

## **Master copy orders**

### **For staff use only.**

This document contains a set of standard orders for use in Private Children work. The orders set out herein correspond to a draft set of orders in tick box forms being used by those Judges or representatives who are unwilling to prepare orders using the Judicial template. The content of the orders is based upon the same set of orders used within the template.

The purpose of the tick box forms and this set of orders is to allow a consistent approach to the making of private orders for children, so that the same basic wording is used whether the orders are produced on the template, or by this method.

The tick box forms comprise a number of pages containing a full set of possible orders for the judge to use. The paragraph numbers in the tick box form correspond to the paragraph numbers in this document.

The user will tick the particular paragraphs he requires to make up his order. He may amend the form of the order, using some of the options and not others. It should be clear on looking at the completed pages in the tick box form what he requires.

The user will also have added names and dates as appropriate in the spaces provided in the tick box form.

This document uses a pair of asterisks (\*\*) to indicate where some detail needs to be added. The detail should be clear on the tick box form.

The user will only use those pages with the particular clauses he needs. He will be encouraged to number the paragraphs he has used when he has finished, and to number the pages he leaves in the file for you.

When the tick box form comes to you, you should draft the order using the same paragraph numbers he has used, in the same order and adding the same detail he has added. You may have to number the paragraphs when the order is complete if he has not done so

Within the paragraphs used by the judge, you will find some optional clauses used and some not. You should follow the judge's numbering within each paragraph if he has added it, or add it for yourself if he has not. When all the clauses have been added, you should number the paragraphs in the order as a whole to produce a coherent order.

If you have any difficulty in compiling the order from the forms completed by the judge then you should refer the difficulty back to him for clarification rather than trying to guess his intention. Only complete the order when you are confident you understand his wishes.

# **PRIVATE LAW CHILDREN ORDERS**

## **Part A - Allocation & Gatekeeping**

### **A1 – FHDRA**

The First Hearing Dispute Resolution Appointment will take place on \*\*

### **A2 – Other Directions Hearings**

A Directions Hearing will take place on \*\*

### **A3 – Attendance**

The parties must attend at least one hour before the hearing to give an opportunity for discussions before the hearing.

### **A4 – Safeguarding Checks**

CAFCASS must send a safeguarding letter to the court by no later than \*\*

### **A5 – Enhanced Safeguarding**

CAFCASS must also undertake the following additional safeguarding checks:

( )

### **A6 – Local Authority Information**

\*\* must by 4.00pm on \*\* send to the court a report dealing with its involvement with the family and any current work / child protection plans being undertaken.

The child(ren)'s social worker, \*\*, must attend the hearing on \*\*

### **A7 – MIAM**

\*\* must attend a Mediation Information and Assessment Meeting before the next hearing and must provide evidence at the next hearing that he / she has done so

**PRIVATE LAW CHILDREN ORDERS**  
**Part B – Case Management & Section 8 Orders**

**B1 Family Court at \*\***

**B2 Date \*\***

**B3 Parties/Representation \*\* and \*\***

**B4 Other parties attending \*\***

**B5 Warning Notices (*add as necessary*)**

- **The above names are not to be publicly disclosed without the court’s permission.**
- **This order includes a child arrangements order (the part of the order setting out living arrangements for a child and about time to be spent or contact with another person). If you do not do what the child arrangements order says you may be sent to prison and/or fined, made to do unpaid work or pay financial compensation.**
- **It is a criminal offence to take a child out of the UK without the consent of everybody with parental responsibility unless the court has given permission. However, if an order has been made that a child is to live with a person, that person may take that child out of the UK for up to a month at a time.**
- **While a child arrangements order is in force in respect of a child nobody may cause the child to be known by a new surname without the consent of everybody with parental responsibility or the court’s permission.**
- **A penal notice is attached to parts of this order. That means that if you do not do what those parts of the order say you may be sent to prison, fined and/or your assets may be seized.**
- **It is a criminal offence to take a child out of the UK without the consent of everybody with parental responsibility unless the court has given permission. However, if an order has been made appointing a person as special guardian for a child, that person may take that child out of the UK for up to three months at a time.**
- **This order includes a special guardianship order. While it is in force nobody may cause the child to be known by a new surname without the consent of everybody with parental responsibility or the court's permission.**

