

ENGLAND AND WALES / JUDGMENT

AB v CD

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Neutral Citation Number: [2025] EWFC 398 (B) IN THE FAMILY COURT SITTING AT
MIDDLESBROUGH Case No: MB24P70285 Date: 21 November 2025 Before : HIS HONOUR JUDGE
ROBINSON BEM

- ----- Between : AB
 - and - CD Applicant Respondent
 - ----- AB, Applicant Father, Litigant in Person Mr. Dowling, Counsel instructed by Cygnet Law for the Respondent Mother, CD Hearing dates: 17, 18 and 19 November 2025 (hybrid hearing, with AB attending remotely as per his request and CD and her Counsel attending in person) Handed down: 21 November 2025
 - ----- APPROVED JUDGMENT This judgment was handed down at 9.30am at a remote hearing on 21 November 2025 Publication
1. This judgment is to be published to improve transparency within the Family Court in accordance with the guidance published by the President of the Family Division on 19 June 2024 (“Transparency in the Family Courts Publication of Judgements Practice Guidance”). As will be read below, this case provides a stark example of proceedings being utilised to perpetrate further domestic abuse and the heavy impact of that on victims (which for the avoidance of doubt I include children, and in this case the child I refer to is EF), as well as showing the negative behaviours which social workers, CAFCASS officers, court staff, lawyers and judges experience when practising and working in family law. It also considers an assessment of behaviours following completion of a Domestic Abuse Perpetrators’ Programme and a consideration of costs in private law proceedings. 2. 3. I have considered the impact of publication of this judgment on the right of respect for the individual private lives of AB, CD and EF; anonymisation significantly curtails any direct impact on such a right. In respect of AB, the applicant father, I note that he raises concern about EF being identified. I note that CD supports publication (with anonymisation). When considering the EF’s right in this regard, she will not be identifiable, and parties are not permitted to identify her or themselves. I find that publication of this judgment will not interfere with the said rights of AB, CD or EF, and even if it were to trespass at the margins of any such right, promotion of transparency is a legitimate aim for which publication is proportionate. Furthermore, given AB’s evidence set out below of his intent to share matters with EF in the future, having the judgment published will enable EF to view it herself as an adult which promotes her longer-term welfare into adulthood which is a further legitimate aim for

which publication is proportionate. Insofar as there remains an ongoing investigation by the police in relation to any matter considered in this judgment, often when the Family Court delivers a judgment where there is an ongoing police investigation disclosure is sought of the same. Any allegations before the Family Court need to be proved on the balance of probabilities, whereas in criminal proceedings such a burden is higher, being beyond reasonable doubt. When considering these matters, the nature of the allegation and the analysis provided in this judgment, I do not consider that publication of this judgment will negatively impact on any police investigation. Even if there was to be any reporting of this judgment, that by itself also is unlikely to prejudice or otherwise negatively impact any criminal proceedings, noting that the criminal jurisdiction is well-versed in handling highly publicised proceedings and apply appropriate safeguards to ensure fairness in any such proceedings. 4. I add that in addition to anonymising the parties, I have anonymised AB's former barrister as "YZ", recognising that such a barrister has not had the opportunity to make representations about publication and AB has indicated there has been a complaint to the Bar Standards Board, and when balancing such matters I consider fairness requires such anonymisation.

Background

5. At the very centre of this case is EF, and she is aged 7 years. Her father, AB, is the applicant in these proceedings, and her mother, CD, is the respondent. It is EF's welfare which is my paramount consideration in all the decisions which I make.
6. EF first came before the court in an application brought by AB in February 2022 in an application for a child arrangements order, albeit in 2021 there had been proceedings between AB and CD under the Family Law Act 1996. The said application was considered by the court and following allegations of domestic abuse which CD raised, the matter was listed for a finding of fact hearing which came before me then sitting as a District Judge. I heard evidence across 4 days at the beginning of March 2023, followed by receiving written closing submissions. I then delivered a written judgment on 15 March 2023.
7. Findings which I made in that judgment were as follows:
 - b. "I find that the marriage between the parties was not a happy one. I find that the cracks began to emerge almost immediately, on the day following the parties' Islamic marriage ceremony, when an argument ensued between the parties ... I do not find that either party subjected the other to financial control or financial abuse. I find that during their marriage, [AB] has subjected [CD] to name-calling and other verbal abuse which would, to any reasonable person, cause them to suffer emotionally. I find that the allegation that [AB] allegedly slapped [EF] is not proven.
 - c. f.
- e. Turning next to the allegation arising on 20 October 2019 of [CD] threatening [AB] with a knife, I find that there is an absence of any credibility to this accusation. [AB] has alleged that [CD] subjected him to "sexual violence by restraining him whilst [CD's] mother

performed a sexual act on [AB] without his consent” ... I find there is a complete void of any evidence and a void of any detail in which to support this allegation. I find that this allegation is not only not proved, but that it simply could not and did not happen, and that it was fabricated by [AB] most likely to cause distress

- g. When looking at allegations of physical abuse in the relationship, I turn to the allegation that [CD] squeezed [AF's] testicles ... and cut his penis leaving a 2.5cm scar ... I find that [AB's] evidence does not stand up to scrutiny in relation to this allegation.
- h. Much arose in these proceedings of an incident which arose on 18 June 2021, which was seemingly the precipitating incident leading to the final breakdown of the parties' marriage. It is appropriate for me to make specific findings concerning that allegation. It is accepted by [AB] that he had consumed 4 cans of beer ... [AB's] behaviour when police officers attended, which I find he was aggressive and confrontational ... I find that [AB] proceeded to make threats to kill [CD] and her father, as well as threats to damage [CD's sister's] reputation. I find that in doing this [AB] armed himself with a knife. i. j. k. l. I find that [AB] was coercive and controlling in respect of certain matters during the marriage of the parties ... I also accept [CD's] evidence, and therefore find, that the threat of divorce was used by [AB] during the marriage as a means to exert control over her. I find that many of the allegations which arise following 18 June 2021 stem from [AB's] feeling of a loss of control. He was no longer able to use the threat of divorce against [CD] as the parties had reached the “last straw” moment from the 18 June 2021, and [CD] had been able to make disclosures to the police. I find that it is more likely than not that [AB] then proceeded to seek to regain control of the situation by making further complaints to the police, which were false. [AB] expressly referenced having a non-molestation order against [CD] on repeated occasions when speaking with the police. In view of these matters, it is very evident [AB] was lying to the police, and I find the only explanation for this was to seek to stir up trouble against [CD] in response to her having made disclosures to the police, particularly given the controlling behaviour I have already identified. I find that [AB] has minimised, to the point of disregarding, any grievances or concerns raised by [CD], thus demonstrating his lack of insight into the impact of his own behaviours.
- m. I find that [AB] has used these proceedings as a means to exert further n. abuse upon [CD]. [AB] has adopted an adversarial stance with professionals and those in positions of authority before and during the course of these proceedings, making unsubstantiated and inflammatory remarks against such persons. I find that it is likely that if [AB] continues to adopt such an approach with other professionals, such as CAFCASS, social workers or others who may become involved, it will have a detrimental impact on his professional relationships with such persons and that in turn will be ultimately detrimental to the welfare of [EF] as he is unlikely to then be able to work collaboratively with them”.

8. Further directions were given in those proceedings, including a direction for a report pursuant to section 7 of the Children Act 1989, which was undertaken by Ms Wood of CAFCASS. A final hearing then took place before me on 17 July 2023 (again then sitting as a District Judge) in which I directed indirect contact between AB and EF every 2 months by way of sending letters, cards and small gifts through a third party.
9. On 16 October 2023, AB brought fresh proceedings, seeking enforcement of my Order dated 17 July 2023 against CD. Deputy District Judge Eddon heard from the parties on 21 November 2023 and determined “it was not necessary to make any order on the enforcement application”, and he concluded the proceedings and included explanations within the recitals to the Order he made.
10. These proceedings then commenced with AB’s application dated 4 September 2024, in which AB wrote: “An order was made on the 17/7/2023 for indirect contact between my daughter and me. Since that time I have undertaken a Domestic Violence Prevention Programme with Harbour ... I believe the course was of great benefit to me”.
11. The case came before District Judge O’Donnell on 15 October 2024 who directed CAFCASS to prepare a report pursuant to section 7 of the Children Act 1989, and to specifically address the report completed by Harbour (which is a domestic abuse charity). Ms Kirby of CAFCASS prepared such a report (details of which are set out below) and she recommended ongoing indirect contact between AB and EF, but she did not support progression of contact to become direct. AB did not agree with the recommendations and the matter was listed for a final hearing.
12. The then District Judge Boothroyd heard the case on 17 February 2025, the recitals of the Order made setting out as follows: “AND UPON the Applicant filing a position statement and skeleton argument, within which the Applicant indicated a wish to revisit some of the findings made by District Judge Robinson (now His Honour Judge Robinson) in March 2023 within the proceedings MB22P70024. The applicant confirmed that he has not identified the findings he wishes to challenge, and that he has not issued any application or appeal in relation to those findings. AND UPON the court setting out the correct procedure to challenge the findings and the Applicant being asked by the court to clarify what he sought to challenge. AND UPON the Applicant, having been given the opportunity to identify which finding(s) of fact as made by DJ Robinson he disputed, not being prepared to commit to or give an indication regarding the findings he may wish to challenge without first speaking to a legal representative of his choosing. AND UPON the court confirming that unless there is an active application or successful appeal against the findings, the Court will make welfare decisions on the basis of the facts as found by DJ Robinson and the findings will not be revisited at the Final Hearing. The Applicant confirmed his understanding of that position”.
13. The final hearing proceeded before District Judge Keating on 30 April 2025 and 1 May

2025. The hearing was abandoned on 1 May 2025, and the Order made by District Judge Keating on that day set out the following: “k. ... it was drawn to the Judge’s attention by HMCTS Head of Security that Counsel for the Father had become concerned during her conference with the Father about her client’s presentation and threats he had made in conference such that she could no longer represent him.
- l. Counsel for the Father e-mailed the Judge the concerns that she raised with security about the Father’s behaviour and threats made. An e-mail was received (copied to counsel for the Mother) in which the following was set out: “I write to formally confirm that I can no longer act for [AB] and am now professionally embarrassed. I do not intend to appear further in this matter. Following the court’s indication yesterday that oral evidence from the parties would not be heard, [AB] expressed dissatisfaction to me this morning and then made a series of deeply disturbing and threatening statements. Specifically, he said — and I quote — that there would be “an honour-based killing,” that “they will kill my daughter,” and that “this is not the end of it.” He added that his “name will be in the papers” for what he intends to do “to the Judge, to the other barrister, to them.” These comments were made to me directly, without any provocation or misinterpretation. I no longer feel professionally or personally safe acting for him. Given the nature and seriousness of these threats, I am also under a duty to report the matter promptly to the Bar Standards Board and, if advised, to the police”.
 - m. Given the serious concerns raised as to the safety of the Mother, Mother’s counsel, the Judge and the child, the case was immediately abandoned ...”
14. On 1 May 2025, and as Leadership Judge within Teesside Combined Court Centre, I had been alerted to the matters that had allegedly enfolded, and I administratively made a non-molestation order of my own volition pursuant to the Family Law Act 1996 in relation to AB and for the protection of CD and EF, but with no findings made.
 15. The case then came before the Designated Family Judge for Middlesbrough, His Honour Judge Murray, on 2 June 2025. At that hearing AB sought for the case to be heard by me in the future for judicial continuity, and that request was granted by His Honour Judge Murray. The Order made included provision for the email of AB’s former barrister, who I shall refer to as YZ, to be disclosed and for any further statements of the parties to be filed by 10 October 2025.
 16. I then heard the case at a pre-trial review for the first time in these proceedings on 27 October 2025. AB sought permission for a child psychologist to be instructed, and I refused such permission. He also sought for the case to be transferred to the High Court, and I refused that application. AB also raised concern that I was biased, and I treated that as an application for recusal and carefully considered the requisite case law before determining that the test for recusal was not met, and I refused that application. I also decided that evidence from CD was not necessary or proportionate at the final hearing (CD not seeking to give evidence). In respect of managing the hearing, I determined that I would consider the

allegations arising from 1 May 2025 on the first day of the final hearing and providing an extempore judgment in relation to it, and to then proceed to on the second day to hear evidence and consider final matters of EF's welfare. In relation to all these decisions I provided reasons.

