STATUTORY INSTRUMENTS

2008 No. 2861 L.25

FAMILY PROCEEDINGS

SUPREME COURT OF ENGLAND AND WALES

COUNTY COURTS, ENGLAND AND WALES

The Family Proceedings (Amendment) (No.2) Rules 2008

Made - - - -	*3rd November 2008*
Laid before Parliament	*6th November 2008*
Coming into force - -	*8th December 2008*

The Family Proceedings Rule Committee makes the following Rules in exercise of the powers conferred by section 40(1) of the Matrimonial and Family Proceedings Act 1984(**a**):

Citation and commencement

1. These Rules may be cited as the Family Proceedings (Amendment) (No.2) Rules 2008 and shall come into force on 8th December 2008.

Amendments to the Family Proceedings Rules 1991

2. The Family Proceedings Rules 1991(**b**) shall be amended in accordance with the provisions of rules 3 to 23.

3. In the Arrangement of Rules—

(a) after the entry for rule 4.4, insert—

"**4.4A** Application for a warning notice or application to amend enforcement order by reason of change of residence";

(b) in the entry for rule 4.11AA, omit "family assistance order";

(c) after the entry for rule 4.13A, insert—

"**4.13B** Section 11J or 11O: duties of person notified";

(d) after the entry for rule 4.21, insert—

(**a**) 1984 c.42. Section 40(1) was amended by section 25(3) of and paragraph 50 of Schedule 18 to the Courts and Legal Services Act 1990 (c.41), section 62(5) of the Children Act 2004 (c.31) and section 15(1) of and paragraphs 379 and 380 of Schedule 4 to the Constitutional Reform Act 2005 (c.4) and will be repealed (on a date to be appointed) by section 109(1) of and paragraph 278 of Schedule 8 to, and Schedule 10 to, the Courts Act 2003 (c.39). Section 40(4) was inserted by section 62(5) of the Children Act 2004 (c.31).

(**b**) S.I. 1991/1247. Relevant amending instruments are S.I. 1991/2113, 1992/456 and 2067, 1993/295, 1994/3155, 1996/816, 1997/637, 1056 and 1893, 1998/1901, 1999/3491, 2000/2267, 2001/821, 2003/184, 2839 and 3079, 2004/3375, 2005/264, 412, 559 and 2922 and 2007/1622 and 2187.

"**4.21AA** Service of enforcement order or order amending or revoking enforcement order "; and

(e) after the entry for rule 4.21A, insert—

"**4.21B** Order with notice attached: committal".

4. In rule 1.2, after the definition for "the Act of 2004", insert—

""the Act of 2006" means the Children and Adoption Act 2006(**a**);".

5. In rule 4.1—

(a) in paragraph (1)—

(i) after the definition of "children's guardian", insert—

""contact activity condition" has the meaning assigned to it by section 11C(2);

"contact activity direction" has the meaning assigned to it by section 11A(3);

"contact order" has the meaning assigned to it by section 8(1);";

(ii) after the definition of "emergency protection order" insert—

""enforcement order" has the meaning assigned to it by section 11J(2);"

(iii) after the definition of "family assistance order report", insert—

""financial compensation order" means an order made under section 11O(2);"; and

(iv) after the definition of "specified proceedings", insert—

""warning notice" means a notice attached to a contact order pursuant to section 8(2) of the Act of 2006;"; and

(b) in paragraph (2)—

(i) in sub-paragraph (c), after "6(7)," insert "11J(5), 11O(5),";

(ii) after sub-paragraph (d), insert—

"(da) on an application under paragraph 4(3), 5(3), 6(4), 7(3) or 9(5) of Schedule A1;";

(iii) in sub-paragraph (g), omit "or" the second time it appears;

(iv) in sub-paragraph (h), for "." substitute "; or"; and

(v) after sub-paragraph (h), insert—

"(i) on an application for a warning notice.".

6. In rule 4.4—

(a) in paragraph (1) after "paragraph (4)" insert "and rule 4.4A";

(b) in paragraph (1A)—

(i) in sub-paragraph (a)(i)—

(aa) after "C1," insert "C100,";

(bb) for "or", substitute ","; and

(cc) after "C51", insert "or C79"; and

(ii) in sub-paragraph (a)(iii), after "C1," insert "or (as the case may be) question 5 on Form C100,"; and

(c) after paragraph (3), insert—

"(3A) In the case of an application under—

(a) section 11J; or

(b) section 11O,

(**a**) 2006 c.20.

in addition to complying with paragraph (3), the applicant shall serve a copy of the application on the person who was the children's guardian, guardian ad litem, next friend or legal representative as referred to in the relevant entry in column (iv) of Appendix 3 to these rules.".

7. After rule 4.4, insert—

"Application for a warning notice or application to amend enforcement order by reason of change of residence

4.4A.—(1) This rule applies in relation to an application for a warning notice or for an order under paragraph 5 of Schedule A1 (to amend an enforcement order by reason of change of residence).

(2) The application shall be made—

(a) in the case of an application for a warning notice, ex parte on Form C78; or

(b) in the case of an application for an order under paragraph 5 of Schedule A1, ex parte on Form C79.

(3) The court may deal with the application without a hearing.

(4) Where the court determines that the application shall be dealt with at a hearing—

(a) rule 4.4(1)(b) and (3) shall apply; and

(b) rule 4.4(2) shall apply as if for the words before "the proper officer" there were substituted "On the court determining that the application shall be dealt with at a hearing".".

8. In rule 4.5—

(a) in paragraph (3)—

(i) omit "either"; and

(ii) for "preparing or has prepared a family assistance order report or a risk assessment" substitute "acting or has acted under a duty referred to in rule 4.11AA(1)(a) to (g)"; and

(b) in paragraph (4)(a) and (b) for "preparing or has prepared a family assistance order report or a risk assessment" substitute "acting or has acted under a duty referred to in rule 4.11AA(1)(a) to (g)".

9. In rule 4.8(7)—

(a) in sub-paragraph (a), after "respondent,", delete "and"; and

(b) after sub-paragraph (b), insert—

"and

(c) a copy of the application has been effected under rule 4.4(3A);".

10. In rule 4.9—

(a) for paragraph (1) substitute—

"(1) Within 14 days of service of an application for—

(a) an order under section 4(1)(c);

(b) a section 8 order;

(c) an enforcement order;

(d) a financial compensation order;

(e) a special guardianship order;

(f) an order under Schedule 1;

(g) an order under Part 2 of Schedule A1; or

(h) an order for a warning notice to which rule 4.4A(4) applies,

each respondent shall file, and serve on the parties, an acknowledgement of the application in Form C7 and, if both parts of question 6 or question 7 (or both) on Form C7 are answered in the affirmative, Form C1A."; and

(b) for paragraph (3) substitute—

"(3) Following service of an application to which this Part applies, other than—

(a) an application under rule 4.3; and

(b) an application referred to in paragraph (1)(a), (b), (e) or (h),

a respondent may, subject to paragraph (4), file a written answer, which shall be served on the other parties.".