**B6 Recitals *as set out in tick box form***

**B7 Reasons for hearing**

- **This hearing was listed when the application was issued, allowing sufficient time for CAFCASS to prepare a safeguarding letter and send it to the court and to the parties where appropriate.**
- **This hearing was listed as directed at the last hearing.**
- **This hearing was listed at the request of \*\***
- **This hearing was listed at the court’s own initiative because \*\***

**B8 No Notice or Short Notice**

- This hearing has been listed without notice because \*\*
- This hearing has been listed at short notice because \*\*

**B9 Issues agreed between the parties**

The parties have agreed that:

- The children will live with \*\*
  - for the time being;
  - and this is not being challenged
- The children will spend time with \*\* as set out in the schedule to these recitals and subject to any conditions detailed below
- (*other as set out in TBF*)

**B10 Issues not agreed between the parties**

The issues that need to be decided by the court include the following:

- who the children should live with;
- whether they should spend time with the other parent, and if so then;
  - how often that should be;
  - whether it should include overnight and longer stays;
  - whether it should be supervised or supported in some way;
  - whether it should be limited to indirect contact by post or by telephone
- (*other as set out in TBF*)

**B11 Other issues**

There are other issues to be determined

- concerning the children's education;
- concerning the children's name or paternity;
- concerning holidays or travel plans;
- (*other as set out in TBF*)

**B12 Order**

**It is Ordered**

- by consent

**B13 Allocation**

Case management and hearings are allocated to \*\* and reserved to \*\*

#### **B14 Jurisdiction**

The Court is satisfied that the child(ren) is/are habitually resident in the United Kingdom, or

- it provisionally appears to the court that the child(ren) is/are habitually resident in the United Kingdom
- the court is satisfied that although the child(ren) is/are not habitually resident in the United Kingdom, it has power to deal with this case and the court gives the following directions:  
\*\*
- there is an issue as to whether the court has power to deal with this case and the court gives the following directions \*\*
- the court shall liaise with the \*\* consular authority in England and Wales or other competent authority in \*\* in relation to the proceedings or makes a request to the Central Authority of \*\* for such information as may be relevant to determine the issues of jurisdiction

#### **B15 Evidence of Capacity**

So that the court can decide whether these proceedings can continue without having another person deal with the proceedings on behalf of \*\* (called a litigation friend), the \*\* must by 4:00 pm on \*\* send to the court a report by (*select which of the following applies*)

- a general practitioner
- a consultant who is currently treating the \*\*;
- a psychiatrist
- adult social services
- *other as set out in TBF*)

dealing with the question whether the \*\* has capacity to handle these proceedings (that is, has litigation capacity within the meaning of sections 2 and 3 of the Mental Capacity Act 2005).

The cost of the report shall be paid by \*\*.

#### **B16 Appointment of Litigation Friend**

The court is satisfied that \*\* lacks capacity to handle these proceedings and is a protected party. \*\* is appointed as his/her litigation friend.

#### **B17 Invitation to Official Solicitor**

The court is satisfied that \*\* lacks capacity to handle these proceedings and is a protected party and that there is no other person suitable to act as litigation friend. The Official Solicitor is invited to act as litigation friend. The court shall send a copy of the court file to the Official Solicitor who shall notify the court by \*\* whether he is prepared to act.

#### **B18 Permission to Apply**

The \*\* has permission to apply for (*select which of the following applies*)

- a Child Arrangement Order
- a Prohibited Steps Order
- a Specific Issue Order
- a Special Guardianship Order

### **B19 Permission to Withdraw**

The \*\* has permission to withdraw his / her application for (*select which of the following applies*)

- a Child Arrangements Order
- a Prohibited Steps Order
- a Specific Issue Order

and the application is recorded by the court as withdrawn.

