**In the Family Court Case No**



**sitting at** [*place]*

**The Children Act 1989**

**THE CHILDREN**

|  |  |  |
| --- | --- | --- |
| Names | Girl /Boy | Dob. |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |

**FHDRA / Directions Hearing Order Number** [*Sequential number in these proceedings*]

1. **THE PARTIES AND REPRESENTATION AT THIS HEARING**

The applicant (mother/father/as appropriate) is [*name*] and is a litigant in person/ represented by [*name of advocate and contact details*]

The [first] respondent (father/mother/as appropriate) is [*name*] and is a litigant in person/ represented by [*name of advocate and contact details*]

[*Other – provide full details as above*]

1. The child/ren is/are living with ….
2. **NOTICE**

Today’s hearing is on notice/not on notice/on short notice..*[give details]*

**The names of the children set out in the heading to this Order and the names of the persons set out in paragraph 1 are not to be disclosed in public without the permission of the court.**

1. **ALLOCATION / TRANSFER**

The proceedings are today/continue to be allocated to [lay justices / District Judge / Circuit Judge / High Court Judge (insert name)] for case management and hearing

This application is transferred to the [Family Court sitting at ]

1. **THE APPLICATION(S)**

(a) The applicant has applied for a Child Arrangements Order/Specific Issue Order/Prohibited Steps Order other Part II order [*delete as appropriate or specify*] [*today / on date*]

(b) [*If there are other applications add as follows or delete*]

(c) The [mother/father/as appropriate] has applied for [ ] [*today / on date*]

1. **SAFEGUARDING CHECKS**

(a) The safeguarding checks by Cafcass/CAFCASS Cymru are/are not complete

(b) The safeguarding checks show no safety issues/that the safety issues are.........../that the safety issues are not yet known *[delete as appropriate or specify]*

1. **TIMETABLE FOR THE CHILD(REN)**

The key dates and events in the timetable for the child(ren) are

1. **………**
2. **……..**.
3. **KEY ISSUES**

**A.** The issues which have been agreed &/or are to be determined are:-[*specify*]

1. **……..**
2. **……..**

**B.** The steps planned to resolve the issues are:-

*[include if the parties intend to refer themselves to mediation or other form of non-court dispute resolution if appropriate]*

1. **……..**
2. **……..**
3. **AGREED [INTERIM] ARRANGEMENTS FOR THE CHILDREN**
   1. *[If determined at this hearing, specify, such as:]* Between now and [date/the final hearing] the agreed arrangements for the child[ren] will be [as set out in the schedule to this order *(if extensive)* / as follows…]
   2. [Between now and [date/the final hearing]] the child[ren] will live with the [mother/father].
   3. [Between now and [date/the final hearing]], the child[ren] will spend time or otherwise have contact with the [mother/father] as follows/ as set out in the schedule to this order *(if extensive)*.
4. **OTHER RECITALS AS TO POSITIONS / ISSUES**
   1. **……**
   2. **…….**

**THE COURT ORDERS:**

1. **JOINDER OF CHILD[REN]**
2. The child[ren] [*name*] are joined as [a party/parties] to the proceedings and pursuant to rule 16.4 and PD16A, Part 4 FPR 2010 an officer of Cafcass/ CAFCASS Cymru shall be appointed to act as [his/her/their] children’s guardian.
3. A copy of this order shall be faxed/e-mailed to the Cafcass/CAFCASS Cymru office and a hard copy of this order shall be sent within two working days of this order.
4. The service manager [is requested/has agreed to] allocate an officer as children’s guardian as promptly as possible following receipt of this order, and to notify the court within 7 days of such allocation.
5. It is recorded that there are [no] reasons why the Cafcass officer / WFPO dealing with the case should not continue to deal with it as guardian.
6. In the event that Cafcass/CAFCASS Cymru is unable to provide a children’s guardian to act within [28 days] they shall notify the court forthwith, to enable the court to consider the appointment of another person.
7. **CHILD ARRANGEMENTS**

The following child arrangements order is made

1. Until [ ] the children shall live with
2. Until [ ] the children shall spend time or otherwise have contact with [ ] as follows:-

.

