

Extending Jade's Law – protecting survivors of attempted murder

The Victims' Commissioner for England and Wales, Claire Waxman OBE, is urging Parliament to amend the Victims and Courts Bill to ensure offenders convicted of attempted murder of a partner have their parental responsibility restricted.

During the passage of the [Victims and Prisoners Act 2024](#), Claire Waxman joined calls for change to ensure when an offender is convicted of the murder or voluntary manslaughter of a person with whom they share parental responsibility, that responsibility is automatically suspended upon sentencing.

This measure, known as Jade's Law, is named after Jade Ward, a mother who was murdered by her former partner, leaving behind four children. Despite being sentenced to a minimum of 25 years in prison, the perpetrator retained parental responsibility. This meant he could influence decisions over the children's welfare from prison, and Jade's bereaved family faced repeated requests for information on the children, such as their school reports.

[Section 18](#) of the Act enshrined this change in legislation, meaning these campaign efforts were successful and the proposals became law. As a result, bereaved families no longer face the burden of having to apply to the family court system to have the offender's parental responsibility removed. The law has not yet come into force, and the Victims' Commissioner will be closely monitoring its implementation.

To protect more victim-survivors from this flaw in the system, the Victims' Commissioner is now calling for the law to go further.

Survivors of attempted murder are not included within the scope of Jade's Law, nor are they included in changes in the Victims and Courts Bill that will restrict parental responsibility where an offender is found guilty of a child sexual offence against any child and has been sentenced to 4 or more years.

Currently, in these cases, survivors must seek permission from the person who tried to kill them for basic decisions like changing a child's school, moving house or going on holiday. The perpetrator can also request access to the child's school reports. Through the guise of parental responsibility, the offender maintains control over the survivor, compounding their trauma and hindering their recovery.

Survivors of attempted murder have approached the Victims' Commissioner to share their concerns that the perpetrator in their case still retains parental responsibility for their children, causing significant distress to their families. However, these survivors are often reluctant to speak out, not only because of safety fears, but because they worry the perpetrator will be alerted to the fact that they continue to hold parental responsibility - particularly if the perpetrator was previously unaware of these rights. This information could enable them to continue controlling or intimidating the victim, even while the perpetrator is serving a custodial sentence.

If the survivor wants the offender's parental responsibility to be stripped, the onus is placed on them to apply to the family courts. It is known that family court proceedings are often lengthy, intrusive, re-traumatising and costly for victims. Poor communication between the criminal justice system and the family court also means that Family Court Judges' do not have the full picture, and there is a risk they may favour

on the side of the perpetrator and contact. This raises concerns for the safety and well-being of the survivor, as well as their children's.

This gap must be addressed to support survivors of attempted murder in their recovery and prevent further harm.

The Victims and Courts Bill

The Victims' Commissioner will be tabling an amendment to the Victims and Courts Bill to ensure that victims of attempted murder, where they share parental responsibility with the offender, no longer have to face the prospect of attending family court to strip the offender of their parental rights.

This amendment expands on the provisions within the Victims and Prisoners Act 2024. The amendment will create a duty on the Crown Court to make a prohibited steps order restricting the offender's parental responsibility at the point of sentencing someone convicted of attempted murder of a person with whom they share parental responsibility.

Claire Waxman OBE is calling on Peers to speak in support of this amendment tabled by Lord Meston during Committee stage and to press the Government to address this loophole:

After Clause 4, insert the following new Clause—

“Restricting parental responsibility where one parent is convicted of the attempted murder of the other parent

In section 18(3) of the Victims and Prisoners Act 2024 (restricting parental responsibility where one parent kills the other), in inserted section 10A(1)(b) (duty of Crown Court to make prohibited steps order), after “murder” insert “or attempted murder”.

Member's explanatory statement

This amendment extends Jade's law enacted by section 18 of the Victims and Prisoners Act 2024 to cover convictions for attempted murder.