



# Domestic Abuse Act 2021

## 2021 CHAPTER 17

### PART 5

#### PROTECTION FOR VICTIMS, WITNESSES, ETC IN LEGAL PROCEEDINGS

##### *Special measures*

#### **63 Special measures in family proceedings: victims of domestic abuse**

- (1) This section applies where rules of court provide that the court may make a special measures direction in relation to a person (“P”) who is a party or witness in family proceedings.
- (2) Rules of court must provide that where P is, or is at risk of being, a victim of domestic abuse carried out by a person listed in subsection (3), it is to be assumed that the following matters are likely to be diminished by reason of vulnerability—
  - (a) the quality of P's evidence;
  - (b) where P is a party to the proceedings, P's participation in the proceedings.
- (3) The persons referred to in subsection (2) are—
  - (a) a party to the proceedings;
  - (b) a relative of a party to the proceedings (other than P);
  - (c) a witness in the proceedings.
- (4) Rules of court may provide for an exception to the provision made by virtue of subsection (2) where P does not wish to be deemed to be eligible for the making of a special measures direction by virtue of that subsection.
- (5) In this section—
  - “family proceedings” has the meaning given by section 75(3) of the Courts Act 2003;
  - “relative” has the meaning given by section 63(1) of the Family Law Act 1996;

---

*Changes to legislation: There are currently no known outstanding effects for the Domestic Abuse Act 2021, Section 63. (See end of Document for details)*

---

“special measures” means such measures as may be specified by rules of court for the purpose of assisting a person to give evidence or participate in proceedings;

“special measures direction” means a direction by the court granting special measures.

---

**Commencement Information**

**II** S. 63 in force at 1.10.2021 by S.I. 2021/1038, reg. 2(d)

**Changes to legislation:**

There are currently no known outstanding effects for the Domestic Abuse Act 2021, Section 63.