### **B20 Disclosure of Child's whereabouts**

\*\* must by 4.00 pm on \*\* tell the court in writing the whereabouts and address of the child(ren) and details of the school attended by them.

Form EX670 is issued, directed to (*select which*)

- Department of Work and Pensions
- HM Revenue and Customs

Upon receipt, such information shall be held by the court and not be disclosed to the parties without permission of the court.

The person or authority to whom this order is directed may apply to the court within 7 days of service for it to be discharged or varied

### **B21 Recovery of Child**

An officer of the court or police officer is authorised to take charge of \*\* and deliver him/them to \*\*

- The child's address is believed to be \*\*
- The child is believed to be in the control of \*\*
- The date of the original order is \*\*

### **B22 Appointment of Rule 6.4 Guardian**

The child(ren) are added as parties to the proceedings in their own right and the following shall be appointed to act as Guardian:

- an officer of CAFCASS;
- a solicitor
- (other)

The court shall send a copy of this order to the CAFCASS Service Manager who shall allocate an officer as soon as possible and tell the court who has been appointed.

If CAFCASS is unable to appoint a Guardian within seven days of service of this order, they shall tell the court straightaway

### **B23 Time for Guardian's report**

The Guardian shall file a report by 4.00pm on \*\*

- and shall send a copy to the parties;
- and may send a copy to the parties at the Guardian's discretion
- but must not disclose it to the parties without further directions

**B24 Joining other parties**

\*\* is added as a party to these proceedings

- limited for the purpose only of responding to the allegations made against him/her
- limited for the purpose of \*\*
- the only documents that may be provided to that party are those necessary to deal with \*\*
- the \*\* shall provide that party with copies of the necessary documents.

**B25 Parental Responsibility**

Parental Responsibility is granted to \*\* in respect of the child(ren), \*\*

**B26 Special Guardianship**

\*\* is / are appointed as Special Guardians in respect of the child(ren) \*\*

**B27 Attendance at MIAM**

There is no valid reason why \*\* has not attended a Mediation Information and Assessment Meeting. \*\* must therefore attend a Mediation Information and Assessment Meeting and produce evidence at the next hearing that s/he has done so.

**B28 Family Assistance Order**

There shall be a family assistance order, and an officer of CAFCASS / \*\* *Local Authority* shall advise, assist and befriend \*\* until \*\*.

**B29 CAFCASS Safeguarding checks**

CAFCASS do send their completed safeguarding checks to the court by the next hearing.  
CAFCASS do undertake enhanced Police checks of \*\*

**B30 Orders “living with”**

The child(ren) shall live with \*\*

- as a final order;
- until further order;
- as set out on the schedule to this order

**B31 Orders “contact with”**

The \*\* must make sure that the child(ren) \*\* spend time or otherwise have contact with \*\*

- as may be agreed between them,
- as set out in the schedule to this order
- as follows: \*\*
- which is to be supervised by \*\*

### **B32 Contact Centre**

Such contact is to be supervised / supported at a contact centre, namely \*\*.

The following conditions shall apply:

- ( ) the \*\* must inform the centre manager of the contents of this order as soon as possible;
- ( ) the \*\* must:
  - (i) complete a referral form for the centre manager, and
  - (ii) provide to the centre manager as soon as possible, and in any event within two days of today, a copy of this order and of any injunction order involving the parties
- ( ) any rules of the contact centre must be complied with;
- ( ) the following arrangements for the contact session shall apply:
  - (i) the child(ren) shall be taken to the centre by \*\* promptly for the start of each contact session;
  - (ii) the child(ren) shall be collected at the end of contact by \*\*;
  - (iii) the \*\* may not remain in the same room as the child(ren) during the contact session;
- ( ) any costs charged by the contact centre shall be paid by \*\*;
- ( ) the parties shall both be responsible for telling the centre manager when the place is no longer required;
- ( ) the court office shall send a copy of this order to the contact centre.