17. In the days that followed that hearing, AB sent several emails to the court office, and I will address the contents of such emails later in this judgment insofar as they are relevant to this judgment.
18. On 30 October 2025, AB made an application to withdraw his C100 application, setting out as follows: "I do not trust the jurisdiction of Middlesbrough and the judges lawlessness. I have zero trust in this court. Court breached its own orders, ignored compliance, disregarded child medical, systemic abuse of their powers, withheld information from me, been selective, one sided, hostile, biased, I can go on and reserve the right to make further submissions and exhibits. Please refer to my appeals against DJ Keating and HHJ Robinson. I withdraw the application and request the hearing to be vacated ... I will not participate in final hearing based on withdrawal of my application for reasons given".
19. To provide a comprehensive overview of AB's position, I include within this judgment some of the recitals made within the Order of 30 October 2025 in which I refused the application granting permission to withdraw the application: "C. UPON the Father confirming at the pre-trial review on 27 October 2025 that he accepted the findings made in the previous finding of fact hearing which took place in 2023 and following which he had engaged in a domestic abuse perpetrators' programme with Harbour, but said email now stating the following: "I must state unequivocally that I do not accept the findings of HHJ Robinson. I categorically deny having engaged in any of the behaviour alleged against me. The findings are, in my view, fundamentally flawed, one-sided, and inconsistent with the evidence presented" ... I. UPON the court being concerned with the welfare of [EF], and it is her welfare which is the court's paramount consideration when assessing the application before the court. The court is also mindful of Practice Direction 12J, particularly in the context of the findings of domestic abuse which has already been found as having been perpetrated by the Father. In view of the recommendations made within the said addendum report, the allegation before the court in relation to the Father from 1 May 2025 and the Father's position pertaining to the previous findings made by the court, the court considers it would be detrimental to [EF's] welfare for permission to withdraw the application to be given".
20. For completeness of this background, AB also sent emails to the court on 28 October 2025 seeking permission to appeal my Order of 27 October 2025, and seeking permission to appeal the Order of District Judge Keating dated 1 May 2025. Given the proximity of this final hearing, Poole J dispensed with the need for Appellant's Notices to be filed by his Order dated 29 October 2025 and he directed that the said emails stood as AB's grounds of appeal and provided AB with the opportunity to file with the court a skeleton argument, which he duly did.

21. Poole J considered the grounds of appeal and skeleton argument of AB and refused permission to appeal by way of Order dated 6 November 2025, determining the applications were totally without merit, setting out: “4. By her order of 1 May 2025 DJ Keating abandoned the hearing due to a report from the Appellant’s Counsel of threats made by the Appellant. Whether or not they were accurately reported by Counsel, the Judge abandoned the hearing having been told of what was said. She was entitled to do so but in any event the Appellant appeals against her decision seeking a new Judge and case management directions. In fact the case has been re-listed before a different Judge and a case management conducted on 27 October 2025. An appeal against the decision to abandon the hearing on 1 May 2025 is entirely futile and, indeed, self-defeating since if the decision were overturned the substantive hearing would be relisted before DJ Keating to allow her to conclude the hearing.
6. The Appellant’s skeleton argument and other documentation concerning the appeal against the order of HHJ Robinson on 27 October 2025 is unfocused and rambling. He introduces complaints about previous hearings before HHJ Robinson and other judges which have no relevance to the case management order in question.
7. Doing the best that I can, I still cannot find any specific order made which the Appellant says should not have been made, with reasons given for why the Judge was wrong. The Appellant complains about things said during the hearing but this is an appeal against a case management order. No final determinations were made, no evidence was heard, not findings recorded”.
22. On 9 November 2025, AB made an application to “stay” the final hearing pending determination of his application for permission to appeal (the Order set out above having not been sealed until 12 November 2025). I considered that application and dismissed it as when considering it, the applications for permission to appeal had already been refused and had been recorded as being totally without merit.
23. Such background leads to this final hearing, and on the first day of it I delivered an extempore judgment in relation to the disputed allegation before the court, and I found the following: On 1 May 2025, AB said to his barrister when discussing these proceedings that
 - a. “there will be an honour based killing”;
 - b. “they will kill [his] daughter”,
 - c. “this is not the end of it”,
 - d. “[his] name will be in the papers [for what he intends to do] “to the judge, to the other barrister, to them”.

24. Such a finding was made on the balance of probabilities, that is to say it is more likely than not to have occurred. I made such a finding considering the contemporaneous reporting by YZ and the reporting of the same to the police by HMCTS (having considered the police disclosure), and also noting AB's admission that he had referenced "honour based violence" when discussing matters with YZ. I provided detailed reasons which analysed the evidence.
25. I appreciate that background is somewhat lengthy, but it provides important context for the final welfare analysis to be undertaken by the court in this judgment. I will now proceed to consider the factual evidence before the court, but before I do so I issue a caveat, namely that just because I have not referenced a particular document or a particular piece of oral evidence, it does not mean I have not considered it, and parties can be assured that I have carefully considered all the evidence before me. However, the bundle spans 327 digital pages, and AB emailed on 16 November 2025 with further attachments to it. If I were to reference every piece of evidence this judgment it would become disproportionate in length, and the essence of the judgment would become lost. Evidence of Ms Kirby, CAFCASS
26. Ms Kirby is a family court adviser with CAFCASS, and she has authored an initial report (dated 10 December 2024) and an addendum report (dated 26 September 2025), both pursuant to section 7 of the Children Act 1989.
27. Within the initial report Ms Kirby explored the Domestic Abuse Perpetrators' Programme which AB undertook with Harbour, a charity with experience in matters pertaining to domestic abuse. She set out as follows: "Upon reflection, [AB] feels the course has been very helpful, he feels his eyes have been opened and it has changed the way he feels/felt. [AB] states that it aided him to think about himself, the other parent as well as the child. He is of the view that this course has been a learning curve for him, he is of the view it has assisted him in his line of work and he is now mindful to not say things that may hurt others. I explored the findings that were made in March 2023 with [AB], he says he accepts the findings that have been made, stating they were "based on professionals' advice". [AB] says that they are professionals that you have to work with and what they have found, he feels that as a person he can say he accepts the findings, but that they are also for his own benefit for him to be a better person and for him to be a better father and ex-husband ... Whilst [AB] accepts the findings, he explained that [CD] sent an e-mail to the previous Family Court Adviser to advise that when he had a knife, [EF] was not present. [AB] feels that other than this finding, he does not wish to look in the past, he wants to move ahead with his life, he thinks it is not for him to dispute, this is not required, as he is looking ahead into the future".
28. Ms Kirby undertook direct work with EF, and she set out as follows: "[EF] reflected on her journey so far, she knew that she used to live with mummy and daddy but stated that daddy was "bad". [EF] spoke about a time where daddy damaged mummy's phone and that they "left him"- but she reports feeling good with her mummy now. [EF] said she saw her daddy damage mummy's phone, stating he bounced it off the floor "like a ball", [EF] proceeded to leave the room to show me where this incident took place. [EF] said she "felt no good" when daddy left, she was shocked at him, but does not recall any additional incidents. [EF] told me

that she sometimes sees her dad as he lives close to her, she told me she saw him one day, but she did not feel “nice” as he smiled at her, but she stayed “serious”. [EF] further went on to say she is very worried about seeing her dad”.

29. Within that initial report, Ms Kirby set out her assessment and concludes: “I recommend that [EF] continues to engage in indirect family time with her father, [AB]. I cannot support the indirect family time moving to direct at this time, I consider the emotional impact upon both [EF] and [CD] to be too high”.
30. Ms Kirby’s addendum report followed the events which were then alleged to have occurred on 1 May 2025, and as set out above I have now found the allegation from that day proven. In the said addendum report, Ms Kirby provided the following recommendations: “ ... I can confirm that I recommend that family time ceases entirely. I cannot be reassured that maintaining a relationship, even indirectly is in [EF]’s best interests, and I also need to take into consideration the impact upon [CD] as [EF]’s main care giver. I continue to recommend that a 91(14) Order is necessary, I have reflected on my previous duration of 2 years and believe this should be longer given the length of these proceedings. I recommend that a 91(14) Order should be granted for a minimum of 3 years to allow [EF] a period of respite, free from litigation. [EF] is unwilling to engage in any direct family time, this is due to her lived experiences with her father. [EF] and [CD] would be placed at risk of emotional harm if there were to be further court applications, and the welfare of [EF] must be the paramount consideration. There is currently a Non-Molestation Order in place following the hearing on 1st May 2025, this was granted by HHJ Robinson following the allegations made by [AB]’s barrister, [YZ]. I am of the view that this should continue for a minimum of 2 years. I also believe consideration should be given to a Prohibited Steps Order to further aid [EF]’s safety and security”.
31. Following clarity of the factual matrix by way of the judgment delivered yesterday, Ms Kirby was asked if her recommendations or advice to the court had changed in any way. She said that she has changed her recommendations only in relation to the making of a section 91(14) Order, and the change is that in her professional opinion such an Order should be made until EF reaches the age of 16. She said she there is a significant risk, “if not fatality”, if EF were to spend any time with AB. She said this risk emanates from the finding made by the court in relation to the events on 1 May 2025 and in respect of the email which AB sent to the court and CD’s solicitors on 13 November 2025. She said she is concerned that EF needs to be protected now and, in the future, and she is concerned that AB will continue to make applications and EF will have very little free time away from litigation, and that will have a significant impact on her.
32. The email dated 13 November 2025 referred to from AB included the following: “I wish to bring to your attention that, under applicable laws of Pakistan relating to data protection, privacy, and criminal conduct, your client has been formally reported to the Pakistani authorities for harassment, fabrication of information, and the malicious misuse of personal data and resources with the intent to cause harm. Furthermore, evidence has been

submitted indicating attempts to unduly influence and bribe individuals to circumvent the laws of Pakistan ... In accordance with Pakistani law, and under the jurisdiction of the Federal Investigation Agency (FIA), your client may be subject to arrest at any official point of entry or exit within Pakistan, including airports, seaports, and borders. It is therefore strongly advised that your client obtains immediate legal representation in Pakistan to address these matters appropriately. The Pakistani Police have confirmed that the individual who unlawfully obtained and distributed private documentation is scheduled to be taken into custody on 29 November 2025. Following this, the authorities intend to pursue additional charges against [EF], based on the evidence collected and forthcoming witness statements. As per the applicable laws of Pakistan, the custody and reunification of [EF] with me shall proceed once [CD] is taken into custody and the related investigation is concluded by the competent Pakistani authorities ... I intend to rely upon this correspondence, along with official documentation issued by the Pakistani Police and relevant governmental departments, as part of a private legal action to be initiated against your client. I will be initiating a private prosecution against her within the next 45 days, upon receipt of the official documentation and court papers from the relevant Pakistani court. Finally, I wish to place on record that your client's continued misconduct constitutes economic abuse, coercive control and misrepresentation, in clear violation of both Pakistani and British legal frameworks governing integrity, privacy, and fair conduct. Her actions demonstrate a disregard for lawful compliance and due process, which will be addressed through the appropriate legal channels. Your client is an oppressor and now will be surely dealt with".

