STATUTORY INSTRUMENTS

2026 No. 1124 (L. 17)

FAMILY PROCEEDINGS

SENIOR COURTS OF ENGLAND AND WALES

FAMILY COURT, ENGLAND AND WALES

The Family Procedure (Amendment No. 2) Rules 2026

Made - - - -	*22nd October 2026*
Laid before Parliament	*27th October 2026*
Coming into force - -	*18th December 2026*

The Family Procedure Rule Committee makes the following Rules in exercise of the powers conferred by section 75 of the Courts Act 2003(**a**), having fulfilled the requirements of section 79(1) of that Act.

Citation, extent and commencement

1.—(1) These Rules may be cited as the Family Procedure (Amendment No. 2) Rules 2026.

(2) These Rules extend to England and Wales.

(3) These Rules come into force on 18th December 2026.

Amendment of the Family Procedure Rules 2010

2. The Family Procedure Rules 2010(**b**) are amended in accordance with rule 3 of these Rules.

Amendment of Part 12

3.—(1) In rule 12.2 (interpretation), in the definition of "private law proceedings", in paragraph (a) after "a section 8 order" insert ", including proceedings for the review of a prohibited steps order made under section 10A(3) of the 1989 Act(**c**),".

(2) In rule 12.3 (who the parties are)—

(a) in paragraph (1), in the table—

(**a**) 2003 c. 39. Section 75 was amended by paragraphs 308 and 338 of Part 1 of Schedule 4 and Part 2 of Schedule 18 to the Constitutional Reform Act 2005 (c. 4), paragraphs 83 and 91 of Part 2 of Schedule 10 to the Crime and Courts Act 2013 (c. 22). Paragraph 3(1) and (2) of Schedule 4 to the Judicial Review and Courts Act 2022 (c. 35) sets out an amendment to section 75 which is not in force at the time these Rules are made.

(**b**) S.I. 2010/2955. Relevant amendments were made by S.I. 2014/843 and 2024/1016.

(**c**) Children Act 1989 (c. 41). Section 10A(3) was inserted by section 18 of the Victims and Prisoners Act 2024 (c. 21).

(i) in the row beginning "A section 8 order", in the first column, after "A section 8 order" insert ", except where the application is one to which either of the next two rows of this table applies";

(ii) after the row beginning "A section 8 order" insert the following rows—

"The review of a prohibited steps order made by the Crown Court under section 10A(3) of the 1989 Act.	The relevant local authority.	Every person whom the applicant believes to have parental responsibility for the child, including those for whom parental responsibility has been restricted under section 10A of the 1989 Act; where the child is the subject of a care order, every person whom the applicant believes to have had parental responsibility immediately prior to the making of the care order; and every person whom the applicant believes is caring for the child if that person is a relative of the child.
The variation or discharge of a prohibited steps order made by the Crown Court under section 10A(3) of the 1989 Act in cases where the original order made in the Crown Court has not yet been reviewed or varied by the High Court or the family court.	Any person who is entitled to apply for a section 8 order with respect to the child (section 10(4) to (7) of the 1989 Act) including a parent whose parental responsibility has been restricted under section 10A of the 1989 Act; or with the court's permission, any person (section 10(2)(b) of the 1989 Act).	The relevant local authority; and every person whom the applicant believes to have parental responsibility for the child, including those for whom parental responsibility has been restricted under section 10A of the 1989 Act; where the child is the subject of a care order, every person whom the applicant believes to have had parental responsibility immediately prior to the making of the care order; and every person whom the applicant believes is caring for the child if that person is a relative of the child.";

(b) in paragraph (5)—

(i) in the list entry beginning "care home"—

(aa) after "local authority" insert ", relative";

(bb) for "Act." substitute "Act; and";

(ii) after "Act; and" insert—

""relevant local authority" has the meaning assigned to it by section 10B(7) of the 1989 Act.".

(3) In rule 12.8 (service)—

(a) in paragraph (3) after "a local authority" insert "or proceedings for the review, variation or discharge of a prohibited steps order made under section 10A(3) of the 1989 Act";

(b) after paragraph 3 insert—

"(3A) In proceedings for the variation or discharge of a prohibited steps order made under section 10A(3) of the 1989 Act, subject to rule 6.23A, service under paragraph (1) will be effected by the court officer, unless the court directs the applicant to do so.".

(4) In rule 12.16(1)(a) after "section 8 order" insert ", excluding proceedings for the review of a prohibited steps order made under section 10A(3) of the 1989 Act".

(5) In rule 12.19(1) after "a section 8 order" insert ", including proceedings for the review of a prohibited steps order made under section 10A(3) of the 1989 Act,".

Sir Stephen Cobb, President of the Family Division
Lord Justice Baker
Poonam Bhari
Graeme Fraser
His Honour Judge Humphreys
Mr Justice Keehan
Jennifer Kingsley
District Judge Nelson
Her Honour Judge Suh

12th October 2026

I allow these Rules
Signed by authority of the Lord Chancellor

Jake Richards
Parliamentary Under-Secretary of State
Ministry of Justice

22nd October 2026

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules amend the Family Procedure Rules 2010 (S.I. 2010/2955) ("the FPR").

Rule 3 introduces changes to Part 12 of the FPR to amend the practice and procedure for cases that fall within section 10A and 10B Children Act 1989 (c. 41) ("the 1989 Act") as introduced by section 18 Victims and Prisoners Act 2024 (c. 21).

Rule 3(1) amends the definition of 'private law proceedings' in rule 12.2 of the FPR to make clear that proceedings for 'a section 8 order' includes proceedings for a review of a prohibited steps order made under section 10A(3) of the 1989 Act ("a relevant PSO").

Rule 3(2) makes amendments to rule 12.3 of the FPR to identify the parties in proceedings for the review, variation or discharge a relevant PSO.

Rule 3(3) makes amendments to rule 12.8 of the FPR regarding who is responsible for service of the application form. For proceedings for the review of a relevant PSO, the applicant will effect service. For proceedings for the variation or discharge of a relevant PSO, the amendments make it so the court will effect service unless the court directs the applicant to do so.

Rule 3(4) makes an amendment to rule 12.16(1) of the FPR to disapply proceedings for the review of a relevant PSO from this rule.

Rule 3(5) makes an amendment to rule 12.19(1) of the FPR to make it clear that rule 12.19 applies to proceedings for the review of a relevant PSO.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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