

Private Law Update July 2026

Mark Chaloner

QLRs & Conduct of Hearings

[K v P \(Criminal Solicitor as Court-Appointed QLR\)](#) [2025] EWFC 321 (06 October 2025), McFarlane P

Headline: Beware court-appointed QLRs who start to act as Criminal Defence lawyers

[QLRs – what do the published judgments tell us?](#) ,8 March 2026, Pink Tape (Lucy Reed KC)

Headline: Still not enough QLRs, Use them properly, and too many cases called M v F!

[R v R](#) [2025] EWHC 3180 (Fam), McKendrick J, 5 December 2025

Headline: Useful case where allegations Advocates Toolkit not adhered to doesn't give rise to appeal

Alienating Behaviours

[Re Y \(Experts and Alienating Behaviour: The Modern Approach\)](#), McFarlane P, [2026] EWFC 38

Headline: No more unchartered / unregistered Psychologists, query if fast-track approach will be developed to past parental alienation cases

[A Mother \(Appeal: Alienating Behaviours: Fair Procedure\)](#) [2026] EWHC 783 (Fam), Poole J, 31 March 2026

Headline: Be clear at the outset what you are determining and make sure you address the Guidance in full (including AAA)

Alienating Behaviours

[XZ v YZ](#) [2026] EWHC 1521 (Fam), (15 June 2026), Harris J

Headline: Parties must know the potential findings against them, alienating behaviour cannot be looked at in isolation from DA, remember participation directions, useful comments re reasons and IDVAs and no 'pro-contact imperative'

Experts

- H (Children: Expertise of Witness), [2026] EWCA Civ 249, Court of Appeal, 12 March 2026

Headline: Definition of 'Expert'. Re C and Re Y endorsed. Despite issues with expert, appeal unsuccessful. Route to challenge criticism of expert likely to be to initial court not appeal

Re X and Y (Care Proceedings: Publication of Judgment: Criticism of Expert Witness)
[2026] EWFC 132, (10 June 2026), Knowles J

Headline: Publication of identity of Expert where criticism made of them

Findings

[Manchester City Council v M & Ors](#) [2026] EWFC 75, Harrison J, 1 April 2026

Headline: Findings made even where there is a flawed ABE

[FAZ v MAZ \(Private Law: Allegations of Sexual Abuse of Child\)](#) [2026] EWFC 131 (09 June 2026), Poole J

Headline: Interesting case where sexual abuse allegations withdrawn but held there was a genuine belief in them by Mother

[HH v SS](#) [2026] EWHC 1557 (Fam), (19 June 2026), Peel J

Headline: Video-evidence needs to be watched and judges must explain reasons

Status

[Re N \(Paternity: Unregulated Sperm Donor\)](#) [2026] EWHC 878 (Fam), McFarlane P, 21 April 2026

Headline: Circumstances for refusing Declaration of Parentage to Sperm Donor

[Re J \(Loss of Parental Responsibility\)](#) [2026] EWCA Civ 344, Court of Appeal, 20 March 2026

Headline: If you're not biological or legal Father, even if on Birth Certificate you never had PR. If Father could be one of twins – read the case! Remember you can construct PR via CA1989 however and where there are international risks / issues consider orders, including interim ones

Status

[Re P \(No 2: Welfare\)](#) [2026] EWCA Civ 571 (12 May 2026), Court of Appeal

Headline: Unsuccessful Appeal by one of the Fathers of the Child
Arrangements put in place

[Re YZ \(Declaration of Parentage: BATUK: DNA Evidence\)](#) [2026] EWHC 1601
(Fam) (26 June 2026), Poole J

Headline: Unsuccessful challenge of DNA Evidence and Declaration of
Parentage made

Disclosure

[Re NG \(A Child\), \(Disclosure of Asylum Documents\), \(No 1\)](#) [2026] EWHC 412
(Fam), David Rees KC (s9), 25 February 2026

Headline: No New Law but good example of application for disclosure of asylum documents and relevant balance

Contact

GI v K, [2026] EWHC 480 (Fam), Lieven J, 23 January 2026

Headline: Judge found to be wrong to disregard allegations of domestic abuse

91(14)

[Re A & T \(Children\) \(Appeal: Duration of Section 91\(14\) Order\)](#) [2025] EWHC 3052 (Fam),
Harrison J, 19 November 2025

Headline: Think carefully about duration and consider different time limits for different applications

[Lubala v Mousley](#) [2026] EWHC 1081 (Fam), (28 April 2026), Sir Jonathan Cohen

Headline: Be careful of indefinite 91(14) orders and no conditional orders

Premature Determination and Recusal

[C \(Children: Premature Determination\)](#) [2025] EWCA Civ 1481, Court of Appeal, 19 November 2025

Headline: Be careful how robust you are mid-hearing

[D \(A Child\) \(Recusal\)](#) [2025] EWCA Civ 1570, Court of Appeal, 09 December 2025

Headline: If recusing see why and it doesn't overturn previous findings, and watch out for LIPs using AI

Publicity / Publication

[Bradley v CM & Ors](#), [2026] EWHC 125 (Fam), Poole J, 26 January 2026

Headline: Journalist granted access to Expert Reports – guidance to come?

[Re E \(A Child\)](#) [2025] EWCA Civ 1563, Court of Appeal, 2 December 2025

Headline: Witnesses of Fact are unlikely to have grounds to intervene re findings if properly put

[Re CX \(A child\) \(Reporting restrictions order: National security\)](#) [2026] EWHC 994 (Fam), Garrido J, 29 April 2026

Headline: Transparency Orders and National Security

Publicity / Publication

[Re X \(A Child\) \(Disclosure to the NMC\)](#) [2025] EWFC 332 (30 September 2025)

Headline: Good example of how to approach application to disclose to a Regulator

[In the Matter Of A, B, & C](#) [2026] EWFC 27, Judd J, 11 February 2026

Headline: Disclosure to DBS is permitted under PD12G (and query if there is the power to prevent LA's doing this in light of the SVGA)

Costs

[Pringle v Nervo](#) [2026] EWCA Civ 266, Court of Appeal, 13 March 2026

Headline: Make sure you take account of both parties' conduct and don't use as 'mitigation' matters which go to whether a costs order should be made at all. Also a nice comment re transparency!

[Re M \(A Child: Costs\)](#) [2026] EWCA Civ 381, Court of Appeal, 27 March 2026

Headline: Opposing an Appeal is unlikely to be reprehensible, and in this case neither was a cross-appeal

Other Guidance

- [The PFD's Guidance 2026: Non-Molestation Orders under the Family Law Act 1996, and the FJC's Best Practice Guidance for Practitioners on Making an application for a Protective Injunction under the Family Law Act 1996](#)
- [Allocation guidance relating to children in the Family Court](#)

Future Developments

- [Domestic Abuse Commissioner's Research](#) (14/10/25):
“A pro-contact culture and a failure to recognise domestic abuse and its severity is leading to decisions that may jeopardise children’s safety” – suggests Family Court is failing
- Government [Proposal to remove Presumption of Parental Involvement](#) – in [Courts and Tribunals Bill](#)
“The repeal is founded on the clear principle that every child deserves to be safe – yet new evidence published today shows that assuming it’s always in the best interest of a child to have the involvement of both parents can perpetuate abuse.” ([David Lammy](#))

[Child Focused courts](#)

Headline: With you, or coming soon!

Thank You!