33. In her oral evidence Ms Kirby said she does not consider that AB has changed despite having undertaken the Domestic Abuse Perpetrators' Programme. She confirmed that as far as she is aware AB has complied with the previous 2023 Order and that he attended all sessions of the Domestic Abuse Perpetrators' Programme. Ms Kirby said the findings made are some of the most serious, notably in relation to honour-based abuse. She said that honour-based abuse roots from a very young age and can have long-lasting effects on children, particularly during adolescence.
34. She said that there are no protective factors which could be put in place in respect of AB to safeguard EF, and EF would be at risk with AB. Ms Kirby said she considers it would be a positive impact on EF to stop having contact with AB. Ms Kirby said that the "backtracking" of AB in respect of his acceptance of previous findings makes it almost impossible to put safety planning in place. When considering the report from the Domestic Abuse Perpetrators' Programme, she considers there has been disguised compliance by AB, and that whilst he has attended, there has been resistance by him and that he has tried to shift blame rather than accepting personal responsibility.
35. Ms Kirby said that she did not rely upon the allegation which was not proven in 2023 in relation to the allegation that AB slapped EF previously. Ms Kirby said that when she interviewed AB, he did not ask for the interview to be adjourned for another time.

36. When being asked about whether CD has failed to comply with the Order made on 17 July 2023, Ms Kirby said that EF falling over and grazing her arm, and attending medical appointments, do not, in her opinion, constitute medical emergencies. Ms Kirby said that she has full trust in CD for caring for EF, and she also referenced the Child and Family Assessment undertaken by the local authority which again did not raise any concerns about CD's care of EF.
37. Ms Kirby raised concerns as to several emails which AB had sent to her which she said she found to be demanding and controlling. She said she was concerned about AB bringing further proceedings, noting these emails and that he referenced in the hearing on 27 October 2025 (as recorded in the recitals to the Order) that "I'm not going to give up ... I will always fight".
38. When considering EF's cultural background and identity, Ms Kirby said she is confident that CD will continue to promote this.
39. Ms Kirby expressed that she considers AB is using parental responsibility over and above that of a typical parent, for example accessing medical records, and that she considers he is using his parental responsibility in a way to perpetrate further domestic abuse. Ms Kirby recommended a prohibited steps order should be put in place to limit exposure to CD and EF in this regard, in addition to such an Order extending to schooling too. Ms Kirby also recommended that CD should be able to make decisions for EF without having to consult with AB in the future. In respect of the current non-molestation order, Ms Kirby said that the risks are higher immediately following conclusion of proceedings, which is why she has recommended, as an "absolute minimum", a further period of 2 years for such an Order.
40. When being asked about the risk of EF feeling abandoned if the indirect contact was to stop, Ms Kirby said that there is a risk but that once proceedings finalise she will undertake some direct work with EF to help her understand the reasons behind any such decision, and that should alleviate any sense of abandonment. Ms Kirby said that EF is not enjoying the indirect contact and there is a possibility that the ceasing of it may directly improve EF's welfare. She said that when considering any risk to EF's emotional welfare of not having any contact with AB at all, compared to the risk to her emotional welfare of having contact, she opined the greater risk was in having contact with AB in view of the analysis undertaken within her reports and considering the findings of the court.
41. Exploring the indirect contact further, Ms Kirby said it is not having a positive impact and it has no value to EF. She said the indirect contact is short and brief. She said there would be no ongoing professional oversight of any indirect contact in the long term, and she is worried about what AB may include within any such indirect contact.

42. Ms Kirby said that EF is articulate and intelligent, and that when undertaking direct work with her CD has always been incredibly accommodating and offering to go upstairs or, in summer months, outside, so she is not near the direct work being undertaken. She said from her experience parents who may exhibit alienating behaviours typically seek to be inside and close to where the direct contact is taking place. She said she has not seen any alienating behaviours exhibited by CD. AB's Evidence
43. The next evidence I heard was from AB. His written evidence comprised the following:
- a. Statement dated 13 January 2025
 - b. Position statement (drafted by AB's then counsel) dated 26 March 2025
 - c. Position statement (drafted by AB) which is undated
 - d. Further position statement (drafted by AB) which is undated
 - e. Statement dated 10 October 2025
 - f. Further position statement (drafted by AB) dated 15 November 2025
44. Within that written evidence, AB sets out that if an Order is made pursuant to section 91(14) of the Children Act 1989 for a period of 2 years, it will result in him not seeing EF until, the earliest, 2027, which would be 6 years from when he last saw her in 2021. He states he is not sure what would have changed in 2 years' time.
45. When considering matters of domestic abuse, within his first statement AB says he has not done anything to harass or contact CD in the last 3.5 years. He references the positive report from Harbour and his commitment to the Domestic Abuse Perpetrators' Programme. The position statement advanced on his behalf on 26 March 2025 detailed that AB "expressed sincere remorse for the impact of his behaviour". AB also sought for evidence to be relied upon from separate civil proceedings.
46. AB also references matters pertaining to his view of Ms Kirby, stating that he experienced significant stress and concern prior to the start of his interview with her.
47. As to the future, AB referred to having had successful contact with EF since the marriage broke down in 2021, and that he has videos confirming this. AB seeks the progression of direct contact with EF, suggesting this could commence by being supervised by professionals.
48. AB sets out his view that it is in EF's best interests for him to "play an active and supportive role in her life", and that "[s]ustained absence or exclusion from her father could place her at risk of emotional, mental, and psychological harm, particularly if she continues to experience disrupted medical care or inconsistent parental communication".

49. In his final position statement, AB sets out as follows: “Until 18 June 2021, I was her main carer and played a central role in meeting her daily needs, routines and emotional wellbeing. Following the separation, I continued to have regular contact with [EF], including unsupervised time, which took place safely, positively and without any concerns being raised at the time. I mention this not to revisit past issues, but because it forms an important part of [EF]’s lived experience and her understanding of her father, and it is therefore relevant to the Court’s consideration of her welfare and the progression of contact. Since 2023, I have maintained indirect contact with [EF] and have consistently and tried my level best to adhere to all Court orders and directions. I have always sought to create an atmosphere of calm, respect and stability for her. However, I feel it is important to inform the Court that there have been periods of non-compliance in relation to matters ordered, including the sharing of information about [EF]’s medical emergencies and needs. This was disheartening because my intention has always been to support an environment of cooperation and amicability for our daughter”.
50. AB also sets out within his statements his understanding and past experiences of safeguarding and assisting the NHS and police.
51. Further in that final position statement, AB asserts that the “absence of a relationship with one parent is widely recognised as potentially harmful unless overwhelming evidence of risk exists”, and AB says that such a risk does not exist in these proceedings given his completion of the Domestic Abuse Perpetrators’ Programme, his engagement with support workers, his willingness to work constructively with professionals, acceptance by him of structured and supervised contact, consistency of the indirect contact ordered and his full compliance with previous court orders.
52. In his oral evidence AB said that he has learnt a lot from the Domestic Abuse Perpetrators’ Programme. He said he has also undertaken an additional 5 courses, a Freedom Programme and over 20 sessions with Impact Teesside. When being asked if, when undertaking all this work, he accepted the findings of the court, he said he has accepted those findings which he thought were correct, but he has not accepted those matters which were not correct, including the knife incident and breaking CD’s mobile telephone. He said these findings do not reflect who he is, and there are media interviews with him where he has spoken about promoting children’s safeguarding.
53. In his oral evidence AB made allegations against CD, accusing her of exploiting EF, not returning his work tools, lying to the court, pushing him into poverty, sending her father to threaten him and of fabricating evidence. He said that EF’s words, as recorded by Ms Kirby, are not EF’s true words. He said CD’s family has used every tactic against him. He said one day he will show EF the evidence that has not got to court, and that one day he will show her the truth. He said that “there will be a day of judgment one day”.
54. AB said that he does not accept that the indirect contact is having a negative impact on EF, and that CD has been referring to any items he has given as being “daddy’s dirty things”.

55. In response to questions, he said Ms Kirby had been untruthful. He said he does not accept the finding made about the events on 1 May 2025. He said he does not pose any risk to EF.
56. He also said he has not had proper representation in these proceedings. He raised that CD's previous barrister in those proceedings had a private conversation in my chambers during the case. For the benefit of all parties, and whilst it was not necessary for me to do so, I confirmed that no such event occurred. I moved the questioning on from these matters as I was concerned that AB was seeking to use these proceedings to undermine and seek to reopen the previous proceedings, and I was concerned the impact that may have upon CD who was sitting in court, particularly considering Practice Direction 12J of the Family Procedure Rules (which I will address later in this judgment).
57. When being taken to his email of 13 November 2025, he said that his intention was to inform CD about her possibility of being arrested, but not to harm her.
58. He said his partner has read all of the court documents. He said he has told his wife, who he has married religiously, what the court has said, because he wanted her to make an informed decision. CD's Evidence
59. I did not hear oral evidence from the CD. CD did not seek to provide oral evidence, and in considering the nature of the application and the impact of CD providing further evidence, considering Practice Direction 12J of the Family Procedure Rules (a matter I will address further below), I determined that it was not necessary for oral evidence to be heard from CD.
60. CD has, however, provided written evidence to the court comprising the following:
 - a. Statement dated 13 January 2025
 - b. Statement dated 28 March 2025
 - c. Statement dated 10 October 2025
61. In her first statement, CD agrees with the recommendation of Ms Kirby from her initial report and says she will continue to support EF with the indirect contact taking place and with any response EF may wish to send in the future. CD raises concerns about what she regards as AB's limited acceptance of previous findings, and she would welcome an Order being made pursuant to section 91(14) of the Children Act 1989. Within her second statement CD elaborates further, explaining that AB has continued to raise challenge of the previous findings made within these current proceedings.

62. Within her final statement, CD says she has “been extremely scared, traumatised, and concerned for mine and [EF]’s safety” since the hearing on 1 May 2025. She set out her view has changed following the events on 1 May 2025 such that she now does not consider it will promote EF’s welfare for her to have any contact with AB. She concludes “I only wish for a happy life with my daughter and do not want to continue being scared or in fear of the Applicant”. Closing Submissions
63. I am grateful for the closing submissions made by and on behalf of the parties. As with my caveat in respect of the evidence before the court, I do not intend to detail verbatim the submissions made, and instead I will only provide a summary. However, the parties can be reassured that I have digested all that has been said to me.
64. On behalf of CD, it was submitted that she seeks for AB to have no direct or indirect contact with EF. CD also sought orders on restrictions on the parental responsibility of AB to restrict him from obtaining medical and school records directly. She also sought for a restriction for AB not to apply for travel documents. CD also sought a specific issue order that she can exercise parental responsibility in the absence of AB. It was submitted CD seeks an Order pursuant to section 91(14) of the Children Act 1989 until EF turns 16 years old. In respect of the non-molestation order, CD seeks for an extension until 2027 to give a period of stability. It was submitted that the amendment of the non-molestation order should not take place in respect of AB’s pharmacy, as it would bring the risk of AB coming into close contact with CD and EF.
65. It was submitted that it is proportionate and necessary for a restriction to AB’s parental responsibility, and that this was an extreme case given the findings that have been made and AB’s ongoing conduct. I was referred to specific case law which I will address later in this judgment.
66. On behalf of CD it was further submitted that AB confirmed his evidence about his reporting of CD to the Pakistani authorities and taking EF into his custody in the event that CD is arrested. It was submitted this shows his mask slipping, and it demonstrates the risk which AB poses and his true intentions. When considering the impact of even indirect contact on EF, it was submitted that Ms Kirby’s evidence is clear that EF has a negative reaction to it, which is echoed by the work undertaken by the local authority earlier this year, and such negative reactions stem from EF’s traumatic experiences of having previously lived with AB.
67. When considering matters of AB’s right to a private and family life, it was submitted that EF’s right to a private and family life takes priority. The long-reaching effects of honour-based violence was also submitted to be a factor which makes it exceptional to stop contact between EF and AB.