11. In rule 4.11(1)—

(a) for "section 16, section 16A" substitute "or"; and

(b) after "section 41(2)" insert "or in acting under a duty referred to in rule 4.11AA(1)".

12. In rule 4.11AA—

(a) in the heading, omit "family assistance order";

(b) for paragraph (1), substitute—

"(1) This rule applies where an officer of the service or a Welsh family proceedings officer is acting under a duty in accordance with —

(a) section 11E(7) (providing the court with information as to the making of a contact activity direction or a contact activity condition);

(b) section 11G(2) (monitoring compliance with a contact activity direction or a contact activity condition);

(c) section 11H(2) (monitoring compliance with a contact order);

(d) section 11L(5) (providing the court with information as to the making of an enforcement order);

(e) section 11M(1) (monitoring compliance with an enforcement order);

(f) section 16(6) (providing a family assistance order report to the court); and

(g) section 16A (making a risk assessment).";

(c) in paragraph (2)—

(i) for "preparing a family assistance order report or a risk assessment" substitute "acting under a duty referred to in paragraph (1)(a) to (g)";

(ii) in sub-paragraph (a), for "the report or assessment" substitute "any report or risk assessment he makes"; and

(iii) in sub-paragraph (b), for "the report or assessment" the first time it appears substitute "any report or risk assessment he makes";

(d) in paragraphs (3), (6) and (6)(c), for "the report or assessment" substitute "any report or risk assessment he makes";

(e) in paragraph (8), for "a family assistance order report" substitute "a report as a result of acting under a duty referred to in paragraph (1)(a) to (f)"; and

(f) in paragraph (9), for "a family assistance order report" substitute "a report prepared as a result of acting under a duty referred to in paragraph (1)(a) to (f)".

13. After rule 4.13A, insert—

"Section 11J or 11O: duties of person notified

4.13B. Where there has been a notification of an application in accordance with rule 4.4(3A), the person notified shall—

(a) consider whether it is in the best interests of the child for the child to be a party to the proceedings to which that application relates; and

(b) before the date fixed for the first hearing or directions appointment, notify the court, orally or in writing, of his opinion on this question, together with the reasons for this opinion."

14. In rule 4.14—

(a) in paragraph (1)(b)—

(i) for "a family assistance order report" substitute " a duty referred to in rule 4.11AA(1)(a) to (f)"; and

(ii) for "preparing the report" substitute " acting under the duty in question";

(b) in paragraph (2)—

(i) in sub-paragraph (m), for "." substitute ";"; and

(ii) after sub-paragraph (m) insert—

"(n) the exercise by an officer of the service or a Welsh family proceedings officer of any duty referred to in rule 4.11AA(1)(a) to (e).";

(c) in paragraph (8) after "38" insert "or under paragraph 4, 5, 6 or 7 of Schedule A1"; and

(d) in paragraph (9A), for "a family assistance order report" substitute "a report prepared as a result of acting under a duty referred to in rule 4.11AA(1)(a) to (f)".

15. In rule 4.15(2)(ii), for "preparing or has prepared a family assistance order report or a risk assessment" substitute "acting or has acted under a duty referred to in rule 4.11AA(1)(a) to (g)".

16. In rule 4.16, after paragraph (1) insert—

"(1A) Paragraphs (2) to (4) do not apply where—

(a) the hearing relates to—

(i) a decision about whether to make a contact activity direction or to attach a contact activity condition to a contact order; or

(ii) an application for a financial compensation order, an enforcement order or an order under paragraph 9(2) of Schedule A1; and

(b) the court has yet to obtain sufficient evidence from, or in relation to, the person who may be the subject of the direction, condition or order to enable it to determine the matter.".

17. In rule 4.17(1), for "preparing or has prepared a family assistance order report or a risk assessment" substitute " acting or has acted under a duty referred to in rule 4.11AA(1)(a) to (g)".

18. In rule 4.21(6), after "paragraph (7)" insert "and rule 4.21AA".

19. After rule 4.21, insert—

"Service of enforcement order or order amending or revoking enforcement order

4.21AA.—(1) Paragraphs (2) and (3) apply where an enforcement order or an order under paragraph 9(2) of Schedule A1 is made by the court.

(2) As soon as practicable after an order has been made, a copy of it shall be served by the proper officer on—

(a) the parties, except the person against whom the order is made;

(b) the officer of the service or the Welsh family proceedings officer who is obliged to comply with a request under section 11M;

(c) the responsible officer.

(3) Unless the court directs otherwise, the applicant shall serve a copy of the order personally on the person against whom the order is made.

(4) As soon as practicable after an order had been made under paragraph 4, 5, 6 or 7 of Schedule A1, a copy of the order shall be served by the proper officer on—

(a) the parties;

(b) the officer of the service or the Welsh family proceedings officer who is obliged to comply with a request under section 11M;

(c) the responsible officer; and

(d) in the case of an order made under paragraph 5 of Schedule A1, the responsible officer in the former local justice area.

(5) In this rule, "responsible officer" has the meaning given in paragraph 8(8) of Schedule A1.".

20. In rule 4.21A, after "section 8 orders" insert "(except those referred to in rule 4.21B(a))".

21. After rule 4.21A, insert—

"Order with notice attached: committal

4.21B. CCR Order 29, rule 1 (committal for breach of order or undertaking) shall apply to—

(a) contact orders within the meaning of section 8(1) of the Children Act 1989 to which a notice has been attached under section 11I of that Act or under section 8(2) of the Children and Adoption Act 2006;

(b) enforcement orders made under section 11J of the Children Act 1989;

(c) enforcement orders amended or made pursuant to paragraph 9 of Schedule A1 to the Children Act 1989

as if paragraph (3) were omitted.".

22. In Appendix 1—

(a) in the list of forms—

(i) in the entry for Form C1, in the third column, for "for an order", substitute "Children Act 1989 except Section 8 orders and orders related to enforcement of a contact order";

(ii) after the entry for Form C1, in the first column insert "C100", in the second column "Application", and in the third column "under the Children Act 1989 for a residence, contact or other section 8 order"; and

(iii) after the entry for Form C54 insert the list of forms set out in Schedule 1;

(b) for Forms C1 and C7, substitute the forms set out in Schedule 2;

(c) after Form C1, insert Form C100 as set out in Schedule 3;

(d) in Form C43—

(i) immediately after the section headed "The Court orders" insert—

"Where—

(a) there are no proceedings pending under Part 2 Children Act 1989;

(b) an officer of the service or a Welsh family proceedings officer who remains involved with the case is given cause to suspect, whilst this order is in force, that the child concerned is at risk of harm; and

(c) as a result that officer makes a risk assessment under section 16A of that Act,

the officer may apply to the court for it to revive the previous proceedings and to consider that risk assessment and give such directions as the court thinks necessary."; and

(ii) in the section headed "Warning" after "without the leave of the Court", insert—

"Where a contact order is in force: if you do not comply with this contact order–

(a) you may be held in contempt of court and be committed to prison or fined; and/or

(b) the Court may make an order requiring you to undertake unpaid work ("an enforcement order") and/or an order that you pay financial compensation."; and

(e) after Form C54, insert the forms in the Schedule 4.