### **B33 Contact Directions**

The following conditions shall apply:

- ( ) Handovers at the start of contact will be at \*\* with \*\* to collect / deliver the child(ren);
- ( ) Handovers at the end of contact will be at \*\* with \*\* to collect / deliver the child(ren);
- ( ) Handover to be as agreed provided it is a public place covered by CCTV cameras;
- ( ) Neither party may be accompanied by another adult approaching within 20 metres;
- ( ) Any party delayed for a handover must let the other know immediately;
- ( ) The handover will be facilitated by \*\* ;
- ( ) Communication between the parties must be confined to issues concerning the children;
- ( ) Communication between the parties about contact and the presence of the parties at handovers will not, or themselves amount to a breach of the injunction order dated \*\* made in case numbered \*\*;
- ( ) A 'Contact Book' shall be used to note any matters of concern or importance which one party needs to tell the other. The book will be passed from one party to the other with the children and must be brought to court on each occasion the parties attend;
- ( ) The \*\* shall not drink alcohol or use non prescribed drugs for a period of 24 hours before or at any time while seeing the child(ren);
- ( ) The contact shall only take place if provides a negative breathalyser sample at the start of any contact session when requested to do so. The testing kit is to be provided by \*\*;



### **B34 Indirect contact**

The \*\* must make sure that the child(ren) has / have indirect contact with \*\* to take the form of letters cards and gifts to be sent to the child(ren) by the \*\* which must be passed or read to the child(ren) by the \*\*

- ( ) Such communications must be sent no more frequently than \*\* or as set out in the schedule to this order.
- ( ) The \*\* must encourage the child(ren) to respond to communications sent.
- ( ) The \*\* must send to the \*\* school reports and photographs and up-dating medical information when received.

### **B35 Specific issue Order**

The Respondent \*\* must:

- ( ) return the child(ren) to the care of \*\* forthwith upon service of this order
- ( ) make sure that the child(ren) shall attend school at \*\*
- ( ) make sure that the child(ren) is known by the last name \*\*
- ( ) make sure that \*\*

### **B36 Prohibited Steps Order**

The Respondent \*\* must not

- ( ) remove the child(ren) from the care of the Applicant \*\* or any person or institution (including any nursery or school) to whom that parent has entrusted his/her care other than for the purpose of contact agreed in writing between the parties or ordered by the court, in which event the child must be returned promptly at the end of each such contact period
- ( ) allow the child(ren) to live at an different address than\*\*
- ( ) remove the child(ren) from their current school
- ( ) remove the child(ren) from the United Kingdom
- ( ) allow the children to be known by a different surname
- ( ) *(other as set out in TBF)*

### **B37 Penal Notice**

**If you do not comply with paragraphs \*\* of this order you may be sent to prison and/or fined**

### **B38 Right To Apply**

**If you were not told about the hearing you may ask the court to reconsider this order. You must do that within seven days of receiving this order by writing to the court and asking the court to reconsider. You must tell the person who applied for the order that you are asking the court to reconsider the order**

### **B39 Activity Directions**

You \*\* must attend the following activity programme on the dates and times to be confirmed by the activity provider, and in any event by \*\*

- a Mediation Information and Assessment Meeting (MIAM)
  - a Separated Parenting Information Programme (SPIP)
  - a Domestic Violence Perpetrator's Programme (a DVPP)
- (a) The court shall send this order to the activity provider with the parties contact details.
- (b) The activity provider must notify the court whether the parties attended at the conclusion of the activity directed.
- (c) CAFCASS must monitor compliance with the activity direction given above and report to the court in the event of non compliance

### **B40 Alcohol/drug testing**

The court needs a report to find out whether \*\* and \*\* uses drugs/alcohol

The court requires \*\* and \*\* to provide \*\* samples so that tests can be undertaken and a report prepared

