

APPEALS

This Practice Direction supplements FPR Part 30

- 1** This practice direction applies to all appeals to which Part 30 applies.

Routes of appeal

- 2.1** The following table sets out to which court or judge an appeal is to be made (subject to obtaining any necessary permission) –

<i>Decision of:</i>	<i>Appeal made to:</i>
Magistrates' Court	Circuit judge
District judge of a county court	Circuit judge
District judge of the High Court	High Court judge
District judge of the principal registry of the Family Division	High Court Judge
Costs judge	High Court Judge
Circuit judge or recorder	Court of Appeal
High Court judge	Court of Appeal

(Provisions setting out routes of appeal include section 16(1) of the Senior Courts Act 1981 (as amended); section 77(1) of the County Courts Act 1984 (as amended) and the Access to Justice Act 1999 (Destination of Appeals) (Family Proceedings) Order 2009 (see paragraphs 9.1 to 9.12 below. The Family Proceedings (Allocation to Judiciary) (Appeals) Directions 2009 provide for an appeal from a magistrates' court to be heard by a Circuit judge.

The routes of appeal from an order or decision relating to contempt of court of a magistrates' court under section 63(3) of the Magistrates' Courts Act 1980 and of a county court and the High Court are set out in section 13(2) of the Administration of Justice Act 1960. Appeals under section 8(1) of the Gender Recognition Act 2004 lie to the High Court (see section 8 of the 2004 Act). The procedure for appeals to the Court of Appeal is governed by the Civil Procedure Rules 1998, in particular CPR Part 52.).

- 2.2** Where the decision to be appealed is a decision in a Part 19 (Alternative Procedure For Applications) application on a point of law in a case which did not involve any substantial dispute of fact, the court to which the appeal lies, where that court is the High Court or a county court and unless the appeal would lie to the Court of Appeal in any event, must consider whether to order the appeal to be transferred to the Court of Appeal under rule 30.13 (Assignment of Appeals to the Court of Appeal).

Grounds for appeal

- 3.1** Rule 30.12 (hearing of appeals) sets out the circumstances in which the appeal court will allow an appeal.
- 3.2** The grounds of appeal should –
- (a)** set out clearly the reasons why rule 30.12 (3)(a) or (b) is said to apply; and
 - (b)** specify in respect of each ground, whether the ground raises an appeal on a point of law or is an appeal against a finding of fact.

Permission to appeal

- 4.1** Rule 30.3 (Permission) sets out the circumstances when permission to appeal is required. At present permission to appeal is required where the decision appealed against was made by a district judge or a costs judge. However, no permission is required where rule 30.3(2) (appeals against a committal order or a secure accommodation order under section 25 of the Children Act 1989) applies.

(The requirement of permission to appeal may be imposed by a practice direction – see rule 30.3(1)(b) (Permission).).

Court to which permission to appeal application should be made

- 4.2** An application for permission should be made orally at the hearing at which the decision to be appealed against is made.
- 4.3** Where –
- (a)** no application for permission to appeal is made at the hearing; or
 - (b)** the lower court refuses permission to appeal, an application for permission to appeal may be made to the appeal court in accordance with rules 30.3(3) and (4) (Permission).
- (Rule 30.1(3) defines ‘lower court’.)
- 4.4** Where no application for permission to appeal has been made in accordance with rule 30.3(3)(a) (Permission) but a party requests further time to make such an application the court may adjourn the hearing to give that party an opportunity to do so.
- 4.5** There is no appeal from a decision of the appeal court to allow or refuse permission to appeal to that court (although where the appeal court, without a hearing, refuses permission to appeal, the person seeking permission may request that decision to be reconsidered at a hearing- see section 54(4) of the Access to Justice Act 1999 and rule 30.3 (5) (Permission)).

Material omission from a judgment of the lower court

- 4.6** Where a party’s advocate considers that there is a material omission from a judgment of the lower court or, in a magistrates’ court, the written reasons for the decision of the lower court (including inadequate reasons for the lower court’s decision), the advocate should before the drawing of the order give the lower court which made the decision the opportunity of considering whether there is an omission and should not immediately use the omission as grounds for an application to appeal.

- 4.7** Paragraph 4.8 below applies where there is an application to the lower court for permission to appeal on the grounds of a material omission from a judgment of the lower court.
Paragraph 4.9 below applies where there is an application for permission to appeal to the appeal court on the grounds of a material omission from a judgment of the lower court.
Paragraphs 4.8 and 4.9 do not apply where the lower court is a magistrates' court.
- 4.8** Where the application for permission to appeal is made to the lower court, the court which made the decision must –
- (a) consider whether there is a material omission and adjourn for that purpose if necessary; and
 - (b) where the conclusion is that there has been such an omission, provide additions to the judgment.
- 4.9** Where the application for permission to appeal is made to the appeal court, the appeal court –
- (a) must consider whether there is a material omission; and
 - (b) where the conclusion is that there has been such an omission, may adjourn the application and remit the case to the lower court with an invitation to provide additions to the judgment.

Consideration of Permission without a hearing

- 4.10** An application for permission to appeal may be considered by the appeal court without a hearing.
- 4.11** If permission is granted without a hearing the parties will be notified of that decision and the procedure in paragraphs 6.1 to 6.8 will then apply.
- 4.12** If permission is refused without a hearing the parties will be notified of that decision with the reasons for it. The decision is subject to the appellant's right to have it reconsidered at an oral hearing. This may be before the same judge.
- 4.13** A request for the decision to be reconsidered at an oral hearing must be filed at the appeal court within 7 days after service of the notice that permission has been refused. A copy of the request must be served by the appellant on the respondent at the same time.

Permission hearing

- 4.14** Where an appellant, who is represented, makes a request for a decision to be reconsidered at an oral hearing, the appellant's advocate must, at least 4 days before the hearing, in a brief written statement –
- (a) inform the court and the respondent of the points which the appellant proposes to raise at the hearing;
 - (b) set out the reasons why permission should be granted notwithstanding the reasons given for the refusal of permission; and
 - (c) confirm, where applicable, that the requirements of paragraph 4.17 have been complied with (appellant in receipt of services funded by the Legal Services Commission).
- 4.15** The respondent will be given notice of a permission hearing, but is not required to attend unless requested by the court to do so.