23. In Appendix 3—

(a) in the row beginning "Section 4(1)(c)", in column (i), after "Schedule 14" insert "or, where rule 4.4A(4) applies, section 8(2)(a) of the Act of 2006";

(b) after the row beginning "Section 4(1)(c)", insert—

"Section 11J or 11O	14 days	Only the person who the applicant alleges has failed to comply with the contact order	Any officer of the service or Welsh family proceedings officer exercising a duty conferred on him by section 11H(2) (monitoring compliance with a contact order) Where the child was a party to the proceedings in which the contact order was made- (a) the person who was the children's guardian, guardian ad litem or next friend of the child in those proceedings; or (b) where there was no children's guardian, guardian ad litem or next friend, the person who was the legal representative of the child in those proceedings."

; and

(c) after the row beginning "Section 25", insert—

"Paragraph 4 of Schedule A1	14 days	Only- the person who was the applicant for the enforcement order, and where the child was a party to the proceedings in which the enforcement order was made, the child	Any officer of the service or Welsh family proceedings officer exercising a duty conferred on him by section 11M(1) (monitoring compliance with an enforcement order) and the responsible officer (as defined in section 197 of the

			Criminal Justice Act 2003(**a**) as modified by Schedule A1)
Paragraphs 5 to 7 of Schedule A1	14 days	Only the person who was the applicant for the enforcement order	Any officer of the service or Welsh family proceedings officer exercising a duty conferred on him by section 11M(1) (monitoring compliance with an enforcement order) and the responsible officer (as defined in section 197 of the Criminal Justice Act 2003 as modified by Schedule A1)
Paragraph 9 of Schedule A1	14 days	Only – the person who the applicant alleges has failed to comply with the unpaid work requirement imposed by an enforcement order, and where the child was a party to the proceedings in which the enforcement order was made, the child	Any officer of the service or Welsh family proceedings officer exercising a duty conferred on him by section 11M(1) (monitoring compliance with an enforcement order) and the responsible officer (as defined in section 197 of the Criminal Justice Act 2003 as modified by Schedule A1)".

Transitional provision

24. Where proceedings have been commenced before rule 6(b)(i)(aa) comes into force, the Family Proceedings Rules 1991 shall apply to those proceedings as if rules 6(b)(i)(aa) and (b)(ii) and 22(a)(i) and (ii), (b) and (c) had not been made.

Mark Potter, P
Bruce Edgington
Angela Finnerty
Charles Hyde
Jane Probyn
David Salter
Philip Waller

I allow these Rules

Bridget Prentice
3rd November 2008 Parliamentary Under Secretary of State
Ministry of Justice

(**a**) 2003 c.44. Section 197 was amended by S.I. 2005/886 and 2008/912 and by sections 6(2) and 149 of and paragraphs 71 and 83 of Schedule 4, and Schedule 28, to the Criminal Justice and Immigration Act 2008 (c.4). Section 197 is modified by paragraphs 1, 2 and 3(1) of Schedule A1 to the Children Act 1989.

SCHEDULE 1

Rule 22(a)(iii)

C78	Application	for attachment of a warning notice to a contact order
C79	Application	related to enforcement of a contact order
C80	Order	Enforcement order
C81	Order	Revocation of enforcement Order
C82	Order	Order for financial compensation

SCHEDULE 2

Rule 22(b)

Application for an order

Form C1

Children Act 1989 except Section 8 orders and orders related to enforcement of a contact order.

If you are applying for a section 8 order or an order related to enforcement of a contact order you will need to use a different application form (Form C100 for Section 8 orders and Form C79 for enforcement). Booklet 'CB1 - Making an application - Children and the Family Courts' gives more information. You can get a copy from your local court or you can download a copy from our website at www.hmcourts-service.gov.uk.

Cafcass/CAFCASS CYMRU will carry out checks as it considers necessary.

Cafcass - Children and Family Court Advisory and Support Service (in England); CAFCASS CYMRU - Children and Family Court Advisory and Support Service Wales.

The court	To be completed by the court
	Date issued
	Case number
The full name(s) of the child(ren)	Child(ren)'s number(s)

Important Note
You should only answer question 7 if you are applying for a **Parental Responsibility Order.**

1 About you (the person completing this form known as 'the applicant')

State:
- *your title, full name, address, telephone number, date of birth and relationship to each child above*
- *your solicitor's name, address, reference, telephone, FAX and DX numbers.*

2 The child(ren) and the order(s) you are applying for

For each child state:
- *the full name, date of birth and sex*
- *the type of order(s) you are applying for (for example, Parental Responsibility Order, care order or supervision order).*

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3 Other cases which concern the child(ren)

If there have ever been, or there are pending, any court cases which concern:

- *a child whose name you have put in paragraph 2*
- *a full, half or step brother or sister of a child whose name you have put in paragraph 2*
- *a person in this case who is or has been, involved in caring for a child whose name you have put in paragraph 2*

attach a copy of the relevant order and give:

- *the name of the court*
- *the name and contact address (if known) of the children's guardian, if appointed*
- *the name and contact address (if known) of the children and family reporter, if appointed*
- *the name and contact address (if known) of the welfare officer, if appointed*
- *the name and contact address (if known) of the solicitor appointed for the child(ren).*

4 The respondent(s)

Appendix 3 Family Proceedings Rules 1991; Schedule 2 Family Proceedings Courts (Children Act 1989) Rules 1991

For each respondent state:

- *the title, full name and address*
- *the date of birth (if known) or the age*
- *the relationship to each child.*

5 Others to whom notice is to be given

Appendix 3 Family Proceedings Rules 1991; Schedule 2 Family Proceedings Courts (Children Act 1989) Rules 1991

For each person state:

- *the title, full name and address*
- *the date of birth (if known) or the age*
- *the relationship to each child.*

6 The care of the child(ren)

For each child in paragraph 2 state:

- *the child's current address and how long the child has lived there*
- *whether it is the child's usual address and who cares for the child there*
- *the child's relationship to the other children (if any).*

7 Domestic abuse, violence or harm

Do you believe that the child(ren) named above have suffered or are at risk of suffering any harm from any of the following:

- *any form of domestic abuse*
- *violence within the household*
- *child abduction*
- *other conduct or behaviour*

by any person who is or has been involved in caring for the child(ren) or lives with, or has contact with, the child(ren)?