- ( ) \*\* must make arrangements with his / her GP so that samples can be taken by no later than \*\*;
- ( ) \*\* must produce photo proof of identity at the time samples are taken;
- ( ) \*\* must provide a copy of this order to the GP before the samples are taken;
- ( ) the GP must send the samples to \*\* for testing by no later than \*\*;
- ( ) the tests must cover drug use over a \*\* month period;
- ( ) the tests must be for use of the following drugs: \*\* and \*\*;
- ( ) the \*\* must send the report to the Court and serve it on all parties by no later than \*\*;
- ( ) the cost of the testing must not be more than £\*\* and must be paid by the parties in equal shares / the fund administered by CAFCASS for this purpose / by \*\*
- ( ) And it is certified that the cost is a necessary and reasonable charge against the public funding certificate granted to \*\*

### **B41 Paternity Testing**

The court needs a report to find out whether \*\* is the father of \*\*

A tester needs samples from \*\* and \*\* so that tests can be carried out and a report prepared

#### **B42 Paternity Tests through CAF/CASS**

The dispute over parentage has arisen in relation to an application for a Child Arrangements Order and the court has made the above direction for a report on parentage of its own initiative as a test is considered reasonably required to resolve the dispute:

- (a) the court officer must complete Parts I and II of the standard form BD1 and send this to:
  - DNA Requests, CAF/CASS National Business Centre, Millburn Hill Road, University of Warwick Science Park, Coventry CV4 7JJ  
[DNArequests@caf.cass.gsi.gov.uk](mailto:DNArequests@caf.cass.gsi.gov.uk) (Telephone number 0300 456 4000)
  - or where the child is resident in Wales, to Central Administrative Team, Welsh Government Rhydycar Business Park, Merthyr Tydfil CF48 1UZ  
[CafcassymruCAT@wales.gsi.gov.uk](mailto:CafcassymruCAT@wales.gsi.gov.uk)
- (b) an officer of CAF/CASS/CAF/CASS Cymru must then make arrangements with \*\* for mouth swab samples to be taken by \*\* supervised by a trained officer of CAF/CASS/CAF/CASS Cymru.
- (c) \*\* must allow the officer of CAF/CASS/CAF/CASS Cymru to take photographic evidence of identity at the time the sample is taken.
- (d) the officer of CAF/CASS/CAF/CASS Cymru must send the samples to the tester to arrive no later than \*\*
- (e) the tester must send the written report to the court by \*\*
- (f) the costs of sampling, testing and reporting will be paid for by \*\* [*CAF/CASS in respect of proceedings in England and by the Ministry of Justice in respect of proceedings in Wales*]

#### **B43 Paternity Tests not through CAF/CASS**

In order to obtain a test report:

- (a) the court officer must complete Parts I and II of the standard court form BD1 and send this to \*\*
- (b) \*\* must contact an accredited tester and make arrangements for an appropriate sampler to obtain samples by / / ;
- (c) at the time the samples are obtained the person giving the samples must provide to the sampler:
  - the form BD1
  - a copy of this order
  - photo identity
- (d) the sampler must send the samples to the tester by \*\*;
- (e) the tester must send the written report to the court by \*\*;
- (f) the costs of sampling, testing and reporting must be paid by \*\* and shall be a necessary and reasonable charge upon the public funding certificate issued to \*\*

#### **B44 Witness Statements**

The parties must by 4.00pm on \*\* send to each other, to CAFCASS and to the Court, written statements of the evidence they will give to the court. This includes the statements of the parties themselves and of any witnesses who are to give evidence.