68. Whilst AB has cleared the Domestic Abuse Perpetrators' Programme, it was submitted AB lacks any insight whatsoever into EF's welfare needs. It was submitted this is shown by the level and type of communication which AB has sent and his multiple applications and his email of 13 November 2025. The coercive and controlling behaviour which AB has submitted to have continued will have a negative impact on both CD and EF, and Practice Direction 12J is applicable.
69. It was submitted further on behalf of CD that a costs order should be made in view of AB's litigation conduct. It was submitted that CD's costs thrown away as a result of the hearing being abandoned on 1 May 2025 should be met by AB, as it flows from his conduct.
70. AB submitted that his primary wish is for these proceedings protect EF's long-term needs. He said that the matters he has raised before the court have been to clarify issues, not to assign blame. He submitted that EF should have been spoken to privately in neutral settings. AB submitted that he fully recognises the findings made in 2023, and he only does not accept 2 of those findings. Whilst he takes the events of 1 May 2025 onboard, he submitted that he does not accept the finding made. He submitted that he has appeared in person to all the proceedings, and that he has not posed any threat to court staff, security or judges. He submitted that he has lived in close proximity to CD and EF, and he has done his best to comply with all the Orders.
71. AB said that the non-molestation order can be carefully amended given what he said has been unlawful misuse of this. He submitted that the nearest pharmacy after his local pharmacy will be quite a few miles away. He said that if the court considers it safe, he submitted that the court should use its discretion to protect AB from misuse of the non-molestation order.
72. When considering EF's welfare, AB submitted the court should keep the prospect open of long-term future contact between him and EF. It was submitted he has fully complied with previous Orders, and that he will comply with all future Orders. AB submitted he fully appreciates why a section 91(14) Order is necessary but asks the court to use its discretion in considering this.
73. AB invited the court to consider any appropriate filtered method, such as an email address where indirect contact can take place safely. He submitted following this hearing he will take time to reflect, and he hopes EF will come to learn that she was always loved. He said if contact is reduced that EF should be given a voice for the future.
74. It was submitted that AB has an amazing relationship with EF's school, the dentist and doctors, and that if contact was to stop it may cause EF confusion. He submitted that disclosure of the judgment from today to foreign governments would not be proportionate, and such governments have their own laws.
75. He said that his only income is through welfare benefits, and that he has already incurred a lot of debts, from the other proceedings. The Law

76. The law in respect of assessing welfare is a well-trodden path and is contained in section 1 of the Children Act 1989. Although this will be familiar to those practising in family law, it is useful to set it out:
- (1) When a court determines any question with respect to—
 - (a) the upbringing of a child; or
 - (b) the administration of a child's property or the application of any income arising from it, the child's welfare shall be the court's paramount consideration ...
 - (3) In the circumstances mentioned in subsection (4), a court shall have regard in particular to —
 - (a) the ascertainable wishes and feelings of the child concerned (considered in the light of his age and understanding);
 - (b) his physical, emotional and educational needs;
 - (c) the likely effect on him of any change in his circumstances;
 - (d) his age, sex, background and any characteristics of his which the court considers relevant;
 - (e) any harm which he has suffered or is at risk of suffering;
 - (f) how capable each of his parents, and any other person in relation to whom the court considers the question to be relevant, is of meeting his needs;
 - (g) the range of powers available to the court under this Act in the proceedings in question.
 - (4) The circumstances are that—
 - (a) the court is considering whether to make, vary or discharge a section 8 order, and the making, variation or discharge of the order is opposed by any party to the proceedings; or
 - (b) the court is considering whether to make, vary or discharge [a special guardianship order or] an order under Part IV.
 - (5) Where a court is considering whether or not to make one or more orders under this Act with respect to a child, it shall not make the order or any of the orders unless it considers that doing so would be better for the child than making no order at all.
77. In respect of the reference to Orders sought pursuant to section 91(14) of the Children Act 1989, this section sets out as follows: "On disposing of any application for an order under this Act, the court may (whether or not it makes any other order in response to the application) order that no application for an order under this Act of any specified kind may be made with respect to the child concerned by any person named in the order without leave of the court".

78. The Family Law Act 1996 is also relevant to these proceedings as a non-molestation order has been made, and submissions have been made in relation to whether or not it should remain or be extended.
79. Section 42 of the Family Law Act 1996 sets out as follows:
- (1) In this Part a “non-molestation order” means an order containing either or both of the following provisions—
 - (a) provision prohibiting a person (“the respondent”) from molesting another person who is associated with the respondent;
 - (b) provision prohibiting the respondent from molesting a relevant child.
 - (2) The court may make a non-molestation order— ...
 - (b) if in any family proceedings to which the respondent is a party the court considers that the order should be made for the benefit of any other party to the proceedings or any relevant child even though no such application has been made.
80. It is also important to recognise that the court also needs to balance the rights to a private and family life of AB, CD and EF, pursuant to article 8 of the European Convention on Human Rights, and to take the least interventionalist approach.
81. Furthermore, Practice Direction 12J of the Family Procedure Rules. Paragraph 2 of that Practice Direction explains: “The purpose of this Practice Direction is to set out what the Family Court or the High Court is required to do in any case in which it is alleged or admitted, or there is other reason to believe, that the child or a party has experienced domestic abuse perpetrated by another party or that there is a risk of such abuse”.
82. In these proceedings I have already made findings pertaining to domestic abuse, and the Practice Direction must be applied.
83. Whilst the above provides the statutory overview, there are several helpful previously decided cases which assist with the interpretation and application of the statutory provisions, and I will address them below. Impression of the Witnesses
84. Ms Kirby provided oral evidence over 4 hours. Even taking into account breaks, she was asked questions by AB for over 3.5 hours, and this is a matter I will address further below. She provided answers rooted in a clear evidential basis, for example direct work she had undertaken with EF, in reports or from the findings of the court. She sought her best to assist the court. She reflected upon questions asked and the voice of EF shone through her answers. There was no embellishment or exaggeration in her answers, and she answered clearly, factually and concisely. I found Ms Kirby was an impressive witness and entirely honest and credible.

85. In respect of AB's evidence, he asked questions in response to questions, and he sought to provide answers to questions which were not asked. I also found there were elements of the Father's evidence that were not credible. For example, he said that he fully respects the findings of the court yet his emails sent over recent weeks make a number of allegations against the court, and judges, which is inconsistent with this. He also said that he would not lie, yet he is repeatedly recorded as having told others that he accepted the previous findings made, albeit has recently confirmed he does not, and has gone so far as to say in his email dated 27 October 2025 that "I must state unequivocally that I do not accept the findings of HHJ Robinson. I categorically deny having engaged in any of the behaviour alleged against me. The findings are, in my view, fundamentally flawed, one- sided, and inconsistent with the evidence presented". In not accepting any of the findings now it must be that he has not been truthful when he previously accepted them, and he is referencing all the findings. Simply because I may find the Father lacks credibility or is not being truthful in respect of these elements of his evidence, it does not mean that it applies to the totality of his evidence, but it is a matter which I weigh in the balance Welfare Analysis
86. AB's email sent to the court only last week, on 13 November 2025 and which is set out above, is deeply concerning when assessing EF's welfare. I find the email itself represents not only an extension of the domestic abuse which was found previously, but it shows a worsening of that abuse. This is because AB is now not only making what are baseless allegations against CD in that email (and I say baseless because there is no evidence before the court to substantiate them), but further he has indicated he has taken action in a different jurisdiction with the possible consequence of having CD arrested and for EF to be returned to his care. He has also set out his intention to bring private legal proceedings in that jurisdiction against CD. The email effectively seeks to curtail CD's ability to safely travel. It leaves a threat of arrest and separation of EF hanging over CD and EF.
87. Being curtailed from safely travelling because of this threat is likely to be detrimental to EF's welfare because firstly it would prevent her from meeting friends or family who reside in Pakistan. Secondly, it limits her ability to explore the world. The threat of her being removed from her mother, who is her sole carer, is objectively detrimental to EF's emotional welfare. EF has also reported wanting to remain with her mother through the direct work which EF has undertaken with CAFCASS, and therefore removal from CD is also against EF's own wishes and feelings.
88. When exploring EF's emotional needs further, I consider that EF is likely to pick up on the nuances of CD's emotions, however much CD may try and obscure these from CD. This is because EF is reported as being "bright and articulate", and she is living with CD. Given what CD has reported as to her own trauma and response to the domestic abuse which has been found, and the matter which has now been found in respect of 1 May 2025, EF is likely to be acutely aware of CD's anxieties and fear. CD has expressed in her evidence the impact of AB's behaviour upon her, and if CD were to have ongoing connection through EF of AB it is likely to therefore increase such anxieties and fear accepting CD's evidence in this regard and

which therefore also directly impacts EF's welfare.

89. I also consider whether it is detrimental to EF's emotional needs not to have any contact with AB, or to have reduced contact. If EF does not grow up having contact with both parents it may impact on her sense of identity, and it may give rise to questions by her, leading to uncertainty in her own mind. I do place EF's voice into this assessment, as captured by Ms Kirby, as follows: "[EF] told me that she sometimes sees her dad as he lives close to her, she told me she saw him one day, but she did not feel "nice" as he smiled at her, but she stayed "serious". [EF] further went on to say she is very worried about seeing her dad ... [EF] feels that she is worried about seeing her dad as he is "mad" and "mean" and she does not like people who are mad and mean".
90. When balancing any risk of emotional harm to EF it must be balanced against any emotional harm to EF, and indeed to CD.
91. In assessing EF's welfare further, I am concerned in respect of EF's physical needs should she have direct contact with AB. This is because not only of the previous findings made in 2023, and not also by the finding which I made on day 1 of this final hearing, but also by AB's email to the court set out above which was sent on 13 November 2025. When all the evidence is pieced together, there is a risk of physical harm to EF, the risk emanating from concerns of honour-based violence as referenced by AB in the finding made against him on 1 May 2025 and also in the possible removal of EF from CD should they attend Pakistan. Whilst the finding in respect of honour-based violence is not of AB directing it towards EF, in the context of the rest of the finding, in the context of others killing EF, and in the context of AB being in the papers for his actions, that is a very real risk, and in the assessment of Ms Kirby from her own evidence, that risk is one which could lead to fatality to EF. I have noted AB's emails referencing acting peacefully and lawfully, but those terms contrast the findings which have been made and wider tenor of the emails which AB has sent.
92. In assessing EF's welfare further, and considering EF's educational needs, I note that EF's education has been disrupted by the matters which arose on 1 May 2025, and Ms Kirby provided authentic evidence in that regard, as well as the wider impact on EF. I also consider that if, as AB's email dated 13 November 2025 references, EF was removed from CD's care should she enter Pakistan owing to the legal action he has referred to in Pakistan, this could prevent or delay EF's return home and may then disrupt her learning and education.
93. This also bleeds into the impact of change on EF. AB's position as set out in that said email of 13 November 2025 would be a significant change for EF, uprooting her from her life that she knows. It would also be a change for EF to stop receiving indirect contact from AB, as Ms Kirby recommends. In this regard I consider EF's voice, as contained in Ms Kirby's initial report: "[EF] told me that sometimes dad will send letters, toys, gifts, cards, pocket money and books. [EF] does not want to reply to her dad but tells me that her mummy reads the letters/cards to her, and she likes the gifts she receives".