	Yes	No
Please tick the box which applies	☐	☐

If you tick the Yes box,* you must *also fill in Supplemental Information Form (form C1A). *You can obtain a copy of this from a court office if one has not been enclosed with the papers served on you.*

8 Social Services

For each child in paragraph 2 state:

- *whether the child is known to the Social Services. If so, give the name of the social worker and the address of the Social Services department.*
- *whether the child is, or has been, on the Child Protection Register. If so, give details of registration.*

9 The education and health of the child(ren)

For each child state:

- *the name of the school, college or place of training which the child attends*
- *whether the child is in good health. Give details of any serious disabilities or ill health.*
- *whether the child has any special needs.*

10 The parents of the child(ren)

For each child state:

- *the full name of the child's parents*
- *whether the parents are, or have been, married to each other or civil partners of each other*
- *whether the parents live together. If so, where.*
- *whether, to your knowledge, either of the parents have been involved in a court case concerning a child. If so, give the date and the name of the court.*

11 The family of the child(ren) (other children)

For any other child not already mentioned in the family (for example, a brother or half sister) state:

- *the full name and address*
- *the date of birth (if known) or age*
- *the relationship of the child to you.*

12 Other adults

State:

- *the full name of any other adults (for example, lodgers) who live at the same address as any child named in paragraph 2*
- *whether they live there all the time*
- *whether, to your knowledge, the adult has been involved in a court case concerning a child. If so, give the date and the name of the court.*

13 Your reason(s) for applying and any plans for the child(ren)

State briefly your reasons for applying and what you want the court to order.

- ***Do not** complete this section if this form is accompanied by a supplementary form.*

14 Attending the court

State:

- *whether you will need an interpreter at court. If so, please indicate what language interpreter you will use. If you require an interpreter you must notify the court immediately so that one can be arranged.*
- *whether you have a disability for which you require special assistance or special facilities. If so, please say what your needs are. The court staff will get in touch with you about your requirements.*

15 Parenting Information – Arrangements after Separation

	Yes	No
Have you received a Parenting Plan booklet? (If No, you may obtain a copy from a court office, a citizen's advice bureau or other family advice service.)	☐	☐
Have you agreed to a Parenting Plan? (If Yes, please include a copy of the Plan when you send your application to the court)	☐	☐
If you did agree a Parenting Plan, has the Plan broken down?	☐	☐

If Yes, please explain briefly why the Plan broke down –

Signed (Applicant) Date

C1

Acknowledgement — Form C7

The Court

Case Number

The full name(s) of the child(ren)

Child(ren)'s number(s)

Date of [Hearing] [Directions Appointment]

Cafcass/CAFCASS CYMRU will carry out checks as it considers necessary.

Cafcass - Children and Family Court Advisory and Support Service (in England); CAFCASS CYMRU - Children and Family Court Advisory and Support Service Wales.

What you (the person receiving this form) should do

- Answer the following questions. **If the applicant is only asking for financial relief in respect of the child(ren) named above you do not need to answer questions 6 and 7.**
- If you need more space for an answer use a separate sheet of paper. Please put your full name, case number and the child(ren)'s name(s) and number(s) at the top.
- If the applicant has asked the court to order you to make a payment for a child you must also fill in a Statement of Means (form C10A). You can obtain this form from a court office if one has not been enclosed with the papers served on you.
- **If you answer "Yes" to both parts of question 6, and/or question 7, you must also fill in Supplemental Information Form (form C1A).** You can obtain this form from a court office if one has not been enclosed with the papers served on you.
- If you need special assistance or facilities for a disability or impairment please set out your requirements in full in question 10. The court staff will need to know your specific requirements for example; documents in alternative formats such as Braille or large print and/or access provision, a hearing loop or a sign language interpreter. The court staff will get in touch with you about this. If you do not make the court aware of all your needs, this may result in the hearing being adjourned.
- When you have answered the questions make copies of both sides of this form. You will need a copy for the applicant, and each party named in the application for an order (form C1, C100, C78 or C79).
- Post, or hand, a copy to the applicant and to each party. Then post, or take, this form, and the Statement of Means and Supplemental Information Form if you have filled one in, to the court at the address below. You must do this **within 14 days** of the date when you were given the Notice of Proceedings, **or** of the postmark on the envelope if the Notice of Proceedings was posted to you.

To be completed by the court
[The Court Manager] [Chief Executive to the Justices]
The court office is open from a.m. to p.m. on Mondays to Fridays

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1 About you (the person completing this form)	Full name Date of birth Address
Please give a daytime telephone number if you can.	Telephone Number
2 About your solicitor *If you do not have a solicitor put **None** (but see note 3 on the Notice of Proceedings that was served on you).*	Full Name Address Reference Telephone Number Fax Number DX Number
3 Address to which letters and other papers should be sent	
4 The application was received on	
5 Do you oppose the application?	Yes ☐ No ☐
6 Did you receive a completed Supplemental Information Form (form C1A) from the applicant with the papers served on you? If Yes, do you wish to comment on any of the statements made in that form by the applicant?	Yes ☐ No ☐ Yes ☐ No ☐
7 Do you believe that the child(ren) named above have suffered or are at risk of suffering any harm from any of the following: • any form of domestic abuse • violence within the household • child abduction • other conduct or behaviour by any person who – (a) is or has been involved in caring for the child(ren); or (b) lives with, or has contact, with the child(ren)?	Yes ☐ No ☐

8 Do you intend to apply to the court for an order?	Yes ☐	No ☐
9 Will you use an interpreter at court? *If Yes state the language into which the Interpreter will translate.* *Note: If you require an interpreter you must notify the court immediately so that one can be arranged.*	Yes ☐ Language:	No ☐
10 Do you have a disability for which you require special assistance or special facilities at court? *If Yes please say what your needs are. The court staff will get in touch with you about your requirements.*	Yes ☐	No ☐

Signed (Respondent)

Date

SCHEDULE 3

Rule 22(c)

C100

Application under the Children Act 1989 for a residence, contact or other section 8 order

To be completed by the court	
Name of court	
Date issued	
Case number	
Child(ren)'s name(s)	Child(ren)'s number(s)

Before completing this application please read the booklet **'CB1 – Making an application – Children and the Family Courts'**. You can get a copy of all the forms and leaflets from your local court or they can be found at www.hmcourts-service.gov.uk

Cafcass/CAFCASS CYMRU will carry out checks as it considers necessary.

Cafcass - Children and Family Court Advisory and Support Service (in England); CAFCASS CYMRU - Children and Family Court Advisory and Support Service Wales.

Summary of application

Some people need permission to apply - See Section C of the booklet CB1

Have you applied to the court for permission to make this application? ☐ Yes ☐ Permission not required

Your name (the applicant(s))

The respondent's name(s)
See Sections G and H of the booklet CB1.

Please list the name(s) of the child(ren) and the type(s) of order you are applying for, starting with the oldest. To understand which order to apply for read the booklet CB1 Section D.

Name of child(ren)	Date of birth	Order(s) applied for
	D D / M M / Y Y Y Y	
	D D / M M / Y Y Y Y	
	D D / M M / Y Y Y Y	
	D D / M M / Y Y Y Y	
	D D / M M / Y Y Y Y	
	D D / M M / Y Y Y Y	

C100 Application under the Children Act 1989 for a residence, contact or other section 8 order (11.08) © Crown copyright 2008

1. About you (the applicant)

Your first name

Middle name(s)

Surname

Previous surnames (if any)

Date of birth D D / M M / Y Y Y Y

Sex ☐ Male ☐ Female

Place of birth (town/county/country)

If you do not wish your address to be made known to the respondent, leave the address details blank and complete Confidential Address Form C8.

Address

Postcode

Home telephone number

Mobile telephone number

Have you lived at this address for more than 5 years? ☐ Yes ☐ No

If No, please provide details of all previous addresses you have lived at for the last 5 years.