**Warning notice**

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

1. **you may be held in contempt of court and be committed to prison or fined: and/or**
2. **the court may make an order requiring you to undertake unpaid work (“an enforcement order”) and/or an order that you pay financial compensation.**
3. **OTHER CHILDREN ORDERS**
   1. **Prohibited Steps Orders**

Until further order [*Identify name* ] is forbidden to

1. remove the child[ren] from the care of [ ] otherwise than for the purpose of agreed or ordered contact
2. remove the child[ren] from the United Kingdom without the written consent of the other parent or permission of the court
3. change the child[ren]’s school[s]
4. change the child[ren]’s name
5. other:
   1. **Specific Issue Orders**
6. The child[ren] shall attend [ ] School
7. The child[ren] shall be known by the name[s]
8. Other:
9. **PENAL NOTICE**
   * 1. To [ ]: You must obey the instructions contained in this order. If you do not, you will be guilty of contempt of court and you may be sent to prison, fined or your assets may be seized.
     2. This penal notice is attached to the following paragraphs of this order: paragraph
10. **PARENTAL RESPONSIBILITY**

The court grants parental responsibility to …..

1. **ACTIVITY DIRECTIONS**

The court makes an activity direction and the parties are directed to take part in the following programme on dates and at times as are specified by the activity provider

1. a Mediation Information and Assessment Meeting
2. a Separated Parents’ Information Programme
3. a Domestic Violence Perpetrators’ Programme

The Court shall forthwith send this order to the provider with the parties’ contact details.

The provider shall notify the Court whether the parties attended at the conclusion of the activity directed.

1. **CASE MANAGEMENT AND OTHER ORDERS/DIRECTIONS**
2. **Safeguarding incomplete**:
   1. Cafcass must write to the court by [ ] with the outcome of safeguarding checks;
   2. the case is adjourned to [ ] (when the parties’ attendance is excused) when the court will either make an order in the terms agreed by the parties or list the case for further consideration.
3. **Sending and delivering of evidence**
4. The parties must by 4:00 pm on [*insert date*] send to each other, to the court and to Cafcass written statements of the evidence on which they intend to rely. This includes the statements of the parties themselves and of any witness they intend to rely on.
5. When preparing their statements the parties shall use the witness statement template which shall be provided to them by the court.
6. **Fact finding Schedules**

The court considers that a fact finding hearing should take place in this case to determine the following issue(s) [*in summary*] [alleged domestic abuse / alleged harm to the child………….]. In the circumstances, the parties must send to each other and to the court a schedule setting out the allegations on which they rely and (using the same document) their responses to such allegations as follows:

1. by [*insert time & date* ] a schedule of any allegations made by either party
2. by [*insert time & date* ] the other party’s response