- 4.16** If the court requests the respondent's attendance at the permission hearing, the appellant must supply the respondent with a copy of the appeal bundle (see paragraph 5.9) within 7 days of being notified of the request, or such other period as the court may direct. The costs of providing that bundle shall be borne by the appellant initially, but will form part of the costs of the permission application.

Appellants in receipt of services funded by the Legal Services Commission applying for permission to appeal

- 4.17** Where the appellant is in receipt of services funded by the Legal Services Commission (or legally aided) and permission to appeal has been refused by the appeal court without a hearing, the appellant must send a copy of the reasons the appeal court gave for refusing permission to the relevant office of the Legal Services Commission as soon as it has been received from the court. The court will require confirmation that this has been done if a hearing is requested to re-consider the question of permission.

Limited permission

- 4.18** Where a court under rule 30.3 (Permission) gives permission to appeal on some issues only, it will –
- (a) refuse permission on any remaining issues; or
 - (b) reserve the question of permission to appeal on any remaining issues to the court hearing the appeal.
- 4.19** If the court reserves the question of permission under paragraph 4.18(b), the appellant must, within 14 days after service of the court's order, inform the appeal court and the respondent in writing whether the appellant intends to pursue the reserved issues. If the appellant does intend to pursue the reserved issues, the parties must include in any time estimate for the appeal hearing, their time estimate for the reserved issues.
- 4.20** If the appeal court refuses permission to appeal on the remaining issues without a hearing and the applicant wishes to have that decision reconsidered at an oral hearing, the time limit in rule 30.3(6) (Permission) shall apply. Any application for an extension of this time limit should be made promptly. The court hearing the appeal on the issues for which permission has been granted will not normally grant, at the appeal hearing, an application to extend the time limit in rule 30.3 (6) for the remaining issues.
- 4.21** If the appeal court refuses permission to appeal on remaining issues at or after an oral hearing, the application for permission to appeal on those issues cannot be renewed at the appeal hearing (see section 54(4) of the Access to Justice Act 1999).

Respondents' costs of permission applications

- 4.22** In most cases, applications for permission to appeal will be determined without the court requesting –
- (a) submissions from; or
 - (b) if there is an oral hearing, attendance by, the respondent.

- 4.23** Where the court does not request submissions from or attendance by the respondent, costs will not normally be allowed to a respondent who volunteers submissions or attendance.
- 4.24** Where the court does request –
- (a) submissions from; or
 - (b) attendance by the respondent,
the court will normally allow the costs of the respondent if permission is refused.

Appellant's notice

- 5.1** An appellant's notice must be filed and served in all cases. Where an application for permission to appeal is made to the appeal court it must be applied for in the appellant's notice.

Human Rights

- 5.2** Where the appellant seeks –
- (a) to rely on any issue under the Human Rights Act 1998; or
 - (b) a remedy available under that Act,
for the first time in an appeal the appellant must include in the appeal notice the information required by rule 29.5(2).
- 5.3** Practice Direction 29A (Human Rights, Joining the Crown) will apply as if references to the directions hearing were to the application for permission to appeal.

Extension of time for filing appellant's notice

- 5.4** If an extension of time is required for filing the appellant's notice the application must be made in that notice. The notice should state the reason for the delay and the steps taken prior to the application being made.
- 5.5** Where the appellant's notice includes an application for an extension of time and permission to appeal has been given or is not required the respondent has the right to be heard on that application and must be served with a copy of the appeal bundle (see paragraph 5.9). However, a respondent who unreasonably opposes an extension of time runs the risk of being ordered to pay the appellant's costs of that application.
- 5.6** If an extension of time is given following such an application the procedure at paragraphs 6.1 to 6.8 applies.

Applications

- 5.7** Notice of an application to be made to the appeal court for a remedy incidental to the appeal (e.g. an interim injunction under rule 20.2 (Orders for interim remedies)) may be included in the appeal notice or in a Part 18 (Procedure For Other Applications in Proceedings) application notice.
- (Paragraph 13 of this practice direction contains other provisions relating to applications.).

Documents

5.8 The appellant must file the following documents together with an appeal bundle (see paragraph 5.9) with his or her appellant's notice –

- (a) two additional copies of the appellant's notice for the appeal court;
- (b) one copy of the appellant's notice for each of the respondents;
- (c) one copy of the appellant's skeleton argument for each copy of the appellant's notice that is filed;
- (d) a sealed or stamped copy of the order being appealed or a copy of the notice of the making of an order;
- (e) a copy of any order giving or refusing permission to appeal, together with a copy of the court's reasons for allowing or refusing permission to appeal;
- (f) any witness statements or affidavits in support of any application included in the appellant's notice.

5.9 An appellant must include the following documents in his or her appeal bundle –

- (a) a sealed or stamped copy of the appellant's notice;
- (b) a sealed or stamped copy of the order being appealed, or a copy of the notice of the making of an order;
- (c) a copy of any order giving or refusing permission to appeal, together with a copy of the court's reasons for allowing or refusing permission to appeal;
- (d) any affidavit or witness statement filed in support of any application included in the appellant's notice;
- (e) where the appeal is against a consent order, a statement setting out the change in circumstances since the order was agreed or other circumstances justifying a review or re-hearing;
- (f) a copy of the appellant's skeleton argument;
- (g) a transcript or note of judgment or, in a magistrates' court, written reasons for the court's decision (see paragraph 5.23), and in cases where permission to appeal was given by the lower court or is not required those parts of any transcript of evidence which are directly relevant to any question at issue on the appeal;
- (h) the application form;
- (i) any application notice (or case management documentation) relevant to the subject of the appeal;
- (j) any other documents which the appellant reasonably considers necessary to enable the appeal court to reach its decision on the hearing of the application or appeal; and
- (k) such other documents as the court may direct.

5.10 All documents that are extraneous to the issues to be considered on the application or the appeal must be excluded. The appeal bundle may include affidavits, witness statements,

summaries, experts' reports and exhibits but only where these are directly relevant to the subject matter of the appeal.

- 5.11** Where the appellant is represented, the appeal bundle must contain a certificate signed by the appellant's solicitor, counsel or other representative to the effect that the appellant has read and understood paragraph 5.10 and that the composition of the appeal bundle complies with it.
- 5.12** Where it is not possible to file all the above documents, the appellant must indicate which documents have not yet been filed and the reasons why they are not currently available. The appellant must then provide a reasonable estimate of when the missing document or documents can be filed and file them as soon as reasonably practicable.

