

Tammy Richardson-Augustus, an anti-domestic abuse campaigner and lawyer, said: “The themes we need to see from the judiciary are a focus on children’s voices, strategic leadership in the domestic abuse sphere, specialist support, data and evidence, training and safeguarding.”

She said actions to help tackle domestic abuse include:

1. Legislative reform to modernise Bermuda’s legal framework: For example, broadening the statutory definition of abuse, rationalising the Children Act and Minors Act to eliminate fragmentation, recognising children in law as victims in their own right, not simply as witnesses of adult harm.
2. Rule of law adherence is mandatory: Essentially, Family Court operates without external oversight, allowing deficiencies to persist unchecked. Judicial officers have, in some instances, failed to fully disclose conflicts, served without taking the constitutionally required oath, protracted delays in rendering judgments paralysing a victim from moving forward with their lives. Survivors are further threatened with contempt for revealing the atrocities they face in court, a practice that silences testimony and obstructs accountability. Many of the issues [Mrs Justice Alexandra] Wheatley cited as problematic are not inherent to the court process itself but lie squarely within the remit of judges to control and/or mitigate.
3. Systemic barriers: Culture of minimisation of abuse, a policy of reunification of separating partners whose relationship has passed the expiration date, evidentiary requirements, especially in emotional abuse cases, all foster chronic under-reporting and attrition.
4. Special measures: Domestic abuse victims/survivors, especially when unrepresented by counsel, should be granted vulnerable person accommodation to ensure they can participate effectively and to reduce the emotional toll of proceedings. This includes screens in court; separate waiting areas; special seating arrangements; video evidence; anonymised orders; domestic abuse intermediary; and no direct cross examination by the perpetrator.
5. Training: The judiciary must be expertly attuned to the recognise the dynamics of abuse, not just the aftermath. This means red flag warnings, for example animal cruelty is a risk factor, intense surveillance is a risk factor, non-physical abuse and the layered impact of trauma especially on children. We have long called for regular, robust, mandatory and trauma-informed training across all frontline agencies.
6. Reduce court silos: Victims/survivors face a labyrinth of laws, courts and procedural silos, all of which the perpetrator can weaponise to delay and further complicate the

process. The justice system maintains a dichotomy between criminal court and the two distinct family court forums yet domestic abuse cases can straddle all. The dichotomy therefore causes confusion, repeated disclosures, conflicting ruling, retraction of statements, fear and exhaustion. Justice must be a pathway to durable peace/ safety, not a maze.

7. Pro-contact equals pro-perpetrator: A blanket presumption of parental contact can override the safety of a vulnerable child and create a laboratory for further harm. When children are involved, there should be no default assumptions of reunification. Each case demands careful, trauma-informed scrutiny. Safety not sentiment must be the guiding principle. The best interest of the child is paramount. We call on policymakers to employ improved risk assessment tools and to align with: Bermuda ACEs report to see the toll of having children cope and not heal <https://tfc.bm/aces>; UK Harm Panel Recommendations; and the UN Framework. This will help to ensure the wellbeing of our children is not a secondary consideration but a legal and moral cornerstone.

(<https://cygnetlaw.co.uk/blog/domestic-violence/understanding-domestic-abuse-safeguarding-children-in-family-court-proceedings/>)

8. Healthy and unhealthy relationship education: Comprehensive courses to reduce the pipeline of people who experience abuse offered to: family lawyers; teachers, instructors and coaches; school curriculums; medical personnel including paediatricians etc .

One Love Foundation tools are being used locally in some schools and non-profits and the feedback has been very positive.

9. Continue multi-agency approach: This is a moment for actual collaboration - sharing expertise and resources to ensure victims/survivors receive a continuum of support. The charities communicate and meeting to drive constructive and, hopefully, catalytic response. We also see [Kim Wilkerson] the Attorney-General, Tinée Furbert, [the Minister of Youth, Social Development and Seniors], and the Commissioner and Deputy Commissioner at the Bermuda Police Service leaning in to see how they can be part of the solution. I am encouraged by the shared commitment. Such collaboration must truly extend across the statutory system if change is to be lasting and if risks to the whole family properly managed. A siloed approach is disastrous as understanding of the victim/survivor journey might be held by multiple professionals each playing a vital role, from advocacy to counselling to temporary refuge to follow on support. Only genuine multi-agency procedures will ensure risks and needs are addressed coherently.

10. Data points to inform policy: We need institutions to prioritise data transparency and ethical data collection. Victim/survivor reform cannot rely on anecdote or assumption.

Clear, disaggregated data can help us identify patterns, allocate resources effectively and hold persons to account. Reform must be rooted not just in empathy but in evidence-based decisions.

By Tammy Richardson-Augustus