

FACT FINDING

What evidence counts and will sway the court over the necessity for a fact-finding hearing, and how do you handle post fact finding allegations?

REFERENCE SHEET

PRACTICE DIRECTION 12J

URL: [https://www.justice.gov.uk/courts/procedure-rules/family/practice directions/pd part 12j](https://www.justice.gov.uk/courts/procedure-rules/family/practice%20directions/pd%20part%2012j)

Children Act 1989 - welfare checklist

URL: <https://www.legislation.gov.uk/ukpga/1989/41/section/1>

Cases

TRC v NS [2024] EWHC 80 (Fam)

URL: <http://www.bailii.org/ew/cases/EWHC/Fam/2024/80.html>

Re H-N and Others (children) (domestic abuse: finding of fact hearings) [2021] EWCA Civ 448

URL: <https://www.judiciary.uk/wp-content/uploads/2021/03/H-N-and-Others-children-judgment.pdf>

K v K [2022] EWCA Civ 468

URL: <https://www.bailii.org/ew/cases/EWCA/Civ/2022/468.html>

Oxfordshire County Council v DP, RS and BS [2005] EWHC 1593 (Fam)

URL:

<https://www.bailii.org/ew/cases/EWHC/Fam/2005/1593.html>

H-D-H and C, Re (Children: Fact-Finding) [2021] EWCA Civ 1192

URL: <https://www.bailii.org/ew/cases/EWCA/Civ/2021/1192.html>

Re A and B (Children) (Summary Return: Non-Convention State) [2022] EWCA Civ 1664

URL: <https://www.bailii.org/ew/cases/EWCA/Civ/2022/1664.html>

B-B, Re (Domestic Abuse: Fact-Finding) (Rev1) [2022] EWHC 108 (Fam)

URL: <https://www.bailii.org/ew/cases/EWHC/Fam/2022/108.html>

A v K (Appeal: Fact Finding: PD12J) [2024] EWHC 1981 (Fam)

URL:

<https://www.bailii.org/ew/cases/EWHC/Fam/2024/1981.html>

Re G and H (Children: return to Ghana) [2024] EWHC 1453 (Fam)

URL:

<https://www.bailii.org/ew/cases/EWHC/Fam/2024/1453.html>

Re NY (A Child) [2019] UKSC 49

URL: <https://www.bailii.org/uk/cases/UKSC/2019/49.html>

Derbyshire County Council v AA & Ors [2022] EWHC 3404 (Fam)

URL:

<https://www.bailii.org/ew/cases/EWHC/Fam/2022/3404.html>

J (Children: Reopening Findings of Fact) [2023] EWCA Civ 465

URL: <https://www.bailii.org/ew/cases/EWCA/Civ/2023/465.html>