Skeleton arguments

- 5.13** The appellant's notice must, subject to paragraphs 5.14 and 5.15, be accompanied by a skeleton argument. Alternatively the skeleton argument may be included in the appellant's notice. Where the skeleton argument is so included it will not form part of the notice for the purposes of rule 30.9 (Amendment of appeal notice).
- 5.14** Where it is impracticable for the appellant's skeleton argument to accompany the appellant's notice it must be filed and served on all respondents within 14 days of filing the notice.
- 5.15** An appellant who is not represented need not file a skeleton argument but is encouraged to do so since this will be helpful to the court.
- 5.16** A skeleton argument must contain a numbered list of the points which the party wishes to make. These should both define and confine the areas of controversy. Each point should be stated as concisely as the nature of the case allows.
- 5.17** A numbered point must be followed by a reference to any document on which the party wishes to rely.
- 5.18** A skeleton argument must state, in respect of each authority cited –
- (a) the proposition of law that the authority demonstrates; and
 - (b) the parts of the authority (identified by page or paragraph references) that support the proposition.
- 5.19** If more than one authority is cited in support of a given proposition, the skeleton argument must briefly state the reason for taking that course.
- 5.20** The statement referred to in paragraph 5.19 should not materially add to the length of the skeleton argument but should be sufficient to demonstrate, in the context of the argument –
- (a) the relevance of the authority or authorities to that argument; and
 - (b) that the citation is necessary for a proper presentation of that argument.
- 5.21** The cost of preparing a skeleton argument which –
- (a) does not comply with the requirements set out in this paragraph; or
 - (b) was not filed within the time limits provided by this Practice Direction (or any further time granted by the court),
- will not be allowed on assessment except to the extent that the court otherwise directs.

- 5.22** The appellant should consider what other information the appeal court will need. This may include a list of persons who feature in the case or glossaries of technical terms. A chronology of relevant events will be necessary in most appeals.

Suitable record of the judgment

- 5.23** Where the judgment to be appealed has been officially recorded by the court, an approved transcript of that record should accompany the appellant's notice. Photocopies will not be accepted for this purpose. However, where there is no officially recorded judgment, the following documents will be acceptable –
- Written judgments – Where the judgment was made in writing a copy of that judgment endorsed with the judge's signature.
- Written reasons – in a magistrates' court, a copy of the written reasons for the courts decision.
- Note of judgment – When judgment was not officially recorded or made in writing a note of the judgment (agreed between the appellant's and respondent's advocates) should be submitted for approval to the judge whose decision is being appealed. If the parties cannot agree on a single note of the judgment, both versions should be provided to that judge with an explanatory letter. For the purpose of an application for permission to appeal the note need not be approved by the respondent or the lower court judge.
- Advocates' notes of judgments where the appellant is unrepresented – When the appellant was unrepresented in the lower court it is the duty of any advocate for the respondent to make the advocate's note of judgment promptly available, free of charge to the appellant where there is no officially recorded judgment or if the court so directs. Where the appellant was represented in the lower court it is the duty of the appellant's own former advocate to make that advocate's note available in these circumstances. The appellant should submit the note of judgment to the appeal court.
- 5.24** An appellant may not be able to obtain an official transcript or other suitable record of the lower court's decision within the time within which the appellant's notice must be filed. In such cases the appellant's notice must still be completed to the best of the appellant's ability on the basis of the documentation available. However it may be amended subsequently with the permission of the appeal court in accordance with rule 30.9 (Amendment of appeal notice).

Advocates' notes of judgments

- 5.25** Advocates' brief (or, where appropriate, refresher) fee includes –
- (a) remuneration for taking a note of the judgment of the court;
 - (b) having the note transcribed accurately;
 - (c) attempting to agree the note with the other side if represented;
 - (d) submitting the note to the judge for approval where appropriate;
 - (e) revising it if so requested by the judge,
 - (f) providing any copies required for the appeal court, instructing solicitors and lay client; and
 - (g) providing a copy of the note to an unrepresented appellant.

Appeals from decision made by a family proceedings court under Parts 4 and 4A of the Family Law Act 1996

- 5.26** Where the appeal is brought against the making of a hospital order or a guardianship order under the Mental Health Act 1983, the court officer for the court from which the appeal is brought must send a copy of any written evidence considered by the magistrates under section 37(1)(a) of that Act to the appeal court.

Appeals under section 8(1) of the Gender Recognition Act 2004

- 5.27** Paragraph 5.28 to 5.30 apply where the appeal is brought under section 8(1) of the Gender Recognition Act 2004 to the High Court on a point of law against a decision by the Gender Recognition Panel to reject the application under sections 1(1), 5(2), 5(A)(2) or 6(1) of the 2004 Act.
- 5.28** The appeal notice must be –
- (a) filed in the principal registry of the Family Division; and
 - (b) served on the Secretary of State and the President of the Gender Recognition Panels.
- 5.29** The Secretary of State may appear and be heard in the proceedings on the appeal.
- 5.30** Where the High Court issues a gender recognition certificate under section 8(3)(a) of the Gender Recognition Act 2004, the court officer must send a copy of that certificate to the Secretary of State.

Transcripts or Notes of Evidence

- 5.31** When the evidence is relevant to the appeal an official transcript of the relevant evidence must be obtained. Transcripts or notes of evidence are generally not needed for the purpose of determining an application for permission to appeal.

Notes of evidence

- 5.32** If evidence relevant to the appeal was not officially recorded, a typed version of the judge's (including a district judge (magistrates' courts) or justices' clerk's /assistant clerk's notes of evidence must be obtained.

Transcripts at public expense

- 5.33** Where the lower court or the appeal court is satisfied that –
- (a) an unrepresented appellant; or
 - (b) an appellant whose legal representation is provided free of charge to the appellant and not funded by the Community Legal Service, is in such poor financial circumstances that the cost of a transcript would be an excessive burden the court may certify that the cost of obtaining one official transcript should be borne at public expense.
- 5.34** In the case of a request for an official transcript of evidence or proceedings to be paid for at public expense, the court must also be satisfied that there are reasonable grounds for appeal.