94. I have considered that EF's welfare may be negatively impacted if the indirect contact ceases, as it may cause her to reasonably feel a sense of abandonment. This is a specific matter asked of Ms Kirby who advised, and I accept that evidence noting her direct work with EF and her experience, that EF does not enjoy the indirect contact and further Ms Kirby has committed to undertaking direct work with EF on conclusion of the proceedings to explain the reasons of the court to EF in a child-focussed way.
95. When considering a change of EF spending time with AB, I note the previous videos referred to which show positive interactions between AB and EF in 2021 following the separation of the parties. I find simply looking back discretely 4 years in the context of a 7-year-old is an artificial exercise. These proceedings do not come before the court in a vacuum, and the context to the proceedings is highly relevant. EF has expressed, in her own words, of being exposed to domestic abuse. She specifically told Ms Kirby as follows: "[EF] said she saw her daddy damage mummy's phone, stating he bounced it off the floor "like a ball", [EF] proceeded to leave the room to show me where this incident took place".
96. The language which is reported to have been used by EF as set out above is age- appropriate for a 7-year-old, and it visually depicts one example of domestic abuse which she has been exposed to. Such domestic abuse has therefore left a very clear imprint on EF. When considering the likely impact of change upon EF, part of this includes considering the impact of EF in spending time with AB who EF has such vivid recollections of domestic abuse. I find any child would likely be reasonably apprehensive having been exposed to such domestic abuse. When pulling all threads together, which I will do in a moment, it will be necessary to consider whether such a concern can be mitigated through protective measures, for example through supervision or other support.
97. In continuing with my welfare analysis, it is really important that I look at EF as the individual she is. She is very young. However, when considering her age, it is relevant that she has been involved in proceedings for a significant period of her life, the first proceedings having commenced in February 2022 when EF was only 3 years old. EF's exposure to domestic abuse is also a highly pertinent factor of EF's background. The domestic abuse which EF has suffered is harm which she has suffered. I am also satisfied by Ms Kirby's evidence, and considering the evidence of CD, that EF's cultural background, noting her exposure to 3 different languages, will be maintained by CD irrespective of any determination made.
98. I have considered whether EF is at risk of suffering harm, and I find she is. I find in light of AB's email dated 13 November 2025, as set out above, and given the finding I made on day 1 of this hearing, there is a real tangible risk of both physical and emotional harm. I have set out these matters above and therefore do not need to repeat them further in this paragraph.
99. I next turn to assess the parenting capacity of AB, noting that these proceedings relate to his application. For the avoidance of doubt, I find that CD has no impairment to her parenting capacity. Both the local authority and Ms Kirby have reported positively of EF's welfare in

CD's care. When considering AB's parenting capacity, I find that this is significantly impaired. There are many reasons for this. Firstly, notwithstanding AB has undertaken a Domestic Abuse Perpetrators' Programme, and notwithstanding the report completed in that regard, his behaviour and conduct since completion of that course demonstrates his limited, almost non-existent, insight into the impact of domestic abuse. In this regard, if one looks at the email from only last week, dated 13 November 2025, AB has name-called CD, referring to her as "an oppressor" and referring to her as abusive. In that email he has also made a threat that she "now will be surely dealt with" and further indicates she may be arrested if she travels to Pakistan. AB has also threatened the bringing of legal proceedings against CD, and the removal of EF from her care. There is then finding made from events on 1 May 2025 as set out above. I find it is patently clear that such conduct demonstrates ongoing domestic abuse and is indicative of AB having no meaningful change from the findings found in 2023.

100. Secondly, when considering AB's impaired parenting capability, given the absence of meaningful change, and the ongoing conduct set out, I find that AB has demonstrated no insight into the impact of his behaviours on CD or EF.
101. Thirdly, AB's parenting capacity is further impaired by AB's inability to work effectively with other professionals. I have taken into account that AB says he can work with EF's dentist, her doctor and the school, but it is clear to me for the reasons I am about to set out that as soon as a professional's opinion differs from his own, AB is unable to then work in a constructive manner. In this regard, I refer to my written judgment of 16 March 2023 where I set out complaints and concerns which AB had raised of others:
 - a. "[AB] made a complaint against [CD's] former solicitors to the Solicitor's Regulation Authority, dated 3 April 2022 and which [AB] forwarded to the Court. Whilst it is an inherent right to be able to raise legitimate grievances, [AB] sought to raise an unsubstantiated complaint ... for what amounts to legal advice and services he provided to [CD], and stating: "If solicitors as these remained in business they will simply ruin lives of law abiding citizens. Their abuse, tactics and deliberate activity will be harmful to our country men and women". [AB] emailed the Court on 22 September 2021, addressed to District Judge Keating, in which [AB] stated "I am very unhappy from your comments and mockery you have made of me during hearing on Monday, 20th of September 2020 ... I felt very intimidated ... May I b. humbly request that you be absolutely fair and don't set an opinion about me when you know nothing with what I gone through please" (it is presumed the hearing date is meant to refer to 20 September 2021 given the date of the email). These comments make the clear inference that District Judge Keating acted inappropriately in respect of her conduct in a hearing and that she was not fair. From the information included in that email [AB] has not set out any evidence of the same, and rather presents his feelings as to the decisions and management of the hearing by District Judge Keating. [AB] alleged his former solicitors pressured him into withdrawing his application for a non-molestation, without any evidence of the same, as set out in his email to the Court dated 16 August 2022 in which [AB] wrote: "I

did not wanted to dismiss my non molestation order against [CD's father] and his worse than sickening daughter that I have now divorced because of her malfunctioned character. But my solicitor pressurised me into doing this. He did not submit the evidence I given to him but all these things are now being looked into by a far more professional law firm in London" [sic]. c.

- d. Referencing [CD's] solicitors as being "aggressive, unreasonable" (as per his C2 application dated 3 March 2023) and [CD's] solicitors being "very unreasonable, deliberate, tactical and speechlessly aggressive" (as per his email to the Court dated 1 March 2023). I find there is no evidence of any such behaviour arising from [CD's] solicitors in the correspondence and evidence before the Court.
 - e. Referencing both District Judge Lindsay and me as being unfair and dishonest when there is no evidence to support that. Whilst it would run contrary to justice for me to arbitrate on matters of my own conduct, I mention this matter as I have already dealt with the matter of the recusal application. However, this example adds to the context of the number of accusations and complaints being raised by [AB] against professionals involved in these proceedings. g.
 - f. Having complained to the police, [AB] telephoned the police on 22 January 2022 and said "The Officer who dealt with his previous complaints was corrupt", but there is no evidence of any corruption set out, and [AB] did not provide any further evidence when being asked on this specific point in his oral evidence. In this hearing, on the first day alleging that the Court appointed interpreter, Mr. Baig, was not translating correctly, which Mr. Baig confirmed he was and that he was acting under the Oath he had made to the Court. A further allegation was raised by [AB] against Mr. Baig during the course of the hearing which was addressed and, notwithstanding the explanation accepted by the Court regarding Mr. Baig raising a matter outside the Court with Mr. Hickey [CD's then counsel], [AB] raised the allegation again during the hearing and again in his written submissions. His written submissions also stated: "There was a point when [CD's mother] was in the witness box and the interpreter was using words and including words that were never said by her". In [AB's] interview with CAFCASS he shared a view that a social worker did not deal with his concerns appropriately, and that he "felt h. the social worker was biased". Again, there is no detail to explain why he considered the social worker to be biased, and he did not clarify this in his oral evidence when it was raised.
 - i. Referencing, repeatedly and loudly, that a clinician in hospital was very defensive when [CD] was being treated, and arguing, such that the clinician changed due to a broken rapport.
 - j. Criticising the conduct of Mr. Hickey, [CD's] barrister, during the course of these proceedings".
102. Within my Order dated 30 October 2025, I also set out complaints and concerns which AB raised in these current proceedings:

- a. “I have witnessed troubling incidents, including — but not limited to — the provocative exchange between Mr. David Medd and security staff”,
 - b. “the advancement of false allegations by my own counsel”,
 - c. “repeated non-compliance with court directions”,
 - d. “A clear pattern of prejudice and apparent bias has emerged, gravely undermining my confidence in receiving a fair and impartial hearing”,
 - e. “an openly hostile environment” [at the hearing on 27 October 2025], f. “the conduct of those in authority throughout these proceedings has been deeply shameful, leaving me disillusioned and appalled by the evident culture of corruption” h.
 - g. “These allegations, I maintain, have been advanced by individuals whose integrity is questionable and supported by professionals who have failed in their duty to the truth”, I am intending to put a potential criminal case against HHJ Robinson or a bare minimum a civil claim. The entire case is corrupted and dealt with several individuals which are not capable of delivering honest and natural justice! And I will follow as a father my duties to protect my daughter until a fair and natural justice is served”.
103. AB has not changed from the finding I made in 2023, and that finding remains today which I repeat for completeness: “[AB] has adopted an adversarial stance with professionals and those in positions of authority before and during the course of these proceedings, making unsubstantiated and inflammatory remarks against such persons. I find that it is likely that if [AB] continues to adopt such an approach with other professionals, such as CAFCASS, social workers or others who may become involved, it will have a detrimental impact on his professional relationships with such persons and that in turn will be ultimately detrimental to the welfare of [EF] as he is unlikely to then be able to work collaboratively with them. This finding is not made to prevent [AB] from raising legitimate concerns or grievances, but it is to enable him to reflect upon his approach moving forwards as I find it is key for him to be able to work constructively and collaboratively with professionals for the sake of [EF] welfare, not just now, but in the longer term considering that [AB] may need to liaise with other professionals such as teachers and medical professional in the future. This finding is based upon the examples of repeated remarks which he has made without any evidential basis, and which he has been provided an opportunity to respond to during his oral evidence or otherwise has responded to in writing to set out his position”.
104. Finally, when considering the welfare checklist contained in section 1(3) of the Children Act 1989, I have considered all the powers which are available to me.
105. The said welfare checklist is not tick-box exercise, and rather a holistic assessment is needed to carefully consider all the factors and weighing them all together, weaving them into one another and analysing them.

106. The overwhelming analysis as set out above is one that does not support direct contact between EF and AB. Significant findings were made against AB in 2023, and a further finding was made on day 1 of this final hearing. Furthermore, only last week he sent what I regard as a very concerning email, and the concerns of which I have set out. There has been no material change in his behaviour.
107. The fact of engaging in a Domestic Abuse Perpetrators' Programme does not provide an automatic pass to enable contact to progress; it is the reflection and understanding of any perpetrator which is key in assessing welfare, and the actions which follow. Such a Domestic Abuse Perpetrators' Programme can only lay foundations, but a perpetrator must build upon them meaningfully, and must evidence change from previous behaviours. It is not enough to simply turn up to the sessions provided by such a programme. The welfare of any child requires critical assessment of just what has changed, not just what is said to have changed; actions really do speak louder than words in such a context.
108. AB has not changed, as I have set out above, and in fact his behaviour has worsened. These proceedings have been used as a further platform in which to promulgate CD with further insults and unsubstantiated allegations. AB has ping-ponged from accepting the previous findings to rejecting them in their entirety, to then accepting only some. His conduct on 1 May 2025 had a real detrimental impact on both EF and CD, yet AB does not see that. These proceedings have been focussed upon him – his rights, his health, the sense of injustice which he feels. He has not stopped for a moment to reflect on what is evidently an overwhelming impact on CD and on EF. He seeks to paint himself as a victim, when in fact the victims here are CD and EF as quite clearly shown by the findings previously made.
109. On an analysis of EF's welfare, I find that it remains significantly unsafe for direct contact to progress between EF and AB. EF has not sought it, AB has no insight into his behaviours, AB has made significant threats, AB is seeking to use the jurisdiction of the Pakistani courts to have CD arrested demonstrating an intent to have EF separated from CD without any consideration of her welfare, EF has been exposed to previous domestic abuse which has left a clear imprint upon her – this is just a summary of the matters highlighted above, but they heavily weigh against AB having any direct contact.
110. I have considered whether supervision is a means of mitigating that risk, but domestic abuse has a toxic impact in relationships, including relationships with children. AB's conduct in these proceedings, the coercive and controlling behaviour previously found and inability to work with professionals as very clearly set out above, and the risks to any professional supervising given the finding made in respect of the events 1 May 2025, I accept Ms Kirby's advice to this court based on those matters that there are no protective safety measures that could reasonably be put in place. Supervised contact is not a viable option in such circumstances.

