

Hampshire & IOW Pathfinder News

What's New

Pathfinder is due to launch this week across Hampshire and Isle of Wight. Thanks to the dedication and hard work of the LIG and all of you we are in the best position possible in advance of the launch.

Cafcass, Local Authorities, The You Trust (Domestic Abuse Support Service and Hampshire Constabulary) have worked collaboratively through the Child Impact Report Subgroup to finalise the process and agree a Child Impact Report protocol.

Training has been planned and delivered across various agencies with further training planned early this year for Judiciary and Magistrates. Since the last newsletter the Partnership Events were held along with a webinar for practitioners which provided an overview of the process and we heard from those who have first hand experience of Pathfinder and the benefits it brings.

You will find in this issue information on the difference between CAP and Pathfinder, timeline of a C100 application, How NCDR and Pathfinder intersect, an update on the practitioners training event and detail on 'legacy' CAP cases

Pathfinder Protocols

Protocols have been finalised by members of the LIG and help to provide an overview of the process and key information for Pathfinder applications. They cover the:

- Principles to be applied when determining whether an application will follow the Child Arrangements Programme of Pathfinder Pilot
- Key milestones, activities and essential email addresses
- Initial process following receipt of an application where the court will contact the relevant Local Authority to see if they have had recent involvement with the child. This will determine whether the Local Authority or Cafcass will prepare the Child Impact Report.
- Disclosure process between Hampshire Constabulary and Local Authorities
- Domestic Abuse Commissioned Service Referral process.

Go Live Date:

Tuesday 6th January
2026

LIG Contacts

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Local Implementation Team

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Designated Family Judge

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Child Arrangements Programme (CAP) vs Pathfinder - what's the difference?

When proceedings are issued under CAP, a legal adviser will gatekeep the application and in most cases will direct Cafcass to file a safeguarding letter. The case is then listed for a First Hearing Dispute Resolution Appointment (FHDRA). The CAP allows for the ordering of a further welfare report – a section 7 report (undertaken by Cafcass or the Local Authority subject to their involvement with the family), a section 37 report, a listing for a Dispute Resolution Appointment (DRA), and if appropriate a Finding of Fact Hearing and/or a Final Hearing. A section 7 report will take a minimum of 12 weeks to prepare.

For applications made under Pathfinder, the court Case Progression Officer (CPO) will send out a Pre-Gatekeeping Pro-forma to the Local Authority covering the child's home to confirm any involvement they have had or currently have with the family. This information will be provided within a maximum of 48 hours. At the initial gatekeeping stage (GK1) which takes place around day 2/3, a legal adviser will make directions for a Child Impact Report (CIR) from either Cafcass or the Local Authority based on the information provided in the Pro-forma. The CIR must be filed within 8 weeks. There is no section 7 report or safeguarding letter under Pathfinder and unlikely to be a need for a section 37 report as the more in-depth information gathering and assessment undertaken by the CIR author explores issues at an earlier stage. The CIR is considered by a Judge and Legal Adviser together at a second gatekeeping stage known as the Safeguarding Gatekeeping Appointment where either a final order by consent is made or the case is allocated to the appropriate level of judiciary and listed for an in court Decision Hearing with directions.

Under Pathfinder there will be a front loading of information through the CIR which will include:

- The views of the child (unless deemed inappropriate by the professionals);
- A DASH (Domestic Abuse, Stalking and Honour-based Violence) risk assessment undertaken by our commissioned domestic abuse service (The You Trust);
- Information and views from parents and other agencies such as the child's school;
- Police disclosure

The expectation of Pathfinder is that:

- There will be more support for families and children who have been involved in domestic abuse at an early stage through referral to an IDVA (Independent Domestic Violence Adviser);
- Less intervention separately by multiple agencies;
- Fewer court hearings resulting in a more sustainable order;
- Court management of the case and the parties' expectations (in particular, litigants in person) through the key role of the Case Progression Officer.
- Reduced re-traumatisation for those involved in domestic abuse as they will not need to repeat their stories with each agency and through multiple court hearings