Whenever possible a request for a transcript at public expense should be made to the lower court when asking for permission to appeal.

Filing and service of appellant's notice

- 5.35** Rule 30.4 (Appellant's notice) sets out the procedure and time limits for filing and serving an appellant's notice. Subject to paragraph 5.36, the appellant must file the appellant's notice at the appeal court within such period as may be directed by the lower court, which should not normally exceed 14 days or, where the lower court directs no such period within 21 days of the date of the decision that the appellant wishes to appeal.
- 5.36** Rule 30.4(3) (Appellant's notice) provides that unless the appeal court orders otherwise, where the appeal is against an order under section 38(1) of the 1989 Act, the appellant must file the appellant's notice within 7 days beginning with the date of the decision of the lower court.
- 5.37** Where the lower court announces its decision and reserves the reasons for its judgment or order until a later date, it should, in the exercise of powers under rule 30.4 (2)(a)(Appellant's notice), fix a period for filing the appellant's notice at the appeal court that takes this into account.
- 5.38** Except where the appeal court orders otherwise a sealed or stamped copy of the appellant's notice, including any skeleton arguments must be served on all respondents and other persons referred to in rule 30.4(5) (Appellant's notice) in accordance with the timetable prescribed by rule 30.4(4) (Appellant's notice) except where this requirement is modified by paragraph 5.14 in which case the skeleton argument should be served as soon as it is filed.
- 5.39** Where the appellant's notice is to be served on a child, then rule 6.33 (supplementary provision relating to service on children) applies and unless the appeal court orders otherwise a sealed or stamped copy of the appellant's notice, including any skeleton arguments must be served on the persons or bodies mentioned in rule 6.33(2). For example, the appeal notice must be served on any children's guardian, welfare officer or children and family reporter who is appointed in the proceedings.
- 5.40** Unless the court otherwise directs, a respondent need not take any action when served with an appellant's notice until such time as notification is given to the respondent that permission to appeal has been given.
- 5.41** The court may dispense with the requirement for service of the notice on a respondent.
- 5.42** Unless the appeal court directs otherwise, the appellant must serve on the respondent the appellant's notice and skeleton argument (but not the appeal bundle), where the appellant is applying for permission to appeal in the appellant's notice.
- 5.43** Where permission to appeal –
- (a) has been given by the lower court; or
 - (b) is not required,
the appellant must serve the appeal bundle on the respondent and the persons mentioned in paragraph 5.39 with the appellant's notice.

Amendment of Appeal Notice

- 5.44** An appeal notice may be amended with permission. Such an application to amend and any application in opposition will normally be dealt with at the hearing unless that course would cause unnecessary expense or delay in which case a request should be made for the application to amend to be heard in advance.

Procedure after permission is obtained

- 6.1** This paragraph sets out the procedure where –
- (a) permission to appeal is given by the appeal court; or
 - (b) the appellant’s notice is filed in the appeal court and –
 - (i) permission was given by the lower court; or
 - (ii) permission is not required.
- 6.2** If the appeal court gives permission to appeal, the appeal bundle must be served on each of the respondents within 7 days of receiving the order giving permission to appeal.
- 6.3** The appeal court will send the parties –
- (a) notification of the date of the hearing or the period of time (the ‘listing window’) during which the appeal is likely to be heard;
 - (b) where permission is granted by the appeal court a copy of the order giving permission to appeal; and
 - (c) any other directions given by the court.
- 6.4** Where the appeal court grants permission to appeal, the appellant must add the following documents to the appeal bundle –
- (a) the respondent’s notice and skeleton argument (if any);
 - (b) those parts of the transcripts of evidence which are directly relevant to any question at issue on the appeal;
 - (c) the order granting permission to appeal and, where permission to appeal was granted at an oral hearing, the transcript (or note) of any judgment which was given; and
 - (d) any document which the appellant and respondent have agreed to add to the appeal bundle in accordance with paragraph 7.16.
- 6.5** Where permission to appeal has been refused on a particular issue, the appellant must remove from the appeal bundle all documents that are relevant only to that issue.

Time estimates

- 6.6** If the appellant is legally represented, the appeal court must be notified, in writing, of the advocate’s time estimate for the hearing of the appeal.
- 6.7** The time estimate must be that of the advocate who will argue the appeal. It should exclude the time required by the court to give judgment.
- 6.8** A court officer will notify the respondent of the appellant’s time estimate and if the respondent disagrees with the time estimate the respondent must inform the court within 7 days of the

notification. In the absence of such notification the respondent will be deemed to have accepted the estimate proposed on behalf of the appellant.

Respondent

7.1 A respondent who wishes to ask the appeal court to vary the order of the lower court in any way must appeal and permission will be required on the same basis as for an appellant.

(Paragraph 3.2 applies to grounds of appeal by a respondent.).

7.2 A respondent who wishes to appeal or who wishes to ask the appeal court to uphold the order of the lower court for reasons different from or additional to those given by the lower court must file a respondent's notice.

7.3 A respondent who does not file a respondent's notice will not be entitled, except with the permission of the court, to rely on any reason not relied on in the lower court. This paragraph and paragraph 7.2 do not apply where the appeal is against an order under section 38(1) of the 1989 Act (see rule 30.5(7) (Respondent's notice)).

7.4 Paragraphs 5.3 (Human Rights and extension for time for filing appellant's notice) and 5.4 to 5.6 (extension of time for filing appellant's notice) of this practice direction also apply to a respondent and a respondent's notice.

Time limits

7.5 The time limits for filing a respondent's notice are set out in rule 30.5(4) and (5) (Respondent's notice).

7.6 Where an extension of time is required the extension must be requested in the respondent's notice and the reasons why the respondent failed to act within the specified time must be included.

7.7 Except where paragraphs 7.8 and 7.10 apply, the respondent must file a skeleton argument for the court in all cases where the respondent proposes to address arguments to the court. The respondent's skeleton argument may be included within a respondent's notice. Where a skeleton argument is included within a respondent's notice it will not form part of the notice for the purposes of rule 30.9 (Amendment of appeal notice).

7.8 A respondent who –

- (a)** files a respondent's notice; but
- (b)** does not include a skeleton argument with that notice, must file the skeleton argument within 14 days of filing the notice.

7.9 A respondent who does not file a respondent's notice but who files a skeleton argument must file that skeleton argument at least 7 days before the appeal hearing.