111. When stepping back and considering the factors which I have spent some time considering above, I find that that the risk of emotional harm, and the impact on EF's emotional needs, is more significant if she has indirect contact with AB than if she does have such indirect contact with AB. EF does not enjoy the indirect contact and there are inherent risks posed as to the content of such indirect contact. CD would also be exposed to further contact from AB, even if a third party was used, and there are no protective factors to protect CD in those circumstances. I therefore find that there should be no further indirect contact sent directly to EF.
112. It is open to AB to write letters or card for EF and date them, and to store them safely, such that should EF approach him in later life he can show her what he was writing to her at that time. However, for the reasons which I have set out, EF's welfare is not promoted by her receiving such indirect contact now.
113. In making the determination I have in relation to AB's application, and directing for the indirect contact to cease, it is an interference with AB's right to a private and family life. However, I find that protecting EF's welfare in the way set out above and for the reasons stated is a legitimate aim, and an Order for no contact is a proportionate means of achieving that aim in light of the very clear and credible risks which emanate from AB's own behaviour and his own words as contained in emails.
114. I have also applied Practice Direction 12J of the Family Procedure Rules which sets out at paragraph 35: "When deciding the issue of child arrangements the court should ensure that any order for contact will not expose the child to an unmanageable risk of harm and will be in the best interests of the child".
115. As I have set out above, the risk posed of harm to EF is simply unmanageable. There is no provision which can be put in place which can mitigate the risks which I have set out, and Ms Kirby was clear in her evidence, such evidence being clear and evidence based.
116. Furthermore, paragraph 36 of the said Practice Direction states:
 - (3) The court should make an order for contact only if it is satisfied-
 - (a) that the physical and emotional safety of the child and the parent with whom the child is living can, as far as possible, be secured before, during and after contact; and
 - (b) that the parent with whom the child is living will not be subjected to further domestic abuse by the other parent.
117. AB has been clear that he will not give up seeking what he considers "natural justice" for EF. Within days of this final hearing commencing, he emailed setting out his intention of pursuing legal action in Pakistan against CD. AB has not changed since the previous proceedings and is persisting in perpetrating domestic abuse. CD has expressed the impact AB's behaviour has had upon her, and Ms Kirby set out how she saw the genuine terror in CD at the abandoned hearing on 1 May 2025. All the evidence I have set out makes it more likely

than not that AB will continue to perpetrate domestic abuse against CD, using whatever means necessary. CD's emotional safety has been attempted to be secured by virtue of the previous Order of indirect contact, but that has failed and CD has evidently been retraumatised in these proceedings and by the events which have unfolded. Applying this Practice Direction therefore underscores that no Order for contact should be made between AB and EF.

118. I do address a final matter, and that is that there is not a shred of evidence to support AB's assertion that CD and her family have coached EF. To the contrary, I find that CD has sought to promote EF's relationship with CD, engaging with the indirect contact even though that, I accept, will have been objectively and subjectively difficult for her given the domestic abuse which she has experienced. This is a finding which is evident not only by Ms Kirby's evidence which I have set out, but by CD's own conduct in these proceedings. She has consistently accepted advice and recommendations, and even earlier in these proceedings she was supportive of ongoing indirect contact between AB and EF notwithstanding all that she has been exposed to. Orders to be made Living Arrangements and Spend Time Arrangements
119. As set out flowing from my welfare analysis above, I therefore make an Order that there is to be no contact between EF and AB, and the Order which I made on 17 July 2023 is suspended and superseded by the Order made following this judgment. I make an Order that EF is to live with CD. Prohibited Steps Orders and Specific Issue Order
120. On behalf of CD it is sought for prohibitive steps orders to be made, and for a specific issue order to be made in respect of her being able to exercise her parental responsibility without recourse to AB.
121. Mr. Dowling helpfully referred me to relevant case law, which I will proceed to analyse now.
122. I first consider Re T-D [2024] EWCA Civ 793: "45. The great majority of private law cases arise from immediate parental disagreements that can (subject to the no order principle) readily be addressed by one or more of the Section 8 orders. There will be other situations where orders can be made to resolve an issue that is likely to require a series of future parental decisions, although the details may not yet be known, or where an order may be needed to prevent an issue from arising in the first place. The court's powers are equal to all these situations and more.
46. In a few cases, conventional, issue-specific Section 8 orders may be inadequate to the scale of the problem, and the court has been driven to go further. Sometimes, using its statutory power, it has removed the parental responsibility of an unmarried father. In other cases, notwithstanding the view expressed by the Law Commission, it has used Section 8 orders to deprive one parent of the right to exercise parental responsibility in one or more broad domains, or altogether. Such a power undoubtedly exists.

47. However, as seen above, these orders have only been made in extreme cases. It is one thing to interfere with a parent's ability to make an individual decision, and another to deprive them of decision-making power more generally. Where a conventional order can be made, it may be disproportionate to go further. In other cases, nothing less will be adequate to protect the welfare of the child.
48. It can also be seen that in these extreme cases, the court has generally deployed a prohibited steps order as one means of achieving its objective. Where parental responsibility is being removed in specific domains, a properly drafted prohibited steps order will have the advantage of clarifying what the affected parent can and cannot do".
123. I will need to consider the facts of these proceedings to consider whether it can properly be regarded as such an extreme case which renders it necessary for such an approach to be taken. Before I do so, I have also carefully considered His Highness Sheik Mohammed Bin Rashid Al Maktoum v Her Royal Highness Princess Haya Bint Al Hussein [2021] EWHC 3480: "94. I accept in full the mother's evidence of the impact that this remorseless and unrelenting behaviour, which has now gone on for nearly three years, has had on her. She simply cannot contemplate any prospect of sharing parental responsibility for any aspect of the children's medical or educational care with their father. She needs time out, time away from all of the business of litigation and all of the stress that it has generated. Based on her experience of sharing responsibility even for the modest decisions that have been taken jointly during this time, and noting that in fact His Highness was not in dispute about her choices once he had become involved, she sees the whole experience, embellished and drawn out as it was by those acting on his behalf, in a wholly negative light. As I have said, I accept her evidence, which was unchallenged, and it is on that basis, as well as my own overall view of the case, that I make my decision, which is to accede to her request to be given sole responsibility for determining all issues relating to the children's medical care and schooling in the terms that I set out at paragraph 20. It is agreed that the mother will keep the father informed of any significant matters that arise with respect to the children's welfare and I am satisfied that she will do so, just as she has done in the past.
95. The decision to afford the mother sole responsibility for these important matters is justified by the need to reduce the potential for continuing harm to the children. It is very much in their interests for the balance to be recalibrated and for their mother to feel that she now has enhanced autonomy as a parent and that this will be protected by a court order. This step will reduce the potential for the children to be harmed by the impact on their mother from the need to be involved with their father, and it will enhance her ability, as their primary carer, to concentrate on them and their immediate needs".

124. In view of the risks identified and the welfare analysis which underpins those risks, I am satisfied that this is an exceptional case. It is exceptional by several factors. Firstly, there is the nature of the findings before the court. As Ms Kirby has set out, matters involving honour-based violence is one which has a significant impact on children throughout their childhood and adolescence. Secondly, AB has not desisted in his use of litigation in respect of CD. I specifically note the following applications which have been made by AB:
- a. 3 November 2021, application for a non-molestation order by AB against CD
 - b. 4 February 2022, C100 application
 - c. 6 October 2022, application (by consent) for AB to withdraw his application for a non-molestation order
 - d. 2 March 2023, C2 application seeking the recusal of the then District Judge Robinson and District Judge Lindsay
 - e. 3 March 2023, C2 application raising issues in respect of the bundle for the finding of fact hearing and other issues
 - f. 16 October 2023, enforcement application
 - g. 4 September 2024, C100 application
 - h. 27 October 2025, oral applications in respect of:
 - i. Disclosure of court CCTV footage
 - ii. Instruction of a child psychologist
 - iii. Transfer to the High Court
 - iv. Recusal of His Honour Judge Robinson
 - i. 28 October 2025, permission to appeal the Order of District Judge Keating dated 1 May 2025
 - j. 28 October 2025, permission to appeal the Order of His Honour Judge Robinson dated 27 October 2025
 - k. 30 October 2025, C2 application to withdraw the application
 - l. 9 November 2025, email application to “stay” the final hearing
125. Such a volume of applications is exceptional. CD has been consumed by responding and dealing with such proceedings. I accept her evidence, and the submissions made on her behalf, as to the impact such proceedings have upon her. I commend her for the dignity and composure which she has shown throughout these proceedings, but she should not be exposed in such a way any longer.
126. Thirdly, AB is unrelenting. Only last week he referenced having referred CD to the Pakistani police and his intention to bring proceedings against her in that jurisdiction.
127. When placing those factors together, this is patently an exceptional and extreme case on any objective analysis. CD needs to be able to enjoy parenting EF, and EF needs to see that enjoyment and be part of it, without that unrelenting and all-consuming approach taken by

AB against CD. EF is not immune from it however much CD tries to shield her. AB's behaviour is having a detrimental impact on both the welfare of CD and EF, and as I have set out above, he has no insight into that. The apparent apology he offered in his closing submissions does not amount to insight, because his actions the week before and even in his oral evidence in the action he is pursuing in Pakistan reflects no understanding as to what such an apology would relate to. It is entirely meaningless. A specific issue order, coupled with a prohibited steps order, is necessary to enable CD and EF to enjoy their private and family life together unburdened from such ongoing conduct of AB. Although such orders undoubtedly impact AB's right to a private and family life, such interference is necessary and proportionate to promote the same rights of CD and EF which must properly take priority of AB's rights in light of the domestic abuse found against him.

128. In such circumstances and for the reasons set out immediately above, I therefore make a specific issue order in the following terms:
- a. CD is expressly permitted to make all decisions and give parental consent unilaterally without reference to, without informing, and without consulting with AB. Insofar AB's consent is said to be required by any organisation or statutory authority for any decision, the effect of this Order is to expressly dispense with such consent.
 - b.
 - c. For the avoidance of any doubt, the provisions of this Order includes any decisions pertaining to the placement of EF at any school, the provision of any medical treatment for EF (whether planned or of an emergency nature) and any application for travel documents for EF.
 - d. CD is expressly permitted to travel abroad with EF for any period of time without the consent of AB or without reference to him, without informing him and without his consent.
 - e. CD is not required to engage with AB in the exercise of any aspect of parental responsibility.
 - f. CD has permission to disclose this Order to any educational government organisation or quasi-government establishment, organisation (whether in the United Kingdom or outside the United Kingdom), or any statutory authority, as may be required.
129. For the protection of EF in light of the risks which I have found above, I also make the following prohibited steps order to remain in force until EF's 18th birthday:
- a. AB is prohibited from removing EF from the care or control of CD or any person or organisation (including any school) which CD has entrusted EF's care to.
 - b. AB is prohibited from seeking or attempting to seek access to or copies of EF's school or educational records, but any school must ensure that any school report created is redacted to remove the names of any school, address or staff names and is posted to AB. A copy of this Order must be provided to any school or educational establishment which EF attends.