Helen Sewell

Local Implementation Manager



Overview of a Pathfinder C100 Application

Day 1

Checking applications for completeness. Request to Local Authority to determine their recent involvement within last 12 weeks. Refer to Legal Advisor for Gatekeeping (GK1)

Day 2/3

GK1 Legal Advisor directs Local Authority or Cafcass to file Child Impact Report (CIR) within 8 weeks. Order issued to Local Authority or Cafcass who commence preparation of the CIR, making a referral for Domestic Abuse (DA) support if required

Days 7-10

Case Progression Officer (CPO) tracks case and makes contact with Litigant in Person (LIP) to check receipt of documents, explain CIR has been directed which contain recommendations to the Court, key dates confirmed. Record of call made.

Weeks 7-8

CPO contacts Local Authority or Cafcass to check the CIR will be filed as directed. When CIR is filed CPO tracks receipt, preparing application to refer to Safeguarding Gatekeeping Appointment (Also known as Gatekeeping 2 (GK2))

Week 9

Safeguarding Gatekeeping Appointment (GK2) Judge or Legal Advisor considers the CIR. Case allocated to tier of Judiciary. Order made if appropriate or case listed for decision hearing within 3 weeks. CPO makes

Week 12

Decision Hearing before Judge or Magistrate in appropriate venue. Cases are listed for 1 hour before Judiciary and 1.5 hours before Magistrates. Report writer is not expected to attend this problem-solving hearing with the aim of resolving the application

Week 14+

Further hearing listed as required e.g. Fact Finding/Final Hearing.

Pathfinder and Non-Court Dispute Resolution

Pathfinder is compatible with non-court dispute resolution (NCDR) and part 3 of the Family Procedure Rules still applies in the same way it did for CAP cases. Under Pathfinder the court is required to consider, at every stage of court proceedings whether Non-Court Dispute Resolution is appropriate (PD36Z, 6.1).

Want to get in touch?

Please contact the person named for your organisation, alternatively:



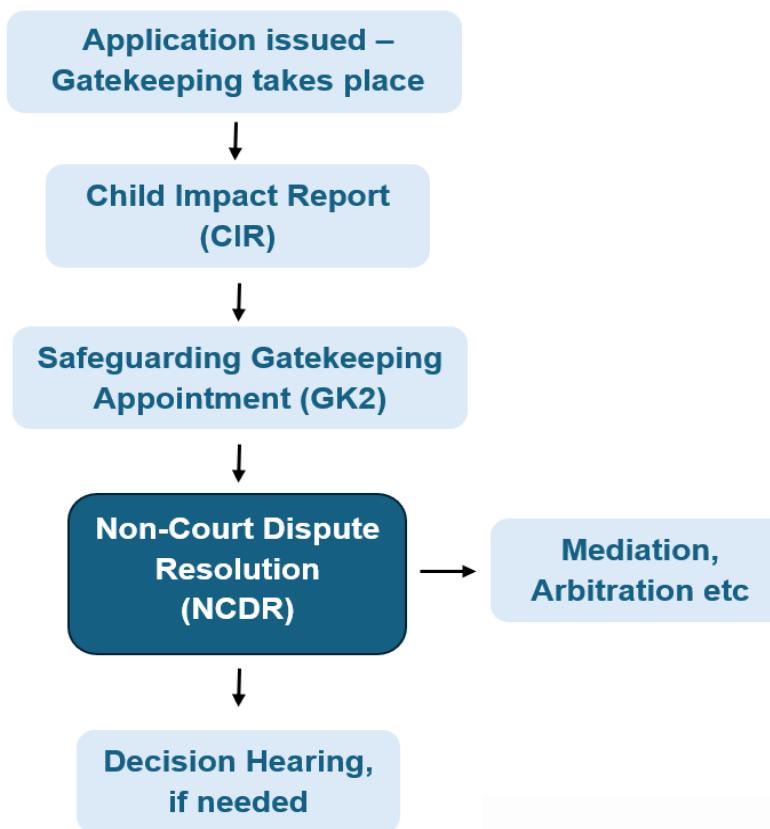
Pathfinder-SW@justice.gov.uk

Within the Pathfinder framework, NCDR offers alternatives to litigation such as mediation, collaborative law, arbitration and early neutral evaluation. These alternatives align with the Family Procedure Rules (FPR), the push towards early intervention and the Pathfinder Problem solving approach. They are particularly useful where there are no safeguarding concerns—allowing the court to save further time by diverting cases away and giving parents control of their own decision making.