Your solicitor's details

Do you have a solicitor acting for you? ☐ Yes ☐ No

If Yes, please give the following details

Your solicitor's name

Name of firm

Address

Postcode

Telephone number

Fax number

DX number

Solicitor's Reference

Applicant 2 (if applicable)

Your first name

Middle name(s)

Surname

Previous surnames (if any)

Date of birth D D / M M / Y Y Y Y Sex ☐ Male ☐ Female

Place of birth (town/county/country)

If your address details and those of your solicitor are different from the first applicant please provide details of these on a separate sheet.

What is your relationship to the applicant listed above?

2. The child(ren)

Please give details of the child(ren) and the order(s) you are applying for.
If there are more than 4 children please continue on a separate sheet.

Child 1

Child's first name	
Middle name(s)	
Surname	
Sex	☐ Male ☐ Female

What is your relationship to the child?	Applicant 1	Applicant 2

Is the child known by the Local Authority children's services?	☐ Yes ☐ No ☐ Don't know
If Yes, what is the name of the:	
Local Authority	
Social worker (If known)	
Is the child subject of a child protection plan?	☐ Yes ☐ No ☐ Don't know
Who are the child's parents?	
Who does the child live with?	
Please give the full names of any other adults living at the same address and their relationship to the child.	

Child 2

Child's first name	
Middle name(s)	
Surname	
Sex	☐ Male ☐ Female

What is your relationship to the child?	Applicant 1	Applicant 2

Is the child known by the Local Authority children's services?	☐ Yes ☐ No ☐ Don't know
If Yes, what is the name of the:	
Local Authority	
Social worker (If known)	
Is the child subject of a child protection plan?	☐ Yes ☐ No ☐ Don't know
Who are the child's parents?	
Who does the child live with?	
Please give the full names of any other adults living at the same address and their relationship to the child.	

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Child 3

Child's first name	
Middle name(s)	
Surname	
Sex	☐ Male ☐ Female

What is your relationship to the child?	Applicant 1	Applicant 2

Is the child known by the Local Authority children's services?	☐ Yes ☐ No ☐ Don't know
If Yes, what is the name of the:	
Local Authority	
Social worker (If known)	
Is the child subject of a child protection plan?	☐ Yes ☐ No ☐ Don't know
Who are the child's parents?	
Who does the child live with?	
Please give the full names of any other adults living at the same address and their relationship to the child.	

Child 4

Child's first name	
Middle name(s)	
Surname	
Sex	☐ Male ☐ Female

What is your relationship to the child?	Applicant 1	Applicant 2

Is the child known by the Local Authority children's services?	☐ Yes ☐ No ☐ Don't know
If Yes, what is the name of the:	
Local Authority	
Social worker (If known)	
Is the child subject of a child protection plan?	☐ Yes ☐ No ☐ Don't know
Who are the child's parents?	
Who does the child live with?	
Please give the full names of any other adults living at the same address and their relationship to the child.	

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3. Why are you making this application?

Please give brief details about why you are making this application. You should include details of:

- any previous agreements (formal or informal), and how they have broken down
- your reasons for bringing this application to the court
- what you want the court to do.

Do not give a full statement, please provide a summary. You may be asked to provide a full statement later.

4. Agreements about residence and/or contact

Have you received a copy of the 'Parenting Plan: Putting your children first: A guide for separating parents', booklet?

☐ Yes ☐ No

If No, you can get a copy free of charge from your local court or you can download a copy from the website www.tso.co.uk

Have you used family mediation to attempt to agree arrangements for your children?

☐ Yes ☐ No

If you would like to find out more about mediation please ask at your local court or see the website www.familymediationhelpline.co.uk.

Please give brief details about:

- If you attended family mediation what was the outcome?
- If you did not use mediation please explain why?

5. Risk

Do you believe that the child(ren) named at Section 2 have suffered or are at risk of suffering any harm from any of the following:

- any form of domestic abuse
- violence within the household
- child abduction
- other conduct or behaviour

by any person who has had contact with the child?

☐ Yes ☐ No ☐ Other

If Yes, please complete form C1A (Supplemental information form).

If Other, please give details

6. Other court cases which concern the child(ren) listed at Section 2

Are you aware of any other court cases now, or at any time in the past, which concern any of the child(ren) at Section 2?

☐ Yes If Yes, please **attach a copy of any relevant order** and give additional details below

☐ No If No, please **go to Section 7**

Additional details

Name of child(ren)

Name of the court where proceedings heard

Case no.

Date/year (if known)

Name of Cafcass/CAFCASS CYMRU officer

Name and address of child's solicitor, if known

Postcode

If the above details are different for each child please provide details on additional sheets.

Please tick if additional sheets are attached. ☐

7. The respondents

Sections G and H of the the booklet **'CB1 - Making an application - Children and the Family Courts'** explain who a respondent is.

If there are more than 2 respondents please continue on a separate sheet.

Respondent 1

Respondent's first name

Middle name(s)

Surname

Previous surnames (if known)

Date of birth D D / M M / Y Y Y Y

Sex ☐ Male ☐ Female

Place of birth (town/county/country, if known)

Address

Postcode

Have they lived at this address for more than 5 years? ☐ Yes ☐ No ☐ Don't know

If No, please provide all previous addresses for the last 5 years below, if known.

Relationship to the child(ren)

Name of child	Relationship

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Respondent 2

Respondent's first name

Middle name(s)

Surname

Previous surnames (if known)

Date of birth D D / M M / Y Y Y Y

Sex ☐ Male ☐ Female

Place of birth (town/county/country, if known)

Address

Postcode

Have they lived at this address for more than 5 years? ☐ Yes ☐ No ☐ Don't know

If No, please provide all previous addresses for the last 5 years below, if known.

Relationship to the child(ren)

Name of child	Relationship

8. Others who should be given notice

There may be other people who should be notified of your application, for example, someone who cares for the child but is not a parent. Sections G and I of the the booklet **'CB1 - Making an application - Children and the Family Courts'** explain who others are.

Person 1

Person's first name

Surname

Date of birth D D / M M / Y Y Y Y Sex ☐ Male ☐ Female

Address

Postcode

Relationship to the child(ren)

Name of child	Relationship

Person 2

Person's first name

Surname

Date of birth D D / M M / Y Y Y Y Sex ☐ Male ☐ Female

Address

Postcode

Relationship to the child(ren)

Name of child	Relationship

9. Signature

Print full name

Signed

Applicant

Date D D / M M / Y Y Y Y

10. Attending the court

Section N of the the booklet **'CB1 - Making an application - Children and the Family Courts'** provides information about attending court.

If you require an interpreter, you must tell the court now so that one can be arranged.

Do you or any of the parties need an interpreter at court? ☐ Yes ☐ No

If Yes, please specify the language and dialect:

If attending the court, do you or any of the parties involved have a disability for which you require special assistance or special facilities? ☐ Yes ☐ No

If Yes, please say what the needs are

Please say whether the court needs to make any special arrangements for you to attend court (e.g. providing you with a separate waiting room from the respondent or other security provisions).

