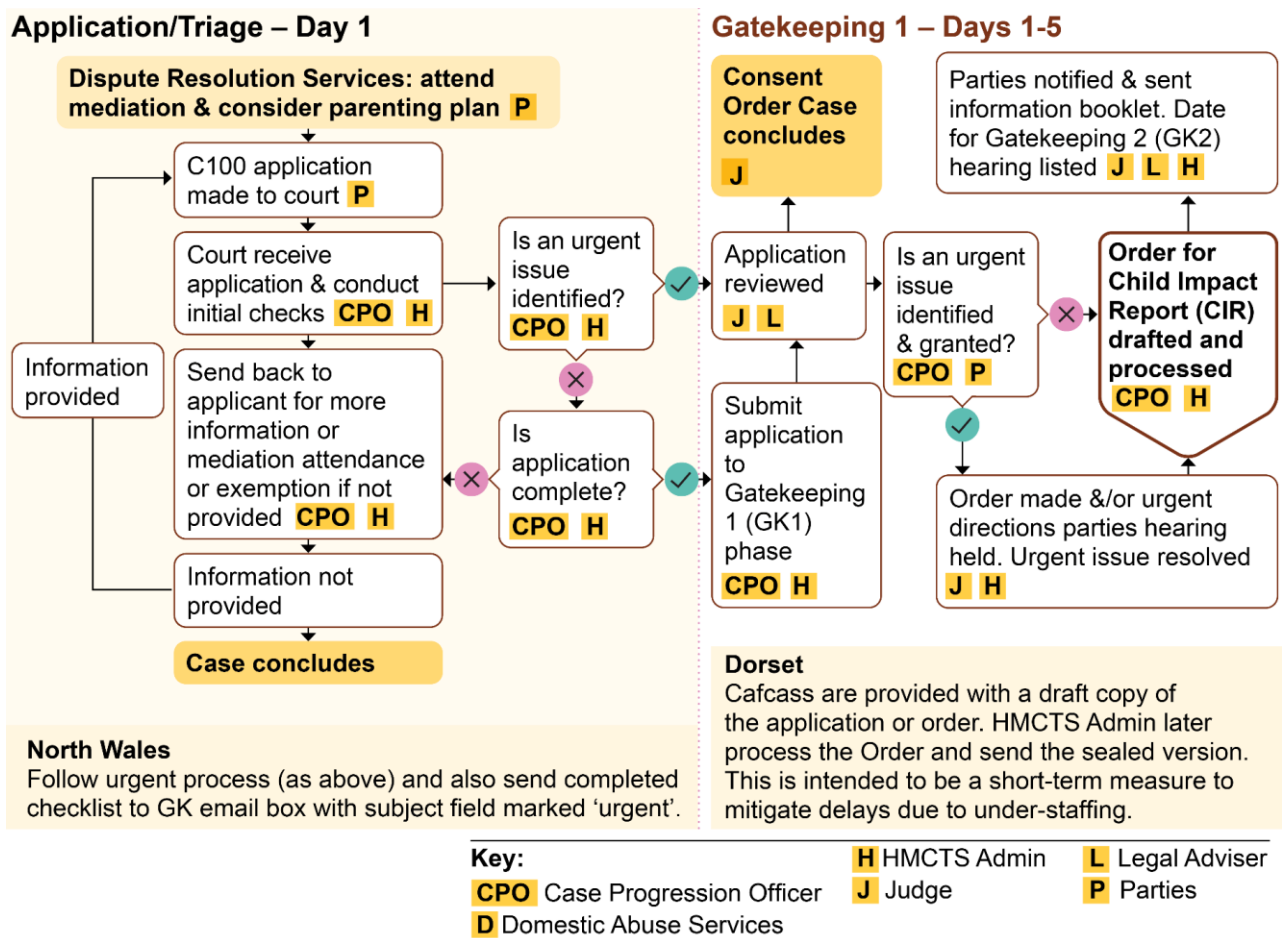
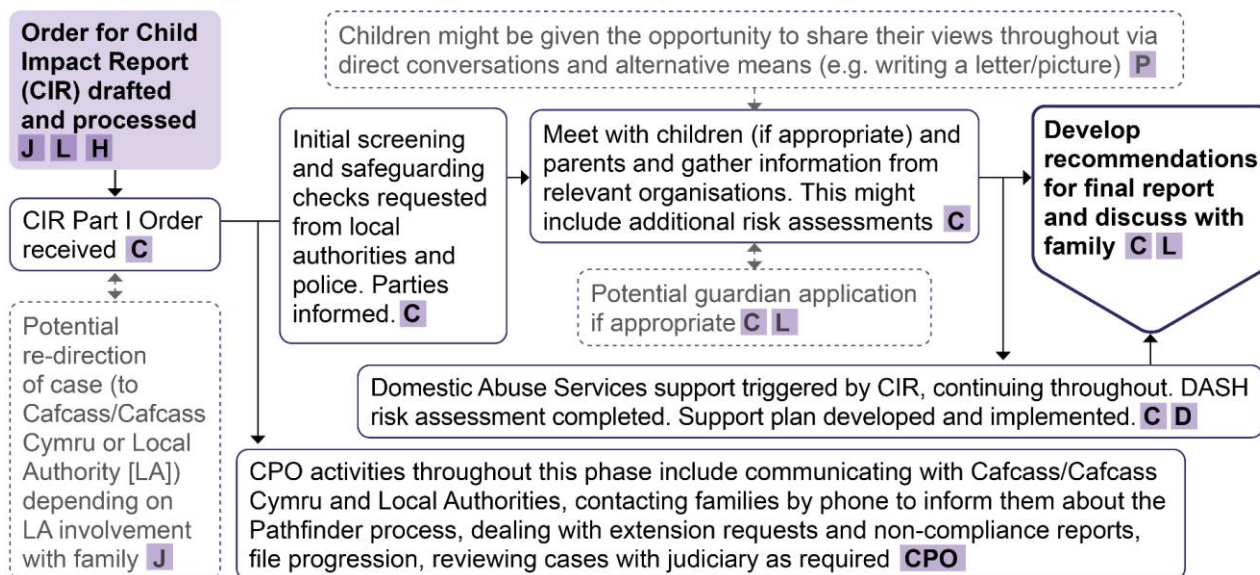