Pathfinder's design integrates NCDR into its two-stage process: following the preparation of a Child Impact Report (CIR), judges can direct parties towards appropriate dispute resolution methods before listing a decision hearing. This ensures that families receive tailored interventions early, reducing delays and fostering constructive dialogue—most often by helping improve communication.

Judicial powers under Practice Direction 36E and PD3A allow adjournments to facilitate NCDR, and courts are actively imposing costs consequences for unreasonable refusal to engage. By embedding NCDR within case management, Pathfinder not only speeds up proceedings but also supports the overarching goal of minimising harm to children and parents by avoiding prolonged litigation.

THE ROLE OF NCDR IN PATHFINDER



Rebecca Hawkins, Mediator
Family Resolutions Now
With input from Ministry of Justice



Legacy Child Arrangements Programme Cases

All C100 and C79 issued up to and including Monday 5th January 2026 will be referred to as 'legacy' CAP cases

HMCTS and Judicial Pathfinder leads have been working very hard to reduce the number of legacy cases we have. We know that when Pathfinder starts it will be more difficult for all concerned managing a large number of CAP and Pathfinder cases. There will be additional pressure on Cafcass due to the need to complete safeguarding letters under CAP and the front loading work required for the Child Impact Reports under Pathfinder.

After go live, we will have:

- Legacy Child Arrangement Programme cases
- Pathfinder pilot C100 and C79 enforcement applications
- Non-pathfinder cases (parental order, declaration of parentage, standalone special guardianship)
- Public Law and Adoption which are unaffected by Pathfinder

The latest figures released for the number of outstanding legacy CAP cases show 1084 cases outstanding as of end of October. The number outstanding prior to the announcement of Pathfinder was over 1400 so there has been steady progress in reducing the legacy cases and I know further progress has been made since October. The caseload indicator (the number outstanding divided by a rolling 12 month receipt figure) is 0.57. Lower is best so this is excellent progress, especially when contrasted with the national average caseload indicator of 0.8. By comparison Birmingham's figure was 0.7 prior to go live.

Work will continue in the New Year to reduce the number of outstanding legacy cases led by the lead Pathfinder Judiciary.

Contacting the Court about Pathfinder

There has been no change to any of the court email addresses and they will be monitored daily by those covering the Case Progression role.

You can contact the relevant court using the below details:

Basingstoke: NorthHampshireFamily@justice.gov.uk

Portsmouth: family.portsmouth.countycourt@justice.gov.uk

Southampton: family.southampton.countycourt@justice.gov.uk



Practitioners Training Event

On 11th December 2025 I delivered to over 230 local practitioners an online Pathfinder webinar. The aim of this training was to provide practitioners (which included lawyers, counsel, social workers and court staff) with an overview of the Pathfinder project, the court process, key factors for consideration and a reminder of the applicable law.

It was great to see so many practitioners attending the event and HHJ Simmonds talk on his experience of the Pathfinder project in Dorset was extremely insightful and beneficial.

Many practitioners have shared that they now have a better understanding of the pathfinder project and what to expect when it launches on 6th January. A video of the webinar and training pack provided is available via my clerks by contacting clerks@no18chambers.com

The Local Implementation Group have worked extremely hard to get Hampshire and the IOW ready for Pathfinder and from my experience of Pathfinder in Dorset, many clients have felt the process was extremely beneficial. The project saved them a huge amount of time and in turn money which resulted in less stress but more importantly they shared that they felt their children's voices had been listened too.

Sara Chalk
No18 Chambers

Coming up in future HIOW Pathfinder News

- Local Authority perspective
- The role of the Domestic Abuse Support Service
- Role of Case Progression Officers
- A child's journey through Pathfinder

If there is a topic you would like the newsletter to cover please get in touch: Pathfinder-SW@justice.gov.uk