**(d) Disclosure from Police / Medical records**

1. Cafcass are requested to initiate enhanced checks of the relevant local police force, in particular in respect of their investigation into [ ] and shall deliver any relevant information that is received to the parties and the court.
2. The Chief Constable of [*insert area* ] is directed to disclose to [the court / the parties directly….] [ *insert number*] copies of all reports, incident logs, statements and interview notes relating to any incidents involving the parties between [*insert dates* ]. This order shall be served on the Chief Constable by [*insert time & date*]. The Chief Constable may apply within 7 days of service of this order for it to be varied or discharged.
3. [*Identify party* ] must by 4:00 pm on [ *insert date*] obtain and disclose to [*identify party* ] his/her GP and any hospital medical records. A copy of this order shall be sent with the request to the record holder. Any fee charged by the record holder shall be paid by [*identify party*]
4. **Cafcass / Local Authority s.7 Reports / s.37 investigation and report.**
5. The court directs a section 7 report by Cafcass / [Local Authority] dealing with the following matters:
6. The ascertainable wishes and feelings of the children.
7. The home conditions and suitability of the accommodation of the [mother/father]
8. The concerns of the [mother/father] with regard to [*specify*]
9. Whether or not the children’s physical/emotional/educational needs are being met by the [mother/father]
10. How the children will be affected by the proposed change of [*specify*]
11. Whether or not it appears that the children have suffered or at risk of suffering the harm alleged by the [mother/father/
12. The parenting capacity of the [mother/father] having regard to the allegations that [*specify*]
13. Whether [*Specify*] local authority should be requested to report under section 37 Children Act 1989.
14. [*named local authority*] is directed to prepare a section 37 report 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 the child(ren). 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. The court shall send to the local authority preparing the report the application, any C1A and the Cafcass safeguarding letter [together with ]
15. The report shall be sent to the court [and to the parties] by no later than 4:00 pm on [*insert time & date* ]
16. **Experts**

The Court gives permission for the parties to rely on the following expert evidence. The parties shall take such steps as are necessary to ensure that the expert evidence is obtained and made available to the court in accordance with the directions below, and shall provide any samples that are required for the purpose of testing

1. Type of expert:
2. The issues on which the expert is to report are:
3. The expert is to be instructed by the parties together as a single expert.
4. The expert is to be instructed by [ ]
5. A copy of this order must be sent to the expert with the expert’s instructions.
6. Date for delivery of instructions/provision of necessary samples:
7. Date for delivery of the expert’s report:
8. Any expert’s fees shall be paid by [ ]
9. The expert may [not] see the child[ren] for the purpose of any assessment:

The court gives the following further directions in relation to the obtaining of expert evidence:

1. **CONTACT CENTRE DIRECTION**

The order for supported contact at the contact centre is subject to the following conditions for its operation and effect:-

1. [ ] shall inform the centre co-ordinator of the contents of this order as soon as practicable.
2. The parties shall jointly be responsible for – (i) completing a referral form for the centre co-ordinator; and (ii) providing a copy of this order and any subsisting injunction orders involving the parties to the co-ordinator as soon as practicable and in any event within 2 days of today.
3. The parties and any person permitted to accompany them to the centre shall abide by the rules of the centre.
4. The following arrangements for the contact sessions shall apply:-
   * 1. The child(ren) shall be taken to the centre by [ ]
     2. The child(ren) shall be collected at the conclusion of contact by [ ]
     3. [ ] may [not] be accompanied during the contact session [by]
     4. [ ] may [not] remain in the same room as the child(ren) during the contact session
     5. [Other agreements about contact at the centre]
5. The parties shall jointly be responsible for informing the centre co-ordinator when the place is no longer required.
6. **FURTHER HEARINGS**
7. The next hearing will be a [fact-finding hearing/ Dispute Resolution Appointment/ other directions hearing/final hearing] before [… [Name]] which will take place at [*identify place* ] at 10.30 am on [*identify date* ]
8. The author of the [section 7] report shall [not] be required to attend the Dispute Resolution Appointment;
9. The parties **MUST** arrive at court at least 60 minutes before any future hearings
10. **COSTS**

No order as to costs *or*

Costs in the application *or*

Costs reserved *or*

1. **COMPLIANCE**
2. No document other than a document specified in this order or delivered in accordance with the Rules or any Practice Direction shall be delivered by any party without the court’s permission.
3. Any application to vary this order or for any other order is to be made to the allocated judge on notice to [ ] / all parties.
4. In the event of non-compliance by any person with any order or direction made today, each party shall be responsible for notifying the court of the same, in order to avoid delay.

**Ordered by [*Names*]Lay Justices / District Judge [*Name*] / His Honour Judge/ [*Nam*e]**

**Dated:**

**Court address: for filing/communication:**