- ( ) Unless the court gives permission, nobody will be allowed to give oral evidence at a hearing unless their written statement has been sent by the date fixed in this order.
- ( ) When preparing their statements, the parties may use the witness statement template which shall be provided to them by the court.
- ( ) The parties must set out in their statements:
  - a) their positions in relation to any matters which are not agreed;
  - b) any relevant background information;
  - c) any relevant facts they are asking the court to decide about matters which are not agreed;
  - d) their proposals for the arrangements for the child(ren);
- ( ) Every statement must:
  - a) start with the name of the case and the case number;
  - b) state the full name and address of the person making it;
  - c) set out what the person has to say clearly in numbered paragraphs on numbered pages;
  - d) end with this statement “I believe that the fact stated in this witness statement are true”, and
  - e) be signed by the person making it, and dated.
- ( ) If a witness or a party is unable to read the statement in the form produced to the court, the statement must include confirmation that it has been read or interpreted to the witness by a suitably qualified person. If a witness who has made a statement is to give evidence or be cross examined and is unable to do so in spoken English (or Welsh if the hearing is in Wales), the party relying on that witness must make sure that a suitable independent interpreter is available.
- ( ) Statements shall be no longer than \*\* pages of A4 paper, preferably typed in a font no smaller than 12pt and at no less than 1.5 in line spacing.

#### **B45 Finding of Fact hearings**

A hearing shall take place at \*\* on \*\* with a time estimate of \*\* when the court will decide disputed facts as to \*\*

The parties must attend one hour before the appointment time.

#### **B46 Preparation for Finding of Fact hearings**

The \*\* has made allegations against the \*\* which are not agreed. So that the court can decide those allegations, the parties must do as follows:

- a) the \*\* must send to the \*\* a list of allegations by 4.00pm on \*\*.
  - (i) the list must be signed and dated;
  - (ii) each incident must be numbered and set out in date order, giving the date each incident happened so far as possible, and giving a brief description of what happened and where;
  - (iii) if someone else was there at the time of the incident and/or the incident was reported to the police or medical attention was sought, then details should be given;
  - (iv) if possible, the allegations should be set out in the form of a table with headings (*see the example attached to this order*);
  - (v) the list must end with a statement that it is true and be signed and dated (*see example*)
- b) by 4.00pm on \*\*, the \*\* must send to the court a response to each of the allegations, (using the same table if possible) and setting out an account of what that party says happened, or stating that the allegation is denied;
- c) the court will forward the list of allegations and the responses to the other party on receipt;
- d) the list and responses must be sent to the parties and to the court electronically;
- e) the parties must also make written statements of their evidence setting out what they will say to the court about the disputed allegations. If either party wants a witness to give evidence, the witness must make a written statement as well.
- f) every statement must:
  - (i) start with the name of the case and the case number;
  - (ii) state the full name and address of the person making it;
  - (iii) set out what the person has to say clearly in numbered paragraphs on numbered pages;
  - (iv) end with this statement: "I believe that the facts stated in this witness statement are true"
  - (v) and be signed by the person making it, and dated;
- g) the parties must also send copies of any documents they wish to use in support of their evidence with the list and their statements

#### **B47 Police Disclosure**

The Chief Constable of \*\* Police must by no later than 4.00 pm on \*\* send to \*\* copies of any statements, interview records/transcripts, incident logs or photographs relating to any incidents involving the parties that took place between \*\* and \*\*.

- a) the Chief Constable must inform the court about any material that is being withheld or edited for reasons of confidentiality or otherwise. This order must be served on the Chief Constable immediately by \*\* together with details of the parties' full names, dates of birth and last known addresses;
- b) Any fees charged by the Chief Constable shall be paid by \*\*;
- c) the Chief Constable may apply within seven days of service of this order for it to be varied or discharged.

#### **B48 Medical Disclosure**

The \*\* must by 4.00pm on \*\* obtain and disclose to \*\* his or her GP and any relevant hospital records. A copy of this order must be sent with the request to the record holder. Any fee charged by the record holder is to be paid by \*\*

#### **B49 Section 7 Report**

CAFCASS / \*\* must by 4.00 pm on \*\* send to the court and to the parties a report under section 7 of the Children Act 1989 about the following:

- ( ) with whom the child(ren) should live;
- ( ) whether the child should see the party with whom the child is not living;
- ( ) how often and for how long the child(ren) should see the party with whom the child is not living;
- ( ) the wishes and feelings of the child so far as they can be ascertained;
- ( ) the home conditions and suitability of the accommodation of the mother / father;
- ( ) the concerns of the mother / father with regard to \*\*;
- ( ) whether or not the children's physical/emotional/educational needs are being met by the mother / father;
- ( ) the effect on the children of the proposed change of \*\*;
- ( ) whether or not it appears that the children have suffered or are at risk of suffering the harm alleged by the mother / father;
- ( ) the parenting capacity of the mother / father having regard to the allegations that \*\*;
- ( ) whether \*\* local authority should be requested to report under section 37 of the Children Act 1989
- ( ) recommendations in respect of arrangements for the child(ren) including stepped arrangements with a view to a final order if possible;
- ( ) (*Other as set out in TBF*)

A copy of this order shall be sent by the court to CAFCASS / the Legal Adviser to the \*\* local authority;

#### **B50 Monitoring Order**

CAFCASS must monitor compliance with the Child Arrangements Order made above until \*\*, and report to the court in the event of any non-compliance

### **B51 Section 37 Report**

\*\* must prepare a report pursuant to section 37 of the Children Act 1989 in respect of the child(ren), the Court being of the view that it may be appropriate for a care or supervision order to be made with respect to them.

- a) The authority shall, when advising the court, consider whether they should apply for a care or supervision order, or provide services or assistance to the child(ren), and / or take any further action.
- b) The court shall send to the legal adviser to the local authority preparing the report this order, the application, any C1A and the Cafcass safeguarding letter, together with any statements made by the parties and any police disclosure.
- c) The report shall be sent to the court by \*\*
- d) Upon receipt of the report the court will consider whether it should be sent to the parties. It will, in any event, be considered at the next hearing.

### **B52 Permission for experts**

The Court gives permission for the parties to rely on the following expert evidence which the court has decided is necessary before it can properly decide the issues in this case. The parties must make sure that the expert evidence is obtained and made available to the court in accordance with the directions below, and must provide any samples that are required for the purpose of testing.

- a) Type of expert: \*\*;
- b) The issues on which the expert is to report are: \*\*;
- c) The expert is to be instructed in writing by the parties together as a single expert, the lead to be taken by \*\* who shall distribute a draft letter of instruction for agreement by \*\*;
- d) The expert is to be instructed by \*\*;
- e) A copy of this order must be sent to the expert with the expert's instructions;
- f) The date for delivery of instructions/provision of necessary samples is \*\*;
- g) The expert may / not see the child(ren) for the purpose of any assessment;
- h) The date for delivery of the expert's report is \*\*;
- i) Any expert's fees shall be paid by \*\* the court considering the cost of the expert to be a reasonable, proportionate and necessary charge upon the Public Funding Certificate of publicly funded parties;
- j) The court being satisfied that the expert evidence is sought on behalf of the child(ren) alone, the expert's fees shall be paid by the child(ren)'s public funding certificate(s);
- k) Notwithstanding that the expert evidence is sought by all parties, the court having assessed the parties' financial circumstances and being satisfied that the parents cannot afford a contribution / can only afford a contribution of £\*\*, the experts fees shall be paid by the child(ren)'s public funding certificate(s) / by the parties in the following contributions: \*\*.

### **B53 Compliance with PD25C**

The application for permission to instruct an expert is adjourned until the party making the application complies fully with PD25C. Once that party has complied the court will consider the application further on paper / at a hearing.

**B54 Interpreters**

The court shall arrange for interpreter(s) in the \*\* language to attend the next hearing to interpret for the \*\*

**B55 Next hearing**

The next hearing will be at \*\* on \*\* and will be a \*\*:

- the court will allow \*\* for this hearing;
- the hearing will be dealt with by District Judge \*\*;
- the author of the section 7 report is required to attend the next hearing;
- at the next hearing, the court will \*\*
- at the Dispute Resolution Appointment the court will identify the key issues and the extent they can be resolved or narrowed and will consider whether the DRA can be used as the final hearing. The court may consider hearing evidence at that hearing if time permits;
- the parties must be at court at least one hour in advance of the hearing time so that discussions can take place before the hearing starts.