(Rule 30.5(4) (Respondent's notice) sets out the period for filing a respondent's notice.).

7.10 A respondent who is not represented need not file a skeleton argument but is encouraged to do so in order to assist the court.

7.11 The respondent must serve the skeleton argument on –

- (a)** the appellant; and

- (b) any other respondent;
at the same time as the skeleton argument is filed at court. Where a child is an appellant or respondent the skeleton argument must also be served on the persons listed in rule 6.33(2) unless the court directs otherwise.

7.12 A respondent's skeleton argument must conform to the directions at paragraphs 5.16 to 5.22 with any necessary modifications. It should, where appropriate, answer the arguments set out in the appellant's skeleton argument.

Applications within respondent's notices

7.13 A respondent may include an application within a respondent's notice in accordance with paragraph 5.7.

Filing respondent's notices and skeleton arguments

7.14 The respondent must file the following documents with the respondent's notice in every case –

- (a) two additional copies of the respondent's notice for the appeal court; and
- (b) one copy each for the appellant, any other respondents and any persons referred to in paragraph 5.39.

7.15 The respondent may file a skeleton argument with the respondent's notice and –

- (a) where doing so must file two copies; and
- (b) where not doing so must comply with paragraph 7.8.

7.16 If the respondent considers documents in addition to those filed by the appellant to be necessary to enable the appeal court to reach its decision on the appeal and wishes to rely on those documents, any amendments to the appeal bundle should be agreed with the appellant if possible.

7.17 If the representatives for the parties are unable to reach agreement, the respondent may prepare a supplemental bundle.

7.18 The respondent must file any supplemental bundle so prepared, together with the requisite number of copies for the appeal court, at the appeal court –

- (a) with the respondent's notice; or
- (b) if a respondent's notice is not filed, within 21 days after the respondent is served with the appeal bundle.

7.19 The respondent must serve –

- (a) the respondent's notice;
- (b) the skeleton argument (if any); and
- (c) the supplemental bundle (if any), on –
 - (i) the appellant; and
 - (ii) any other respondent;

at the same time as those documents are filed at the court. Where a child is an appellant or respondent the documents referred to in paragraphs (a) to (c) above must also be served on the persons listed in rule 6.33(2) unless the court directs otherwise.

APPEALS TO THE HIGH COURT

Application

- 8.1** The appellant's notice must be filed in –
- (a) the principal registry of the Family Division; or
 - (b) the district registry which is nearest to the court from which the appeal lies.
- 8.2** A respondent's notice must be filed at the court where the appellant's notice was filed.
- 8.3** In the case of appeals from district judges of the High Court, applications for permission and any other applications in the appeal, appeals may be heard and directions in the appeal may be given by a High Court Judge or by any person authorised under section 9 of the Senior Courts Act 1981 to act as a judge of the High Court.

APPEALS TO A COUNTY COURT

Appeals to a judge of a county court from a district judge

- 9.1** The Designated Family Judge in consultation with the Family Division Liaison Judges has responsibility for the allocation of appeals from decisions of district judges to circuit judges.

Appeals to a county court from a magistrates' court

Appeals under section 111A of the Magistrates' Courts Act 1980 ('the 1980 Act') from a magistrates' court to a county court on the ground that the decision is wrong in law or in excess of jurisdiction

- 9.2** As a result of an amendment to section 111 of the 1980 Act by the Access to Justice Act 1999 (Destination of Appeals) (Family Proceedings) Order 2009 ('the Destination Order') an application to have a case stated for the opinion of the High Court under section 111 of that Act may not be made in relation to family proceedings. Family proceedings for those purposes are defined as –
- (a) proceedings which, by virtue of section 65 of the 1980 Act, are or may be treated as family proceedings for the purposes of that Act; and
 - (b) proceedings under the Child Support Act 1991.
- 9.3** Section 111A of the 1980 Act, which is inserted by article 4(3) of the Destination Order, provides that in family proceedings as defined in paragraph 9.2 above a person may appeal to a county court on the ground that a decision is wrong in law or is in excess of jurisdiction; this appeal to a county court replaces the procedure for making an application to have a case stated. Section 111A(3)(a) provides that no appeal may be brought under section 111A if there is a right of appeal to a county court against the decision otherwise than under that section.

9.4 Subject to section 111A of the 1980 Act and any other enactment, the following rules in Part 30 apply to appeals under section 111A of the 1980 Act –

- (a) 30.1 (scope and interpretation);
- (b) 30.2 (parties to comply with the practice direction);
- (c) 30.4 (appellant's notice);
- (d) 30.6 (grounds of appeal);
- (e) 30.8 (stay); and
- (f) 30.9 (amendment of appeal notice).

9.5 Section 111A(4) of the 1980 Act provides that the notice of appeal must be filed within 21 days after the day on which the decision of the magistrates' court was given. The notice of appeal should also be served within this period of time. The time period for filing the appellant's notice in rule 30.4 (2) does not apply. There can be no extension of this 21 day time limit under rule 4.1(3)(a).

Other statutory rights of appeal from a magistrates court and the court at which the appellants notice is to be filed-provisions applying to those appeals and appeals under section 111A of the 1980 Act

9.6 The effect of the Destination Order is that appeals against decisions of magistrates' courts in family proceedings shall lie to a county court instead of to the High Court. In addition to replacing appeals by way of case stated by amending the 1980 Act as outlined above, the Destination Order amends the statutory provisions listed in paragraph 9.7 below to provide for the appeals under those provisions to lie to a county court instead of to the High Court. Paragraph 9.7 also refers to the amendment to the 1980 Act for completeness.

9.7 Paragraph 9.8 and 9.9 below apply to appeals under –

- (a) section 4(7) of the Maintenance Orders Act 1958;
- (b) section 29 of the Domestic Proceedings and Magistrates' Courts Act 1978;
- (c) section 60(5) of the Family Law 1986;
- (d) section 94(1) to (9) of the Children Act 1989;
- (e) section 61 of the Family Law Act 1996;
- (f) sections 10(1)(a) to (3) and 13 (1) and (2) of the Crime and Disorder Act 1998; or
- (g) section 111A of the 1980 Act.

