ORAL STATEMENT TO THE ASSEMBLY

LAUNCH OF THE FAMILY LAW REFORM CONSULTATION

TUESDAY 10 NOVEMBER 2026

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MINISTER OF FINANCE

A Cheann Comhairle,

I welcome the opportunity to address the Assembly today and to announce the launch of a public consultation on family law reform and parental responsibility.

This consultation is rooted in a simple but important principle that government has a responsibility to protect the welfare and wellbeing of children. Family law and criminal law play a vital role in delivering this protection and ensuring that where the most serious criminal offending has occurred within a family, the law must place the welfare and protection of children first.

Family relationships form the foundation of so many aspects of a child's life. Families, should provide care, stability, support and a sense of belonging. The law rightly recognises the importance of those relationships through the concept of parental responsibility.

Parental responsibility means all the legal rights, duties, powers, responsibilities and authority that a parent has in relation to their child.

It includes making important decisions about a child's upbringing, education, healthcare, welfare, and day-to-day care, always with the child's best interests at the centre. This principle reflects the duties parents owe to their children and the role they play in making important decisions about their children's upbringing, welfare and future.

In the vast majority of cases, parental responsibility is exercised in a way that promotes and protects a child's best interests. However, we must be prepared to ask difficult questions when the most serious forms of harm occur within families. Where an offence is serious enough to justify restricting an offender's parental responsibility, should the law do more to protect children and their carers without them having to start court proceedings?

On 30th April, I announced my intention to bring forward legislative reform in the next Assembly mandate broadly equivalent to what has become known as Jade's Law in England and Wales. The South has similar legislation, known as Valerie's Law.

Over recent years, a number of domestic homicide cases have left children facing unimaginable loss. Not only have children been deprived of a parent, but in some cases, families have also faced uncertainty regarding the continuing parental legal rights and responsibilities of the person responsible for that death.

These are not isolated cases. Since 2020, 30 women have been killed in domestic homicides here, including 15 who were killed by a current or former partner.

Of those 15 victims who were killed by a current or former partner, 14 were mothers and, in at least 7 cases, the perpetrator was reported to be the father of the victim's children.
These figures demonstrate that domestic homicide affects children directly, leaving them to cope with trauma, bereavement and uncertainty, while also raising important questions about the ongoing exercise of parental responsibility by the offender.

For bereaved grandparents, relatives, carers and guardians, the burden has often fallen on them to navigate legal processes at a time of profound grief and trauma. Families and campaigners have rightly questioned whether it is appropriate that those caring for a child should bear the responsibility of seeking court orders to restrict the parental responsibility of a person who has committed such a grave offence.

For many families, that burden comes at a time when they are already trying to support children through loss, trauma and major upheaval in their lives. They have asked whether the law should do more to support them rather than expecting them to initiate complex legal proceedings in order to secure protections which many believe should already be available.

Many have made the case that the law should provide greater protection from the outset, reducing the burden on families to initiate proceedings, while continuing to ensure that appropriate judicial safeguards remain in place.

I believe those concerns deserve careful consideration.

The death of a parent as a result of violence has consequences that extend far beyond the criminal justice process. It alters a child's life forever. It will shape their relationships, their sense of security and their future opportunities. While criminal law rightly holds offenders to account, family law must also ensure that children and those caring for them have the protections they need.

Today's consultation represents the next stage of the review.

This consultation is an opportunity to engage with families and all interested parties, to consider evidence and their experience, and to ensure that any future reforms are shaped by those whose lives are most affected.

In developing this consultation, I have decided that it would not be appropriate to consider a single category of offending in isolation. Instead, I am seeking views on a broader range of serious offences and circumstances where restrictions on parental responsibility may need to be considered.

When any conduct is so serious that it fundamentally conflicts with the responsibilities of parenthood, should the law provide for restrictions on parental responsibility without requiring a surviving parent, family member or carer to initiate court proceedings?

That question goes to the heart of this consultation.

This consultation asks whether there are circumstances in which the law should intervene more directly to restrict the exercise of parental responsibility by offenders whose actions have not just resulted in death but have caused grave and most serious harm.

The consultation therefore considers a number of areas of offending.

Whilst it seeks views on proposals relating to the unlawful killing of a child's other parent, this consultation also seeks views on whether similar approaches should apply in other circumstances, such as attempted murder, certain serious sexual offences, cases involving the conception of a child through rape, and the most serious offences against children.