Court staff may get in touch with you about the requirements

continued over the page

What to do now

- ☐ Check you have attached copies of any **relevant orders** (as per Section 6).
- ☐ Check you have **signed** the form Section 9.
- ☐ You must provide a **copy** of the application and attached documents for each of the respondents and one for the Children and Family Court Advisory and Support Service (Cafcass or CAFCASS CYMRU).
- ☐ Is Form C1A attached (if applicable)?
- ☐ Details of the additional children if there are more than 4 in Section 2
- ☐ Details of the additional respondents if there are more than 2 in Section 7
- ☐ Check you have attached the correct fee. The leaflet 'EX50 County court fees' provides information about court fees you will have to pay.

Now take or send your application with the correct fee and correct number of copies to the court.

Court fees

You may be exempt from paying all or part of the fee. The combined booklet and application form 'EX160A Court Fees - Do you have to pay them' gives more information. You can get a copy from the court or download a copy from our website at www.hmcourts-service.gov.uk

SCHEDULE 4

Rule 22(e)

C78

Application for attachment of a warning notice to a contact order

To be completed by the court	
Name of court	
Date issued	
Case number	
Child(ren)'s name(s)	Child(ren)'s number(s)

If you have a contact order that was made before 8 December 2008 you may apply for a warning notice to be attached to the contact order.

A warning notice explains that if a person does not comply with the contact order the court may fine or imprison them for contempt of court, or may make an enforcement order or an order for financial compensation.
You cannot apply for an enforcement order or for financial compensation regarding any person's failure to comply with the contact order if this failure took place before that person had been given a copy of the order with the warning notice attached or informed of the terms of the warning notice.

1. About the current contact order

Name of court

Court case number if known

Full name of the person who made the application

Name of child(ren)

Date of contact order D D / M M / Y Y Y Y

Please attach a copy of the order where available.

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2. About you (the applicant)

Your first name

Middle name(s)

Surname

Date of birth D D / M M / Y Y Y Y

Sex ☐ Male ☐ Female

If you do not wish your address to be made known to the respondent, leave the address details blank and complete Confidential Address Form C8, you can get a copy from your local court.

Address

Postcode

Home telephone number

Mobile telephone number

Do you have a solicitor acting for you? ☐ Yes ☐ No

If Yes, please give the following details

Your solicitor's name

Name of firm

Address

Postcode

Telephone number

Fax number

DX number

Solicitor's Reference

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Applicant 2 (if applicable)

Your first name	
Middle name(s)	
Surname	
Date of birth	D D / M M / Y Y Y Y Sex ☐ Male ☐ Female

If your address details and those of your solicitor are different from the first applicant please provide details of these on a separate sheet.

What is your relationship to the applicant listed above?	

3. The child(ren) in respect of whom the contact order was made

Please give details of the child(ren), starting with the oldest.
If there are more than 4 children please continue on a separate sheet.

Child 1

First name	
Middle name(s)	
Surname	
Date of birth	D D / M M / Y Y Y Y Sex ☐ Male ☐ Female

What is your relationship to the child?	Applicant 1	Applicant 2

Child 2

First name	
Middle name(s)	
Surname	
Date of birth	D D / M M / Y Y Y Y Sex ☐ Male ☐ Female

What is your relationship to the child?	Applicant 1	Applicant 2

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Child 3

First name	
Middle name(s)	
Surname	
Date of birth	D D / M M / Y Y Y Y Sex ☐ Male ☐ Female

What is your relationship to the child?	Applicant 1	Applicant 2

Child 4

First name	
Middle name(s)	
Surname	
Date of birth	D D / M M / Y Y Y Y Sex ☐ Male ☐ Female

What is your relationship to the child?	Applicant 1	Applicant 2

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4. The respondents' details as stated on the contact order

If there are more than 2 respondents please continue on a separate sheet.

Respondent 1

Respondent's first name

Middle name(s)

Surname

Date of birth D D / M M / Y Y Y Y Sex ☐ Male ☐ Female

Address

Postcode

Relationship to the child(ren)

Name of child	Relationship

Does the respondent have a solicitor acting for them? ☐ Yes ☐ No ☐ Don't know

If Yes, please provide the details below.

Respondent's solicitor

Name of respondent's solicitor

Name of firm

Address

Postcode

Telephone number

Fax number

DX number

5

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Respondent 2

Respondent's first name

Middle name(s)

Surname

Date of birth D D / M M / Y Y Y Y Sex ☐ Male ☐ Female

Address

Postcode

Relationship to the child(ren)

Name of child	Relationship

Does the respondent have a solicitor acting for them? ☐ Yes ☐ No ☐ Don't know

If Yes, please provide the details below.

Respondent's solicitor

Name of respondent's solicitor

Name of firm

Address

Postcode

Telephone number

Fax number

DX number

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5. Current court cases which concern the child(ren)

Are you aware of any other ongoing cases which concern any of the children at Section 3?

☐ Yes

☐ No If No, please **go to Section 6**

If Yes, please provide additional details about which child(ren) are involved in other court cases?

Additional details

Name of child(ren)

Name of the court where proceedings are being heard

Case no.

Name of Cafcass/CAFCASS CYMRU Officer

Name and address of child's solicitor, if known

Postcode

If the above details are different for each child please provide details on additional sheets.

Please tick if additional sheets are attached. ☐

6. Signature

Print full name

Signed

Applicant

Date D D / M M / Y Y Y Y

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7. Attending the court

If you require an interpreter, you must tell the court now so that one can be arranged.

Do you or any of the parties need an interpreter at court? ☐ Yes ☐ No

If Yes, please specify the language and dialect:

If attending the court, do you or any of the parties involved have a disability for which you require special assistance or special facilities? ☐ Yes ☐ No

If Yes, please say what the needs are

Please say whether the court needs to make any special arrangements for you to attend court (e.g. providing you with a separate waiting room from the respondent or other security provisions).

Court staff may get in touch with you about the requirements

Checklist

Please check that you have completed all parts of the form and attached all the relevant documents:

- ☐ a copy of the contact order, if available
- ☐ appropriate fee enclosed (leaflet EX50 provides information about court fees)
- ☐ details of additional children, if there are more than four children in Section 3
- ☐ details of additional respondents, if there are more than two respondents in Section 4
- ☐ details of additional ongoing cases if more than one in Section 5

Now take or send your application with the correct fee to the court.

Court fees

You may be exempt from paying all or part of the fee. The combined booklet and application form 'EX160A Court Fees - Do you have to pay them' gives more information. You can get a copy from the court or download a copy from our website at www.hmcourts-service.gov.uk

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C79

Application related to enforcement of a contact order

The booklet 'CB5 - Applications related to enforcement of a contact order' will help you complete this form. You can get a copy of all forms and leaflets from your local court or you can download copies from our website www.hmcourts-service.gov.uk

To be completed by the court	
Name of court	
Date issued	
Case number	
Child(ren)'s name(s)	Child(ren)'s number(s)

Cafcass/CAFCASS CYMRU will carry out checks as it considers necessary.