9.8 Subject to any enactment or to any directions made by the President of the Family Division in exercise of the powers conferred on him under section 9 of the Courts and Legal Services Act 1990, a district judge may –

- (a) dismiss an appeal;
 - (i) for want of prosecution; or
 - (ii) with the consent of the parties; or
- (b) give leave for the appeal to be withdrawn,

and may deal with any question of costs arising out of the dismissal or withdrawal.
Unless the court directs otherwise, any interlocutory application in an appeal under the statutory provisions listed in paragraph 9.7 may be made to a district judge.

- 9.9** Subject to paragraph 9.10 below, the appellant’s notice and other documents required to be filed by rule 30.4 and this practice direction shall where the appeal is against the making by a magistrates’ court of any order or any refusal by a magistrates’ court to make such an order –
- (a) in proceedings listed in Schedule 1 to this Practice Direction, be filed in a care centre within the meaning of article 2 (b) of the Allocation and Transfer of Proceedings Order 2008;
 - (b) in proceedings under the Adoption and Children Act 2002, be filed in an adoption centre or an intercountry adoption centre within the meaning of article 2 (c) and (d) of the Allocation and Transfer of Proceedings Order 2008; and
 - (c) in any other case, be filed in a family hearing centre within the meaning of article 2(a) of that Order.
- 9.10** Where the appeal is an appeal from a decision of a magistrates’ court under section 94 of the 1989 Act or section 61 of the Family Law Act 1996, the documents required to be filed by rule 30.4 and this practice direction may be filed in the principal registry of the Family Division of the High Court.
- 9.11** Article 11 of the Destination Order amends article 3 of the Allocation and Transfer of Proceedings Order 2008 to provide that the principal registry of the Family Division of the High Court is treated as a county court for the purposes of appeals from decisions of a magistrates’ court under section 94 of the Children Act 1989 and section 61 of the Family Law Act 1996.
- 9.12** This practice direction applies to appeals under the statutory provisions listed in paragraph 9.7 with the following modifications and any other necessary modifications –
- (a) after paragraph 5.6 insert –
“5.6A Paragraphs 5.4 to 5.6 do not apply to an appeal to a county court under section 111A of the Magistrates’ Courts Act 1980.”
 - (b) in paragraph 5.35, insert “and 5.36A” after “subject to paragraph 5.36”;
 - (c) after paragraph 5.36 insert –
“5.36A Where the appeal is to a judge of a county court under section 111A of the Magistrates’ Courts Act 1980, the appellant’s notice must be filed and served within 21 days after the day on which the decision of the lower court was given.”

Appeals to a county court from the Child Maintenance and Enforcement Commission (‘the Commission’): Deduction order appeals

- 9.13** A ‘deduction order appeal’ is an appeal under regulation 25AB(1)(a) to (d) of the Child Support (Collection and Enforcement) Regulations 1992 (S.I. 1992/1989)(‘the Collection and Enforcement Regulations’).A deduction order appeal is an appeal against –
- (a) the making of a regular deduction order under section 32A of the Child Support Act 1991 (‘the 1991 Act’);
 - (b) a decision on an application to review a regular deduction order;

- (c) a decision to withhold consent to the disapplication of sections 32G(1) and 32H(2)(b) of the 1991 Act which has the effect of unfreezing funds in the liable person's account; or
 - (d) the making of a final lump sum deduction order under section 32F of the 1991 Act. A deduction order appeal lies to a county court from the Commission as a result of regulation 25AB(1) of the Collection and Enforcement Regulations.
- 9.14** The rules in Part 30 apply to deduction order appeals with the amendments set out in paragraphs 9.15 to 9.27 and 9.29 and 9.30 below. The rules in Part 30 also apply to appeals against the decision of a district judge in proceedings relating to a deduction order appeal with the amendments set out in paragraph 9.28 below.
- 9.15** 'The respondent' means –
- (a) the Commission and any person other than the appellant who was served with an order under section 32A(1), 32E(1) or 32F(1) of the 1991 Act; and
 - (b) a person who is permitted by the appeal court to be a party to the appeal.
- 9.16** The appellant will serve the appellant's notice on the Commission and any other respondent.
- 9.17** The appellant shall file and serve the appellant's notice, within 21 days of –
- (a) where the appellant is a deposit-taker, service of the order;
 - (b) where the appellant is a liable person, receipt of the order; or
 - (c) where the appellant is either a deposit-taker or a liable person, the date of receipt of notification of the decision.
- 9.18** For the purposes of paragraph 9.17 –
- (a) references to 'liable person' and 'deposit-taker' are to be interpreted in accordance with section 32E of the 1991 Act and regulation 25A(2) of the Collection and Enforcement Regulations and section 54 of the 1991 Act, respectively; and
 - (b) the liable person is to be treated as having received the order or notification of the decision 2 days after it was posted by the Commission.
- 9.19** Rule 4.1(3)(a) (court's power to extend or shorten the time for compliance with a rule, practice direction or court order) does not apply to an appeal against the making of a lump sum deduction order under section 32F of the 1991 Act in so far as that rule gives the court power to extend the time set out in paragraph 9.17 for filing and serving an appellant's notice after the time for filing and serving the that notice set out in paragraph 9.17 has expired.
- 9.20** The Commission shall provide to the court and serve on all other parties to the appeal any information and evidence relevant to the making of the decision or order being appealed, within 14 days of receipt of the appellant's notice.
- 9.21** Subject to paragraph 9.23, a respondent who wishes to ask the appeal court to uphold the order or decision of the Commission for reasons different from or in addition to those given by the Commission must file a respondent's notice.
- 9.22** A respondent's notice must be filed within 14 days of receipt of the appellant's notice.
- 9.23** Where the Commission as a respondent, wishes to contend that its order or decision should be –