Figure 5. Pathfinder: Application and initial gatekeeping



**Figure 6. Pathfinder: Information gathering and assessment**

**Child Impact Report Part 1 – Day 5 to week 6/8 (site variation)**



**North Wales**  
 c. 6-7 weeks for completion of CIR 1  
 CPOs aim to contact families within 10-20 days of the application being filed through a dedicated phone line. Only litigants in person are contacted (not those with solicitors). DA services use an additional risk assessment tool for male victims (Dyn)

**Dorset**  
 c. 8 weeks for completion of CIR 1  
 CPOs aim to contact families within 5 days of documents being sent. 3 attempts are made via phone and if unsuccessful a letter is sent. Only litigants in person are contacted (not those with solicitors).

**Key:**  
**C** Cafcass/Cafcass Cymru or Local Authority  
**D** Domestic Abuse Services  
**H** HMCTS Admin  
**CPO** Case Progression Officer  
**J** Judge  
**L** Legal Adviser  
**P** Parties

Figure 7. Pathfinder: Interventions and decision hearing

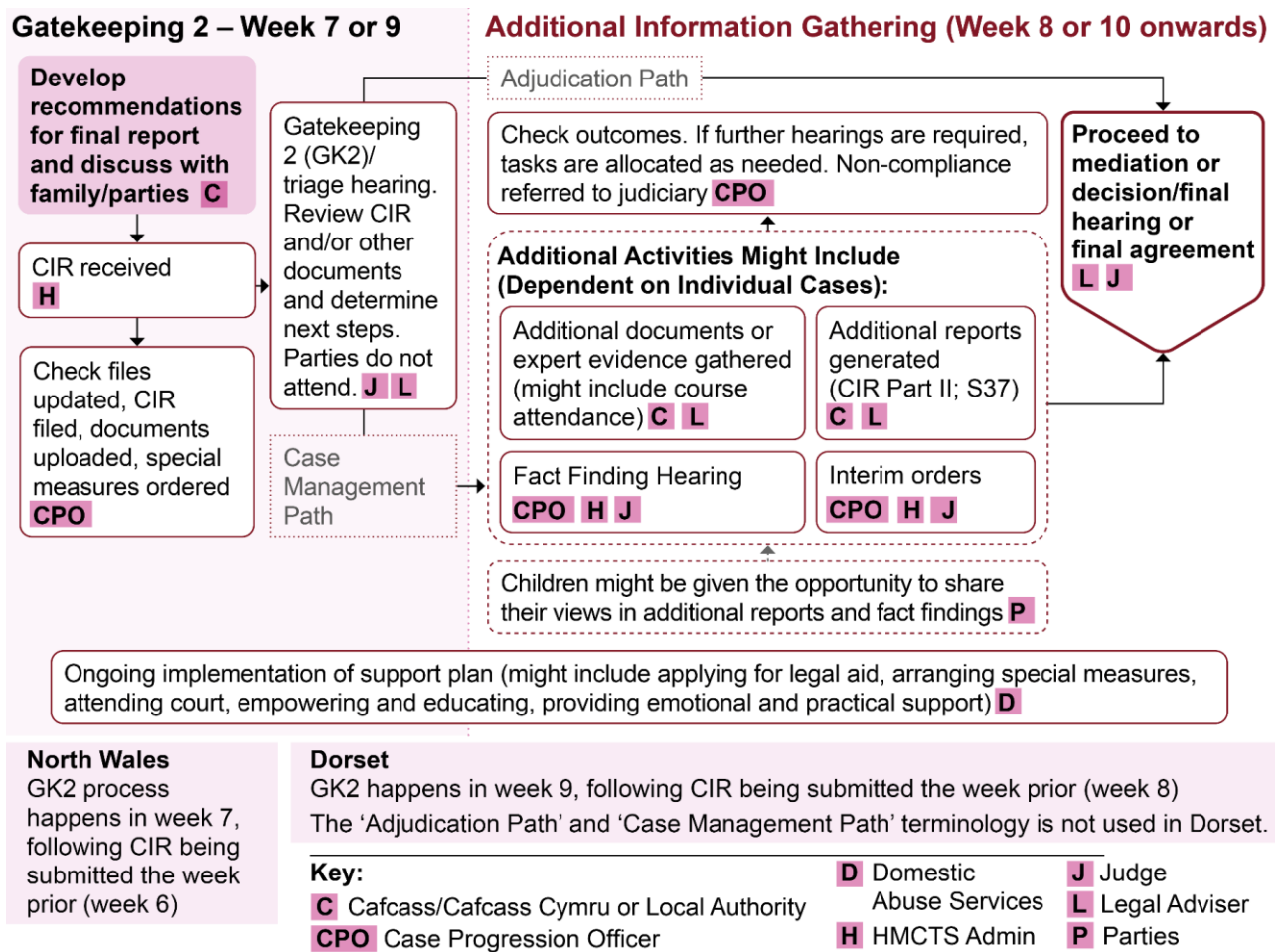


Figure 8. Pathfinder: Decision hearing