Cafcass - Children and Family Court Advisory and Support Service (in England);
CAFCASS CYMRU - Children and Family Court Advisory and Support Service Wales.

1. About the current contact order

See CB5 Note B

Name of court

Court case number if known

Date of order D D / M M / Y Y Y Y

Full name of the person who made the application

Name of child(ren)

Please attach a copy of the order where available.

2. What order(s) are you applying for?

See CB5 Note C

- ☐ **an enforcement order**
  If the contact order is not being complied with
- ☐ **for the court to take action following breach of an existing enforcement order**
  If the unpaid work requirement in the enforcement order has not been complied with
- ☐ **an order for compensation for financial loss**
  If you have lost money because the contact order is not being complied with
- ☐ **to revoke an existing enforcement order**
  To cancel the enforcement order
- ☐ **to amend an existing enforcement order by reason of a change of residence**
  To change the local justice area where you wish to complete the unpaid work
- ☐ **for amendment of the hours of unpaid work specified in an existing enforcement order**
  To reduce the hours in the order
- ☐ **to extend the period of 12 months set for completion of the unpaid work**
  To allow you to do the work over a longer period

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3. About you (the applicant)

Your first name

Middle name(s)

Surname

Date of birth D D / M M / Y Y Y Y Sex ☐ Male ☐ Female

If you do not wish your address to be made known to the respondent, leave the address details blank and complete Confidential Address Form C8.

Address

Postcode

Home telephone number

Mobile telephone number

Do you have a solicitor acting for you? ☐ Yes ☐ No See CB5 Note L

If Yes, please give the following details

Your solicitor's name

Name of firm

Address

Postcode

Telephone number

Fax number

DX number

Solicitor's Reference

Applicant 2 (if applicable)

Your first name	
Middle name(s)	
Surname	
Date of birth	D D / M M / Y Y Y Y Sex ☐ Male ☐ Female

If your address details and those of your solicitor are different from the first applicant please provide details of these on a separate sheet.

What is your relationship to the applicant listed above?	

4. The child(ren) in respect of whom this order is sought

Please give details of the child(ren), starting with the oldest.
If there are more than 4 children please continue on a separate sheet.

Child 1

First name	
Middle name(s)	
Surname	
Date of birth	D D / M M / Y Y Y Y Sex ☐ Male ☐ Female

What is your relationship to the child?	Applicant 1	Applicant 2

Child 2

First name	
Middle name(s)	
Surname	
Date of birth	D D / M M / Y Y Y Y Sex ☐ Male ☐ Female

What is your relationship to the child?	Applicant 1	Applicant 2

Child 3

First name

Middle name(s)

Surname

Date of birth D D / M M / Y Y Y Y Sex ☐ Male ☐ Female

What is your relationship to the child?	Applicant 1	Applicant 2

Child 4

First name

Middle name(s)

Surname

Date of birth D D / M M / Y Y Y Y Sex ☐ Male ☐ Female

What is your relationship to the child?	Applicant 1	Applicant 2

5. The respondents' details

See CB5 Note D

If there are more than 2 respondents please continue on a separate sheet.

Respondent 1

Respondent's first name

Middle name(s)

Surname

Date of birth D D / M M / Y Y Y Y

Sex ☐ Male ☐ Female

Address

Postcode

Relationship to the child(ren)

Name of child	Relationship

Does the respondent have a solicitor acting for them? ☐ Yes ☐ No ☐ Don't know

If Yes, please provide the details below.

Respondent's solicitor

Name of respondent's solicitor

Name of firm

Address

Postcode

Telephone number

Fax number

DX number

5

Respondent 2

Respondent's first name

Middle name(s)

Surname

Date of birth D D / M M / Y Y Y Y

Sex ☐ Male ☐ Female

Address

Postcode

Relationship to the child(ren)

Name of child	Relationship

Does the respondent have a solicitor acting for them? ☐ Yes ☐ No ☐ Don't know

If Yes, please provide the details below.

Respondent's solicitor

Name of respondent's solicitor

Name of firm

Address

Postcode

Telephone number

Fax number

DX number

6. Other persons to be notified

See CB5 Note D

Person 1

Full name

Address

Postcode

Person 2

Full name

Address

Postcode

7. Why are you making this application?

7a. If you are applying for:

- **An enforcement order**

See CB5 Note C

please tell us about why you are making this application, if not go to 7b.

This might include:

- How the contact arrangements have been broken
- When this happened
- How long since you had contact with the child(ren)

7b. If you are applying for:

- **An order for compensation for financial loss**

See CB5 Note C

please tell us about why you are making this application, if not go to 7c.

Amount claimed (total figure) £

Please explain why you are making this claim and attach any receipts or other evidence of financial loss.

7c. If you are applying for:

- **Action as a result of breach of an enforcement order**

See CB5 Note C

please tell us about why you are making this application, if not go to 7d.

Please tell us how the enforcement order has been breached.

Please attach a copy of the enforcement order if available.

Name of court where the enforcement order was made

See CB5 Note C

Name of local justice area responsible for the enforcement order

Date enforcement order was made

D D / M M / Y Y Y Y

7d. If you are applying to:

- **Revoke an enforcement order**
- **Amend an enforcement order**
- **Amend the hours of unpaid work specified in an enforcement order**
- **Extend the period of 12 months for completion of unpaid work in an enforcement order**

please tell us why you are making this application, if not **go to section 8.**

This might include:

- How your circumstances have changed since the enforcement order was made
- How often contact is now taking place
- Why you think the hours or time period should be amended.

Please attach a copy of the enforcement order, if available.

See CB5 Note C

Name of local justice area responsible for the enforcement order

Date enforcement order made D D / M M / Y Y Y Y

Number of hours of unpaid work required

Number of hours of unpaid work completed

Number of hours of unpaid work outstanding

What are the new proposed hours?

If requesting extension of the 12 month period for completion, what is the new proposed completion date? D D / M M / Y Y Y Y

See CB5 Note C

If you are applying to amend the order because you are moving house, what will be the name of the new local justice area?

If you are moving house what will your new address be?

When will you start living there? D D / M M / Y Y Y Y

8. Current court cases which concern the child(ren)

Are you aware of any other ongoing court cases which concern any of the children at Section 4?

☐ Yes

☐ No If No, please **go to Section 9**

If Yes, please provide additional details about which child(ren) are involved in other court cases?

Additional details

Name of child(ren)

Name of the court where proceedings are being heard

Case no.

Name of Cafcass/CAFCASS CYMRU Officer

Name and address of child's solicitor, if known

Postcode

If the above details are different for each child please provide details on additional sheets.

Please tick if additional sheets are attached. ☐

9. Signature

Print full name

Signed

Applicant

Date D D / M M / Y Y Y Y

continued over the page

10. Attending the court

If you require an interpreter, you must tell the court now so that one can be arranged.

Do you or any of the parties need an interpreter at court? ☐ Yes ☐ No

If Yes, please specify the language and dialect:

If attending the court, do you or any of the parties involved have a disability for which you require special assistance or special facilities? ☐ Yes ☐ No

If Yes, please say what the needs are

Please say whether the court needs to make any special arrangements for you to attend court (e.g. providing you with a separate waiting room from the respondent or other security provisions).