- (a) varied, either in any event or in the event of the appeal being allowed in whole or in part; or
 - (b) affirmed on different grounds from those on which it relied when making the order or decision,
it shall, within 14 days of receipt of the appellant's notice, file and serve on all other parties to the appeal a respondent's notice.
- 9.24** In so far as rule 30.7(Variation of time) may permit any application for variation of the time limit for filing an appellant's notice after the time for filing the appellant's notice has expired, that rule shall not apply to an appeal made against an order under section 32F(1) of the Act of 1991.
- 9.25** Rule 30.8 (stay) shall not apply to an appeal made against an order under section 32F(1) of the Act of 1991.
- 9.26** A district judge may hear a deduction order appeal.
- 9.27** Rule 30.11 (appeal court's powers) does not apply to deduction order appeals.
- 9.28** Rule 30.11(2)(d) (making orders for payment of interest) does not apply in the case of an appeal against a decision of a district judge in proceedings relating to a deduction order appeal.
- 9.29** In the case of a deduction order appeal –
- (a) the appeal court has power to –
 - (i) affirm or set aside the order or decision;
 - (ii) remit the matter to the Commission for the order or decision to be reconsidered, with appropriate directions;
 - (iii) refer any application or issue for determination by the Commission;
 - (iv) make a costs order; and
 - (b) the appeal court may exercise its powers in relation to the whole or part of an order or decision of the Commission.
- 9.30** In rule 30.12 (Hearing of appeals) –
- (a) at the beginning of paragraph (1), for “Every” substitute “Subject to paragraph (2A), every”;
 - (b) at the beginning of paragraph (2), for “Unless” substitute “Subject to paragraph (2A), unless”;
 - (c) after paragraph (2), insert –
“(2A) In the case of a deduction order appeal, the appeal will be a re-hearing, unless the appeal court orders otherwise.”;
 - (d) in paragraph (3), after “lower court” insert “or, in a deduction order appeal, the order or decision of the Commission”; and
 - (e) for sub-paragraph (b) of paragraph (3), substitute –
“(b) unjust because of a serious procedural or other irregularity in –
 - (i) the proceedings in the lower court; or
 - (ii) the making of an order or decision by the Commission.”

Information about the Commission's decision

- 9.31** In relation to the deduction order appeals listed in column 1 of the table in Schedule 2 to this Practice Direction –

- (a) the documents to be filed and served by the appellant include the documents set out in Column 3; and
- (b) the relevant information to be provided by the Commission in accordance with paragraph 9.20 above includes the information set out in Column 4.

The court at which the appeal notice is to be filed

- 9.32** In relation to a deduction order appeal, the appellant's notice and other documents required to be filed with that notice shall be filed in a county court (the Collection and Enforcement Regulations 25AB(1)).

The Commission's address for service

- 9.33** For the purposes of a deduction order appeal the Commission's address for service is –
Commission Legal Adviser
Deduction Order Team
Legal Enforcement (Civil)
Antonine House
Callendar Road
Falkirk
FK1 1XT

All notices or other documents for CMEC relating to a deduction order appeal should be sent to the above address.

- 9.34** This practice direction applies to deduction order appeals and appeals against the decision of a district judge in proceedings relating to a deduction order appeal with the following modifications and any other necessary modifications –
- (a) in paragraph 5.35, insert “and 5.36B” after “subject to paragraph 5.36A”;
 - (b) after paragraph 5.36A insert –
“5.36A Where the appeal is a deduction order appeal, the appellant's notice must be filed and served within 21 days of –
 - (a) where the appellant is a deposit-taker, service of the order;
 - (b) where the appellant is a liable person, receipt of the order; or
 - (c) where the appellant is either a deposit-taker or a liable person, the date of receipt of notification of the decision the lower court was given.”.

Appeal against the court's decision under rules 31.10, 31.11 or 31.14

- 10.1** The rules in Part 30 apply to appeals against the court's decision under rules 31.10, 31.11 or 31.14 with the amendments set out in paragraphs 10.2 to 10.5 below. Rules 31.15 and 31.16 apply to these appeals. These modifications do not apply to appeals against the decision made on appeal under rule 31.15.
- 10.2** Rule 30.3 (permission to appeal) does not apply.
- 10.3** The time for filing an appellant's notice at the appeal court in rule 30.4(2) does not apply. Rule 31.15 sets out the time within which an appeal against the court's decision under rules 31.10, 31.11 or 31.14 must be made to a judge of the High Court.

- 10.4** Rule 4.1(3)(a) (court's power to extend or shorten the time for compliance with a rule, practice direction or court order) does not apply to an appeal against the court's decision under rules 31.10, 31.11 or 31.14 in so far as that rule gives the court power to extend the time set out in rule 31.15 for filing an appellant's notice.
- 10.5** Rules 30.7 (variation), 30.8 (stay of proceedings), 30.10 (striking out appeal notices, setting aside or imposing conditions on permission to appeal) and 30.12 (hearing of appeals) do not apply.

Appeals against pension orders and pension compensation sharing orders

- 11.1** Paragraph 11.2 below applies to appeals against –
- (a) a pension sharing order under section 24B of the Matrimonial Causes Act 1973 or the variation of such an order under section 31 of that Act;
 - (b) a pension sharing order under Part 4 of Schedule 5 to the Civil Partnership Act 2004 or the variation of such an order under Part 11 of Schedule 5 to that Act;
 - (c) a pension compensation sharing order under section 24E of the Matrimonial Causes Act 1973 or a variation of such an order under section 31 of that Act; and
 - (d) a pension compensation sharing order under Part 4 of Schedule 5 to the Civil Partnership Act 2004 or a variation of such an order under Part 11 of Schedule 5 to that Act.
- 11.2** Rule 4.1(3)(a) (court's power to extend or shorten the time for compliance with a rule, practice direction or court order) does not apply to an appeal against the making of the orders referred to in paragraph 11.1 above in so far as that rule gives the court power to extend the time set out in rule 30.4 for filing and serving an appellant's notice after the time for filing and serving that notice has expired.
- 11.3** In so far as rule 30.7 (Variation of time) may permit any application for variation of the time limit for filing an appellant's notice after the time for filing the appellant's notice has expired, that rule shall not apply to an appeal made against the orders referred to in paragraph 11.1 above.

Appeals to a court under section 20 of the 1991 Act (appeals in respect of parentage determinations)

- 12.1** The rules in Chapters 1 and 5 of Part 8 will apply as appropriate to an appeal under section 20(1) of the 1991 Act where that appeal must be made to a court in accordance with the Child Support Appeals (Jurisdiction of Courts) Order 2002.
- 12.2** The respondent to such an appeal will be the Child Maintenance and Enforcement Commission.
- 12.3** Where the justices' clerk or the court is considering whether or not to transfer appeal proceedings under section 20(1) of the 1991 Act, rules 12.9 to 12.11 will apply as appropriate.