This consultation also recognises that individual situations can differ significantly from one another. The nature of the offending, the needs of the child and the wider family circumstances will not be the same.

That is why we are seeking views on a range of options and safeguards, rather than presenting a single predetermined solution.

These are not straightforward matters.

They raise important issues concerning child welfare, victims' rights, parental rights, human rights, due process and the role of the courts.

What unites them, however, is a common concern: whether the current legal framework places too much responsibility on victims, surviving parents and families to seek protections that may be necessary in the interests of a child.

At present, where concerns arise about the exercise of parental responsibility, it will often be necessary for someone to bring proceedings before the court. That is entirely appropriate in many circumstances. However, where the most serious criminal offending has already been proven in a criminal court, we must consider whether the law should provide a different starting point.

This consultation therefore explores whether restrictions should arise automatically in certain circumstances, subject to review and oversight by the courts.

Let me be clear.

This consultation is not about removing the role of the judiciary. Nor is it about creating a system that operates without safeguards.

The courts play a vital role in protecting rights and assessing the individual circumstances of every case.

The welfare of the child must remain the paramount consideration.

Any future reforms must reflect that principle fully.

We are asking whether those already coping with bereavement, trauma or the consequences of serious offending should still bear the burden of bringing these matters before the courts. Or should the law itself provide stronger protections once the criminal offending has been proven?

That is the conversation we are inviting our society to have.

It is also important to note that this work also sits within a broader context.

Across these islands, there is growing recognition that children affected by the most serious forms of violence and abuse may require stronger legal protections and that families should not carry unnecessary legal burdens during periods of immense distress.

Governments have increasingly recognised the need to examine the relationship between serious criminal offending and parental responsibility.

In England and Wales, Jade's Law provides for the automatic suspension of parental responsibility in specified circumstances where one parent has unlawfully killed the other.

In the South, Valerie's Law was introduced following a similar recognition that the law should respond more effectively to the impact of domestic homicide on children and those caring for them.

While legislation has now been enacted in both jurisdictions, the relevant provisions have yet to be commenced. We can and will learn from experiences elsewhere.

As we consider reform here, we must ensure that any changes are both effective and proportionate.

We must also recognise that proposals of this nature may have significant implications for the operation of our courts and justice system.

Limiting parental responsibility, establishing review mechanisms, creating new procedures and ensuring appropriate safeguards all have practical consequences.

Any future legislation would require detailed consideration of judicial processes, court resources, legal aid implications, safeguarding arrangements and the interaction between family and criminal law.

Those operational considerations are important, but they should not distract us from the central issue before us. This consultation is fundamentally about ensuring that our legal system responds to protect children appropriately when the most serious harms have occurred.

That is precisely why this consultation is so important.

We want to hear from victims' organisations, children's organisations, legal professionals, academics, family justice practitioners, the judiciary and all those with an interest in these issues.

Most importantly, we want to hear from the people who have experienced first-hand the impact of serious offending within families and the challenges of navigating the legal system that follows.

At its heart, this consultation is about children.

It is about ensuring that our laws reflect the reality of the harm caused to children by the most serious offences.

It is about recognising that parental responsibility is more than a legal status: it is a duty to protect and promote children's wellbeing.

And it is about ensuring that those caring for children in the aftermath of traumatic events are not left carrying avoidable legal burdens at the most difficult time in their lives.

None of us can undo the devastating events that have led families to call for change.

We cannot undo the devastating loss experienced by a child who has lost one parent as a result of the actions of the other, nor the profound impact that loss has on the wider family.
Equally, we cannot erase the trauma experienced by children who have been victims of the most serious sexual offending.

But we can examine whether our laws are providing the right protections at the right time, whether they are serving the best interests of children, and whether parental responsibilities of adults involved in a child's life are being exercised appropriately.

That is what this consultation seeks to do.

I encourage all Members of this Assembly, stakeholders, representative bodies, community organisations and members of the public to engage fully with the consultation process.

The views we receive will help shape future policy development and any legislative proposals that emerge from this work.

This is an opportunity to help build a family law framework that continues to place children first and supports families at times of profound difficulty, while ensuring that the burden of seeking protection does not fall unfairly on those already coping with loss and trauma.

I am committed to bringing forward legislation to make a meaningful difference to the lives of people here. Undertaking this important work and developing this legislation will enable a Bill to be brought forward in the early part of the next mandate.

I commend the consultation to the House and encourage everyone with an interest in these important matters to make their views known.

Go raibh maith agaibh.