Court staff may get in touch with you about the requirements

Checklist

Please check that you have completed all parts of the form and attached all the relevant documents:

- ☐ a copy of the contact order
- ☐ appropriate fee enclosed (leaflet EX50 provides information about court fees)
- ☐ copies of the application and documents attached for each respondent, and one for Cafcass/CAFCASS CYMRU
- ☐ a copy of the enforcement order (if any previously made)
- ☐ any receipts or other documentary evidence to support financial loss claim (if applicable)
- ☐ details of additional children, if there are more than four children in Section 4
- ☐ details of additional respondents, if there are more than two respondents in Section 5

Now take or send your application with the correct fee and correct number of copies to the court.

Court fees

You may be exempt from paying all or part of the fee. The combined booklet and application form 'EX160A Court Fees - Do you have to pay them' gives more information. You can get a copy from the court or download a copy from our website at www.hmcourts-service.gov.uk

In the

Case number

Enforcement order

The Children Act 1989

Applicant
Ref.
Respondent
Ref.

The full name(s) of the child(ren)	Date(s) of birth	Child(ren)'s number(s)

To

Address

Warning

If you do not comply with this enforcement order you may be held in contempt of court and be committed to prison or fined, and/or the court may amend this order to make the unpaid work requirement more onerous, or make a second enforcement order.

The application

An application has been made to the court by

for an enforcement order in respect of the contact order relating to the child(ren) dated

[For enforcement orders] The court orders that

of

carry out

hours of unpaid work

in the Local Justice Area

by (the date for completion of the unpaid work under the enforcement order)

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[For second enforcement orders]
The court orders that

of

carry out

hours of unpaid work

in the Local Justice Area

by (the date for completion of the unpaid work under the enforcement order)

And that

[this order takes effect in addition to the enforcement order made on]

[this order takes effect in place of the enforcement order made on

so that

the total number of hours of unpaid work required is ( )

less the hours of unpaid work already completed, ( )

making a total of hours unpaid work now required as above ( )]

[For orders amending enforcement orders]
The court orders that (a) the unpaid work under the enforcement order be carried out in the local justice area.

Or

(b) the total number of hours of unpaid work required under the enforcement order be reduced to hours, less the hours of unpaid work already completed.

So that

the total number of hours of unpaid work required is ( )

less the hours of unpaid work already completed, ( )

making a total of hours of unpaid work now required as above ( )

Or

(c) the date for completion of the unpaid work under the enforcement order be extended to (date)

The court also directs that

(a)
(officer of the service or Welsh family proceedings officer)

monitor performance of the unpaid work under the enforcement order [and report to the court as required.] [and report to the court on the following

]

(b) Where

- there are no proceedings pending under Part 2 of the Children Act 1989;
- an officer of the service/Welsh family proceedings officer who is monitoring compliance with this enforcement order is given cause to suspect, whilst this order is in force, that the child(ren) concerned [is][are] at risk of harm; and
- as a result that officer makes a risk assessment under section 16A of that Act, the officer may apply to the court for it to revive the previous proceedings and to consider that risk assessment and give such directions as the court thinks necessary.

Suspended orders [where applicable]

The court also orders that this order be suspended for a period of from the date of the order shown below, subject to

[compliance with the contact order dated]

This order has been made on notice.

Ordered by [Mr] [Mrs] Justice
[His] [Her] Honour Judge
District Judge [of the Family Division]
Justice[s] of the Peace

on

In the

Case number

Revocation of enforcement order

The Children Act 1989

Applicant
Ref.
Respondent
Ref.

The full name(s) of the child(ren)	Date(s) of birth	Child(ren)'s number(s)

To

Address

The application

[An application has been made to the court by

(the person required to carry out the unpaid work)

for the enforcement order made on

in respect of the contact order relating to the child(ren) dated

to be revoked.]

The court orders

that the enforcement order be revoked.

Ordered by [Mr] [Mrs] Justice
[His] [Her] Honour Judge
District Judge [of the Family Division]
Justice[s] of the Peace

on

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In the

Case number

Order for financial compensation

The Children Act 1989

Applicant
Ref.
Respondent
Ref.

The full name(s) of the child(ren)	Date(s) of birth	Child(ren)'s number(s)

The application

An application has been made to the court by

of

for an order for financial compensation of

for financial loss in respect of failure to comply with the contact order relating to the child(ren) dated]

The court orders

that

of

pay

to

as financial compensation for losses incurred as a result of failure to comply with the contact order.

The court also directs

that payment be made

This order has been made on notice.

Ordered by [Mr] [Mrs] Justice
[His] [Her] Honour Judge
District Judge [of the Family Division]
Justice[s] of the Peace

on

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EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules amend the Family Proceedings Rules 1991 ("the FPR 1991").

The Children and Adoption Act 2006

Various of these rules make amendments in relation to the coming into force of sections 1 to 5 of the Children and Adoption Act 2006 (c.20) ("the 2006 Act") which amend the Children Act 1989 ("the 1989 Act") and section 8 of the 2006 Act, which makes transitional provision.

Rules 4 and 5 insert new defined terms into the FPR 1991.

Rule 6(a), (b)(i)(bb) and (cc) and (c) make provision in relation to the making, service and notification of applications for enforcement of a contact order that was made under section 8 of the 1989 Act. Associated amendments are made to the FPR 1991 by rules 9, 10, 18 and 23. Rule 13 inserts a new rule 4.13B into the FPR 1991 to make provision for the duties of a person notified of a specified application.

Rule 7 inserts a new rule 4.4A in the FPR 1991 to make provision for the making of applications for warning notices under section 8 of the 2006 Act and for orders under paragraph 5 of Schedule A1 to the 1989 Act.

Rule 12 amends rule 4.11AA of the FPR 1991 to impose duties on an officer of the service or a Welsh family proceedings officer undertaking any of the roles referred to in that rule. Amendments made to the FPR 1991 by rules 8, 11, 14, 15 and 17 ensure that various provisions that already apply to an officer of the service or a Welsh family proceedings officer will apply to such an officer undertaking the roles referred to in rule 4.11AA of the FPR 1991.

Rule 16 amends rule 4.16 of the FPR 1991 to ensure that a court cannot make specified orders in the absence of a given party where the court does not yet have sufficient information to enable it to determine the matter.

Rule 19 makes provision in respect of the service of enforcement orders.

Rules 20 and 21 make provision in respect of specified committal applications.

Rule 22(d) amends the standard form for an order under section 8 of the 1989 Act. Rule 22(e) and Schedule 4 insert various new forms of application and order relating to enforcement of contact orders made under section 8 of the 1989 Act. Rule 22(a)(iii) makes a consequential amendment.

New Form C100

Rule 22(c) inserts a new form C100 into the FPR 1991 for applications for orders under section 8 of the Children Act 1989 (c.41). Rules 6(b)(i)(aa) and (b)(ii) and 22(a)(i) and (ii), (b) and (c) make consequential amendments. Transitional provision is made in rule 24.

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