- c. AB is prohibited from seeking or attempting to seek access to or copies of EF's medical records, but CD must inform AB (through a third party and as soon as reasonably practicable but taking into account CD's focus will undoubtedly be upon promotion of CD's immediate health and welfare) should EF, during her minority (i.e. prior to the age of 18 years) be diagnosed with any life-limiting or life-ending condition or be involved in any serious incident or accident which results in any life-saving or life-changing treatment. A copy of this Order must be provided to EF's general practitioner and permission is granted for a further copy to be provided to any health professional engaged in administering healthcare to EF.
 - d. AB is prohibited from obtaining or attempting to obtain any travel documents for or on behalf of EF
130. The necessity for (a) and (d) above is to preserve and promote EF's safety, particularly in light of AB's email dated 13 November 2025 and the clear intent to remove EF from CD's care. It provides stability and security to EF. Without such an Order there would remain a real risk AB would seek to remove EF. Whilst I have weighed in the balance he has complied with the previous Order since the Order was made in 2023, his most recent email sent only last week shows his ongoing intent. When holistically considering his conduct as detailed in this judgment, EF's welfare demands such a protective Order.
131. In respect of (b) and (c) above, I accept Ms Kirby's opinion that AB has exercised his parental responsibility in a manner which seeks to control and exert further abuse on CD. This is not the actions of a concerned parent, but the actions of an individual intent on finding some negative in which to pin on CD and undermine her. Even in his oral evidence, AB used it as a platform to raise allegations against CD and further referencing that he had been exploited. He has been utterly relentless in his approach utilising these proceedings. Further in this regard, AB confirmed in his oral evidence that he has allowed his partner to read all the court documents, and he has shared the contents of court proceedings with his now wife.
132. A prohibited steps order is a significant curtailing of his parental rights, and I consider such an Order alone without anything balanced against it goes too far to erode his own right to a private and family life, which includes knowledge of EF's health and education. However, the safeguards I have built into the above Order I find balances such a right without undermining the protective nature of the Order. Order Pursuant to Section 91(14) of the Children Act 1989
133. When considering whether to make an Order pursuant to section 91(14) of the Children Act 1989, I also consider Practice Direction 12J which helpfully sets out the following: "4A.1 Under section 91(14) of the 1989 Act orders are available to prevent a person from making an application under that Act without leave of the court. Section 91(14) leaves a discretion to the court to determine the circumstances in which an order should be made, which may therefore be many and varied. However, section 91A specifies certain circumstances "among others" in which the court may make an order. These circumstances include where an

application would put the child concerned, or another individual at risk of harm. This would include, but not be limited to, a risk of harm arising where an application could be used to carry out or continue domestic abuse. A future application could be part of a pattern of coercive or controlling behaviour or other domestic abuse toward the victim, such that a section 91(14) order is merited due to the risk of harm to the child or other individual. 4A.2 Where allegations of domestic abuse are alleged or proven, the court should consider whether a section 91(14) order might be appropriate even if an application for such an order has not been made. (Section 91A(5) of the 1989 Act specifies who can make an application, and provides that the court can make an order of its own motion.) 4A.3 The court should refer to Practice Direction 12Q for guidance on section 91(14) applications and orders”.

134. I turn to Practice Direction 12Q, which sets out as follows: “2.1 Section 91(14) orders are available to prevent a person from making future applications under the 1989 Act without leave of the court. They are a protective filter made by the court, in the interests of children. 2.2 The court has a discretion to determine the circumstances in which an order would be appropriate. These circumstances may be many and varied. They include circumstances where an application would put the child concerned, or another individual, at risk of harm (as provided in section 91A), such as psychological or emotional harm. The welfare of the child is paramount. 2.3 These circumstances can also include where one party has made repeated and unreasonable applications; where a period of respite is needed following litigation; where a period of time is needed for certain actions to be taken for the protection of the child or other person; or where a person’s conduct overall is such that an order is merited to protect the welfare of the child directly, or indirectly due to damaging effects on a parent carer. Such conduct could include harassment, or other oppressive or distressing behaviour beyond or within the proceedings including via social media and e-mail, and via third parties. Such conduct might also constitute domestic abuse. 2.4 A future application could also be part of a pattern of coercive or controlling behaviour or other domestic abuse toward the victim, such that a section 91(14) order is also merited due to the risk of harm to the child or other individual ... 3.2 An application for such an order may also be made by an individual who alleges a risk of harm from a future application, or by or on behalf of the child to whom the application would relate, or by another party to the application being disposed of ... 3.6 If the court decides to make a section 91(14) order, the court should give consideration as to the following matters:
- a. the duration of the order (see section 4);
 - b. whether the order should cover all or only certain types of application under the 1989 Act;
 - c. whether service of any subsequent application for leave should be prohibited until the court has made an initial determination of the merits of such an application (see section 6). Such an order delaying service would help to ensure that the very harm or other protective function that the order is intended to address, is not undermined; and

- d. whether upon any subsequent application for leave, the court should make an initial determination of the merits of the application without an oral hearing (see section 6). 4.1 Sections 91(14) and 91A are silent on the duration of a section 91(14) order. The court therefore has a discretion as to the appropriate duration of the order. Any time limit imposed should be proportionate to the harm it is seeking to avoid. If the court decides to make a section 91(14) order, the court should explain its reasons for the duration ordered”.
135. I set those matters out from Practice Direction 12Q to assist the parties. When applying matters to this case, I have already set out above the number and nature of the applications which AB has made, and I weigh them in the balance without repeating them again within this paragraph.
136. Ms Kirby set out her concern that AB would not stop in making applications to the court, and this was based in the emails which AB has sent to her and the court as referenced above and in what AB told the court at the hearing on 2 June 2025 as set out above. I find that Ms Kirby’s concerns are entirely appropriate considering (a) those matters I have just set out which emanate from AB’s own words and (b) the number of applications as set out above. From 2021 CD has been exposed to repeated court applications. CD’s own evidence sets out the toll it has had on her, and the fear that she has, and I accept her evidence in that regard as entirely honest and credible. I also made a previous relevant finding, which I repeat in this judgment given its relevance: “I find that [AB] has used these proceedings as a means to exert further abuse upon [CD]. I do not make this finding lightly, however, I find it is a consequence that flows almost naturally from the findings I have made above, including that [AB] has not only failed to prove some of his allegations but that he has not been honest; considering the nature of some of these particular allegations, including his allegation of sexual assault against him by [CD] and her mother, it has understandably been distressing for [CD] and her mother to respond to it. Furthermore, the questioning which he sought to ask of [CD]’s sister, [GH], related to allegations that she sought to engage sexually with him yet there was no evidence of this before the Court. [AB]’s approach when [CD] was giving evidence was to sigh loudly 10 times at points in her evidence until I addressed the matter with him; [AB]’s response was that he was not doing anything deliberately and that it was because he had a cough; I find this response disingenuous, as immediately after raising this matter on the first day there was there was no more exaggerated sighing. I find that subjecting [CD] to this approach not only demonstrates behaviour of a harassing nature, but it once again demonstrates an absence of insight by [AB] into the impact of his behaviours. This finding is strengthened further as I find that a number of [AB]’s allegations have been found not to have existed. The allegations have been of a significant personal nature including sexual assault by [IJ] (maternal grandmother) in which [CD] is said to be complicit. The seriousness of the allegation has not played a part in the findings I have made above, but having made the findings I already have I consider the nature and seriousness are relevant when assessing the impact of false allegations. This is because the impact of false allegations relating to such sexual assault will likely cause distress, and I find such distress has occurred and was palpable in the evidence of [CD] and [IJ], evidence which I have found

to be credible”.

137. I find that taking all of that into account, an Order should be made pursuant to section 91(14) of the Children Act 1989 to provide protection to both CD and EF from bringing them back into the court arena. In respect of the duration of such an Order, given the persistency which AB has made applications since 2021 coupled with the proceedings he has now threatened to pursue in Pakistan, and his reporting of CD to the police in Pakistan, and considering his repeated comments that he will not give up and will not stop, I find that the appropriate period is until the 31 August following EF's 16 th birthday; the reason I say until this period is so that EF can complete any examinations in the summer following her 16th birthday without being disrupted by any subsequent application. Given the breadth of applications which AB has made previously, and given the domestic abuse CD and EF have been exposed to, such an Order applies to all application pursuant to the Children Act 1989. Service of any such application should not take place until the court has determined the application to ensure any harm caused by the making of the application is mitigated. I also direct that any such application for leave for permission is to be determined administratively and without an oral application.
138. I add that should any application be made, as a minimum I would expect any such application to be accompanied by a witness statement of AB, with numbered paragraphs, setting out:
- a. The previous findings which he accepts and any findings which he does not accept.
 - b. The position in relation to any ongoing action or proceedings he has brought against CD or her family in this or any other jurisdiction.
 - c. The orders he seeks and the reasons.
 - d. Confirmation of any study or course which he has undertaken.
 - e. Evidence as to any material change which has taken place since this judgment. Non-Molestation Order
139. I turn next to the whether the non-molestation order made should be discharged, continue or by varied. In view of the analysis above, I am satisfied that there is evidence of molestation and it is of such a level that it does require the protection of the court, particularly in light of AB's continued domestic abuse as set out above.
140. I do not consider that the non-molestation order needs further amendment in respect of allowing AB to access where his pharmacy is. This is because AB and CD live in close proximity to one another. The non-molestation order is drafted to afford protection to both CD and EF. If it were weakened by removing the current geographical restriction, there is a real risk of harm to CD and EF given the findings and analysis above. It does interfere with AB's right to access his local pharmacy, but there are many pharmacies locally that will offer a delivery service, and whilst it might mean AB needing to change pharmacy, such

arrangements can be readily put in place. Such interference with his rights in this regard is necessary and proportionate to secure the safety of CD and EF.

141. As to the duration, I note Ms Kirby's recommendation that such an Order should be for at least 2 years. Given the risks are very significant indeed, with possible fatal consequences as set out by Ms Kirby, and with last week AB continuing to his abuse of the CD and EF in the email which he sent and his engagement with the Pakistan police force and his intent to bring private legal proceedings in that jurisdiction, I find such a 2 year period from today is appropriate, and therefore until 4pm on 21 November 2027. I would urge the local authority and police to undertake their duties to review matters prior to the expiry of that Order to determine whether any further protective measures are required thereafter. Disclosure of the Judgment and Orders
142. I also provide authority to CD to disclose a copy of this judgment and the Orders made to British Embassy in Pakistan, with permission for forward transmission to the Pakistani police and courts if required. This is necessary and proportionate given AB's actions as set out in his email to the court last week. Permission is also given for CD to provide this judgment to any accredited organisation for the purpose of translating this judgment. I have considered AB's submissions that he does not consider that another jurisdiction should consider this judgment given that such jurisdictions have their own laws, but I have had the opportunity to consider the evidence of the parties and professional witnesses, and I have set out an analysis. Providing this to another jurisdiction may have the effect of reducing the period of time any such jurisdiction may need to assess the factual background which has taken place since 2021, and that might reduce the time in which parties are engaged in proceedings in any other jurisdiction which ultimately therefore reduces stress and pressure and promotes the welfare of all parties, and in particular EF who would be aware of any such stresses and pressure upon CD.
143. I also direct for a copy of this judgment to be sent by the court to CAFCASS and to the local authority so that they can ensure any ongoing safeguards are in place. In addition, in view of the findings made, and the assessment of risk for EF, and the ongoing non- molestation order in force, I also direct that Cleveland Police is to be provided with a copy. Costs
144. The final matter which I turn to is CD's application of costs which is dated 23 October
2025. The basis of the application is that CD seeks from AB her costs that flow following the abandoned hearing on 1 May 2025. In support of the application is a schedule of costs which totals £10,824.00.
145. The starting point in family proceedings is that each party has responsibility for its own costs. A helpful summary is provided by Peter Jackson LJ sitting in the Court of Appeal earlier this year in *E (Children: Costs)* [2025] EWCA Civ 183, at paragraph 23: "There is a general practice of not awarding costs against a party in family proceedings concerning children, but the court retains a discretion to do so in exceptional circumstances. These include cases in which a party has been guilty of reprehensible or unreasonable behaviour

in relation to the proceedings. This practice applies equally in public law and private law proceedings, and irrespective of whether a party is legally aided. Nor is there any difference in principle between fact-finding hearings and other hearings. The court can make costs orders at any time: FPR 28.1”.