**B56 Further hearings**

There will also be the following further hearing:

- the following hearing will be at \*\* on \*\* and will be a \*\*;
- the court will allow \*\* for this hearing;
- the hearing will be dealt with by District Judge \*\*
- the author of the section 7 report is required to attend the next hearing;
- at the next hearing, the court will \*\*
- at the Dispute Resolution Appointment the court will identify the key issues and the extent they can be resolved or narrowed and will consider whether the DRA can be used as the final hearing. The court may consider hearing evidence at that hearing if time permits;
- the parties must be at court at least one hour in advance of the hearing time so that discussions can take place before the hearing starts.



## **B57 Bundles**

The following directions will apply to the preparation of bundles

- ( ) the bundle for the next hearing shall be prepared by \*\*;
- ( ) permission is given for the documents for the next hearing to be contained in bundles not exceeding 350 pages each;
- ( ) the documents in the bundle shall be divided into sections and arranged in date order in each section as follows:
  - B. preliminary documents (*see below*)
  - C. applications to the court and orders;
  - D. statements;
  - E. any experts' and other reports (including Cafcass);
  - F. any other relevant documents
- ( ) the pages in each section shall be numbered in order eg A1, A2, B1, etc
- ( ) the preliminary documents must include:
  - (i) an up to date summary of the background limited to matters relevant to the next hearing;
  - (ii) a statement of issues to be dealt with at that hearing and at the final hearing;
  - (iii) a statement by each party setting out their positions and including a summary of the orders asked for by them;
  - (iv) a chronology (history) of the case;
  - (v) written arguments;
  - (vi) a list of essential reading;
  - (vii) the time estimate

## **B58 Costs**

- No order as to costs;
- The costs of this hearing will be dealt with at the next hearing;
- If a party is ordered to pay the costs of the proceedings. those costs will include the costs of this hearing;
- The \*\* shall pay the sum of £\*\* towards the costs of the \*\*;
- The \*\* shall pay the costs of the \*\* summarily assessed in the sum of £\*\*;
- The \*\* shall pay the costs of the \*\* in such sum as is agreed or subject to detailed assessment;
- The costs payable pursuant to this order are not to be enforced without an enquiry as to the amount, if any, that it would be reasonable for the \*\* to pay having regard to that party's circumstances;
- There be public funding assessment of the \*\*'s costs.

## **Private Law Children Orders Part C – Enforcement**

### **C1 – Notice of Breach**

The \*\* must by 4.00pm on \*\* send to \*\* and to the court, a notice setting out the alleged breaches of the order made on \*\*.

### **C2 – Finding of breach**

The court being satisfied beyond reasonable doubt that \*\* breached the order made on \*\* without reasonable excuse by \*\* (*set out breaches as in TBF*)

### **C3 – Obtaining information**

CAFCASS must report to the court by \*\* as to the following matters:

- (a) the availability of unpaid work in the area where \*\* lives, or will live;
- (b) any relevant information about \*\* and the effect of an unpaid work order on him / her;
- (c) the effect of making an unpaid work order on the welfare of the child(ren).

### **C4 – Unpaid Work Order**

\*\* shall do \*\* hours of unpaid work.

CAFCASS must monitor compliance with this order and shall report to the court:

- (a) on completion of the unpaid work;
- (b) in the event of non-compliance;
- (c) if the \*\* becomes unfit to complete the unpaid work available, or such unpaid work ceases to become available.

### **C5 – Fine**

\*\* shall pay a fine of £\*\* by \*\*;

### **C6 – Committal**

\*\* is committed to prison for a period of \*\* ;

### **C7 – Suspension of Enforcement**

The sentence of imprisonment is suspended until \*\* provided \*\* complies with paragraphs \*\* of the order made on \*\*;

### **C8 – Financial Compensation**

\*\* must pay financial compensation of £\*\* to \*\*.