146. As noted in that judgment, the power to award costs is set out in Family Procedure Rule 28.1, which states: “The court may at any time make such order as to costs as it thinks just”.
147. I have also reminded myself of the judgment in *Re T (a child) (order for costs)* [2005] EWCA Civ 311, in which a summary of the law in relation to costs in these circumstances is helpfully outlined: “The principles, which fall to be applied, are not, we think, in dispute. The judge summarised them succinctly in the following way: - “2.1 The Civil Procedure Rules apply. Under normal circumstances, according to rule 44.3(2) (a), the general rule is that costs should follow the event, although the court can make a different order. (Rule 44.3(2) (b)) 2.2 However, this general rule does not apply to family proceedings. (Family Proceedings (Miscellaneous Amendments) Rules 1999) 2.3 It is suggested that even in family proceedings, the general rule is probably the starting point but can more easily be displaced. (*Gojkovic v Gojkovic (No 2)* [1992] Fam 40) 2.4 In cases involving children in particular, costs awarded against one parent or another are exceptional since the court is anxious to avoid the situation where a parent may feel “punished” by the other parent which will reduce co-operation between them. This will only impinge ultimately on the welfare of the child or the children concerned. (*London Borough of Sutton v Davis (Costs)* (No2) [1994] 2 FLR569; *Re: M (Local Authority's Costs)* [1995] 1 FLR 533) 2.5 The conduct of the parties is in reality the major consideration when deciding whether or not an exceptional order for costs should be made. It should only be made if the penalised party has been unreasonable in his or her conduct. Moreover the “unreasonableness” must relate to the conduct of the litigation rather than the welfare of the child. (*R v R (Costs: child case)* [1997] 2 FLR 95) 2.6 One has to be very careful in this distinction when, as in the case of (the mother), the apparent unreasonableness is as a result of the personality of the relevant party. In such circumstances, there is often an overlap of that party's conduct of the litigation and the conduct relating to the welfare of the child. 2.7 At the beginning of my involvement (the father) was applying for contact in relation to A as well as J. His welfare has also been a concern from time to time throughout. However, the costs in dispute have been incurred in relation to J's welfare alone.”.
148. In returning to *E (Children: Costs)* [2025] EWCA Civ 183, Peter Jackson LJ recognises that the judge at first instance was right “to take account of the whole picture” (paragraph 32), and that any “striking features” of the litigation should be considered (paragraph 36). Such striking features are always going to be fact specific.
149. In these proceedings, the striking features, insofar as they relate to the application, are the events which took place on 1 May 2025. AB has been found to make significant threats against not only EF, but professionals, lawyers and the judge involved in the case. This was

truly an exceptional situation that arose dynamically in the context of the final hearing. Considering the safety implications, including of all those at court, the only viable option was one of abandonment of the final hearing and for it to be relisted. I find that AB's conduct in this regard was unreasonable alone, which would justify the general proposition being displaced and one favouring an award of costs.

150. However, even if I was wrong in that assessment, I turn to further conduct of AB following. He has since failed to set out his position in any level of detail to the court, presenting for the first time in his oral evidence that he accepted mentioning honour- based violence when at court on 1 May 2025. Matters could have been limited, and potentially the need for the court to specifically determine the allegation any further could have been avoided. It was unreasonable that he did not do so. He was provided opportunity with CAFCASS, the police, the local authority, in his witness statement, at court hearings since, and yet he did not offer this response to the allegation.
151. Furthermore, another striking feature is that since the hearing on 1 May 2025, and as set out above, AB sought to change his position on the acceptance of all the previous findings, notwithstanding his previously advanced and assessed views (through the Domestic Abuse Perpetrators' Programme). A complete change of position was also unreasonable, as all the evidence had been prepared, including the report he had submitted from Harbour, on the basis of his acceptance of the findings. He then since changed his position again, indicating acceptance of most of the allegations, but not all. CD, Ms Kirby and the court needed to understand what AB's position was so that they could prepare, and the changed and changing position of AB was unreasonable in this regard.
152. When looking further at AB's conduct since 1 May 2025, the totally without merit applications for permission to appeal, and the number of applications made, also paints a wider picture of unreasonable conduct, and must be weighed in the balance when considering the whole litigation landscape. There is then the volume of emails, and the content of such emails (some of which are referenced above) which has added to the work which has been needed to be undertaken by CD's legal representatives to take instructions and respond to them. All of this builds an incredibly unreasonable level of conduct, and in my findings crosses the threshold by some distance of it being exceptional.
153. I also add that I found it entirely unreasonable of AB to spend the length of time which he did in his questioning of Ms Kirby, which is a matter I will set out further below. Such a step unnecessarily lengthened the final hearing and incurred further costs for CD.
154. On a purely causative analysis, but for AB's conduct on 1 May 2025 the hearing would have concluded on 1 May 2025 and there would have been no further hearings and no further costs incurred.

155. Taking into account all that I have set out, I therefore find that the general principle is displaced and AB is ordered to pay CD's costs which flow from the abandoned hearing on 1 May 2025.
156. When considering the assessment of those costs I undertake a summary assessment within this judgment. I note all of the time costs have been incurred at a Grade D rate and below the guideline hourly rates, and I do not interfere with that and find it reasonable. As to the amount of time costs, I again find it entirely reasonable and proportionate when considering the nature of the work which needed to be undertaken. Therefore, with VAT added, the total time costs amount to £2,844.00.
157. I next turn to consider the disbursements incurred. In respect of the brief refresher fee on 1 May 2025, I do not permit this. This sum would have been required in any event, and in permitting recovery of the cost for that second day and the costs for the adjourned hearing would represent double recovery.
158. In respect of the brief fees for the hearings on 2 June 2025 and 27 October 2025, I find a sum of £800.00 plus VAT per hearing is a reasonable and proportionate amount.
159. When I turn to this final hearing, a total sum of £3,600.00 is claimed, plus VAT. In the context of a 3 day hearing, and in respect of the handing down of this judgment and the drafting of a final order, I find that is a reasonable and proportionate sum.
160. The total sum is therefore £9,084.00. In undertaking a final check and balance of this sum, when considering it holistically I am satisfied it a reasonable and proportionate sum considering the work which was necessary to undertake following the abandoned hearing on 1 May 2025.
161. I do note that AB raises that he is in receipt of welfare benefits and is already in debt. I note he has, however, mentioned a business which he has or had, and I note he referenced having the ability to pay for his own counsel at the previously abandoned hearing. I have an absence of evidence in relation to these matters.
162. I therefore order AB to pay CD's costs, summarily assessed in the sum of £9,084.00 (inclusive of VAT). Such a payment is to be made within 56 days. I provide such an extended period of time for payment to permit time for AB to give thought to how he might be able to pay, to seek to agree any payment plan if required with CD through her solicitors or to make any application for varying the payment terms. Fairness of the final hearing
163. In view of AB's previous negative comments about the court, I consider it is perhaps helpful to address matters arising from this final hearing.
164. I have stepped back and considered whether there is any misunderstanding which has arisen from AB's use of English. He has not made an application for an interpreter, and he has been able to communicate with this court effectively not only in these proceedings but throughout the proceedings in 2023. He has sent a high volume of emails and documents to

this court, prepared statements, applications and skeleton arguments; I do not consider that there has been any misunderstanding in the substance of any matter which goes to the heart of EF's welfare.

165. Although AB indicated he did not intend to attend this final hearing, the weekend before the hearing AB sought to attend remotely on account of his spinal conditions. I granted such permission. I also ensure regular breaks were factored in for the benefit of AB.
166. Even discounting breaks, AB questioned Ms Kirby for over 3.5 hours. At various repeated occasions during such questioning, I reminded AB to focus his questions upon EF's welfare. Ms Kirby had commenced giving evidence shortly after 10am. Just before the lunchtime adjournment at 1pm, I asked AB for an indication of how many more questions he had of Ms Kirby. He said he had in the region of 30 more questions. I explained to AB that given by that stage Ms Kirby had been in the witness box for 3 hours (albeit with some breaks), it was not proportionate to ask her a further 30 questions and I invited him to apply a degree of focus over the lunchtime adjournment. After a further 30 minutes of questioning of Ms Kirby following the lunchtime adjournment, I informed AB that in order to effectively manage the hearing, to take care of the welfare of Ms Kirby as a witness and consider proportionality, I would only permit a further 15 minutes of questions. I then provided AB a warning when there was 5 minutes remaining. At expiry of that final 5 minutes, I then asked AB to select and ask his final question. I do not consider AB's right to a fair hearing was in anyway impacted because he had been provided with an extensive period of time in which to ask Ms Kirby questions.

Conclusion

167. The orders which I make are as follows:
- Suspension of the final order made in previous proceedings on 17 July 2023.
 - An Order that EF lives with CD.
 - No contact between AB and EF.
 - The specific issue order as set out above.
 - The prohibited steps orders as set out above.
 - An Order pursuant to section 91(14) of the Children Act 1989 preventing AB from making any application pursuant to the Children Act 1989 without first obtaining permission of the court, such permission to be determined administratively in the first instance. The duration of such an order is until 31 August following EF's 16 th birthday.
 - Permission for the disclosure of the Orders made and the judgment as set out above.
 - An extension of the non-molestation order until 4pm on 21 November 2027.

i. A costs order as set out above.

168. I add that I appreciate that this judgment is significantly lengthy, and I have deliberately included extracts of several documents and emails. The reason for doing so is to highlight, in the rawest of ways by citing such documents, the impact of domestic abuse upon survivors of domestic abuse, which includes CD and EF. However, it also demonstrates the pressures on those working in the field of family law, whether that be court staff receiving the emails set out above, lawyers being exposed to such matters and accusations and seeking to act in the best interests of their respective clients, social workers and CAFCASS officers who endeavour to promote and protect the interests of children and who face unprecedented pressures and judges who face such real threats. All these individuals are people. They all have their own lives, and they all experience normal human emotions. Simply because they undertake a particular role in public service, it does not give them any special filter by which they become protected to such pressures. I make these closing obiter comments to highlight these matters by way of transparency of the family courts, and in the hope that AB will reflect upon his conduct for the future.
169. I take the opportunity to thank all those who have assisted and participated in this final hearing, and I pay particular thanks to Ms Kirby who I found particularly helpful and who has placed EF squarely at the centre of matters.
170. Finally, I end this judgment by reiterating that all the decisions which I have taken have been to promote EF's welfare, and I hope that she can move on from these proceedings and continues to be the bright, happy and articulate 7-year-old which she has been described to be. HHJ Robinson 42

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