Applications

- 13.1** Where a party to an appeal makes an application whether in an appeal notice or by Part 18 (Procedure For Other Applications in Proceedings) application notice, the provisions of Part 18 will apply.

13.2 The applicant must file the following documents with the notice –

- (a) one additional copy of the application notice for the appeal court, one copy for each of the respondents and the persons referred to in paragraph 5.39;
- (b) where applicable a sealed or stamped copy of the order which is the subject of the main appeal or a copy of the notice of the making of an order;
- (c) a bundle of documents in support which should include –
 - (i) the Part 18 application notice; and
 - (ii) any witness statements and affidavits filed in support of the application notice.

Appeals against consent orders

14.1 The rules in Part 30 and the provisions of this Practice Direction apply to appeals relating to orders made by consent in addition to orders which are not made by consent. An appeal is the only way in which a consent order can be challenged.

Disposing of applications or appeals by consent

15.1 An appellant who does not wish to pursue an application or an appeal may request the appeal court for an order that the application or appeal be dismissed. Such a request must state whether the appellant is a child, or a protected person.

15.2 The request must be accompanied by a consent signed by the other parties stating whether the respondent is a child, or a protected person and consents to the dismissal of the application or appeal.

Allowing unopposed appeals or applications on paper

16.1 The appeal court will not normally make an order allowing an appeal unless satisfied that the decision of the lower court was wrong, but the appeal court may set aside or vary the order of the lower court with consent and without determining the merits of the appeal, if it is satisfied that there are good and sufficient reasons for doing so. Where the appeal court is requested by all parties to allow an application or an appeal the court may consider the request on the papers. The request should state whether any of the parties is a child, or protected person and set out the relevant history of the proceedings and the matters relied on as justifying the proposed order and be accompanied by a copy of the proposed order.

Summary assessment of costs

17.1 Costs are likely to be assessed by way of summary assessment at the following hearings –

- (a) contested directions hearings;
- (b) applications for permission to appeal at which the respondent is present;
- (c) appeals from case management decisions or decisions made at directions hearings; and
- (d) appeals listed for one day or less.

(Provision for summary assessment of costs is made by section 13 of the Practice Direction supplementing CPR Part 44)

17.2 Parties attending any of the hearings referred to in paragraph 17.1 should be prepared to deal with the summary assessment.

Reopening of final appeals

18.1 This paragraph applies to applications under rule 30.14 (Reopening of final appeals) for permission to reopen a final determination of an appeal.

18.2 In this paragraph, 'appeal' includes an application for permission to appeal.

18.3 Permission must be sought from the court whose decision the applicant wishes to reopen.

18.4 The application for permission must be made by application notice and supported by written evidence, verified by a statement of truth.

18.5 A copy of the application for permission must not be served on any other party to the original appeal unless the court so directs.

18.6 Where the court directs that the application for permission is to be served on another party, that party may within 14 days of the service on him or her of the copy of the application file a written statement either supporting or opposing the application.

18.7 The application for permission, and any written statements supporting or opposing it, will be considered on paper by a single judge, and will be allowed to proceed only if the judge so directs.

SCHEDULE 1

Description of proceedings

- (1) Proceedings under section 25 of the Children Act 1989;
- (2) Proceedings under Parts IV and V of the Children Act 1989;
- (3) Proceedings under Schedules 2 and 3 to the Children Act 1989;
- (4) Applications for leave under section 91(14),(15) or (17) of the Children Act 1989;
- (5) Proceedings under section 102 of the Children Act 1989 or section 79 of the Childcare Act 2006;
- (6) Proceedings for a residence order under section 8 of the Children Act 1989 or for a special guardianship order under section 14A of the Children Act 1989 with respect to a child who is the subject of a care order.
- (7) Proceedings for a residence order under section 8 of the Children Act 1989 where either section 28(1)(child placed for adoption) or 29(4)(placement order in force) of the Adoption and Children Act 2002 applies;
- (8) Proceedings for a special guardianship order under section 14A of the Children Act 1989 where either section 28(1)(child placed for adoption) or section 29(5)(placement order in force) of the Adoption and Children Act 2002 applies.

SCHEDULE 2

<i>Appeal</i>	<i>Relevant Legislation</i>	<i>Appellant Information</i>	<i>Commission Information</i>
Appeal against the making of a regular deduction order (under section 32A of the 1991 Act)	<ul style="list-style-type: none"> ● Section 32C(4)(a) of the 1991 Act The Collection and Enforcement Regulations 25AB(1)(a) (appeals) 	<ul style="list-style-type: none"> ● A copy of the order; ● A covering letter explaining that the order has been made and the reasons for the order namely that there are arrears of child maintenance and/or no other arrangements have been made for the payment of child maintenance, including arrears 	<ul style="list-style-type: none"> ● The amount of the current maintenance calculation, the period of debt and the total amount of arrears (including account breakdown if appropriate) and the reasons for the Commission's decision, details of all previous attempts to negotiate payment i.e. phone calls and letters to the non resident parent, details of any previous enforcement action taken
Appeal against a decision on an application for a review of a regular deduction order	<ul style="list-style-type: none"> ● Sections 32C(4)(b) 32C(2)(k) of the 1991 Act ● The Collection and Enforcement Regulations 25G (review of a regular deduction order) and 25AB(1)(b) (appeals) 	<ul style="list-style-type: none"> ● A decision notification setting out whether or not the review has been agreed by the Commission and the resulting action to be taken if agreed; with an enclosure setting out the specific reasons for the Commission's decision 	<ul style="list-style-type: none"> ● The reasons for the Commission's decision in respect of the application for review and any evidence supporting that decision
Appeal against the withholding of consent to the disapplication of sections 32G(1) and 32H(2)(b) of the 1991 Act	<ul style="list-style-type: none"> ● Section 32I(4) of the 1991 Act ● The Collection and Enforcement Regulations 25N (disapplication of sections 32G(1) and 32H(2)(b) of the 1991 Act) and 25AB(1)(c) (appeals) 	<ul style="list-style-type: none"> ● A decision notification setting out that either: <ul style="list-style-type: none"> ● (a) consent has been refused; or ● (b) consent has been given in relation to part of the application i.e. that only some of the funds which were requested to be released have been agreed to be released (the right of appeal will lie in respect of the part of the application which has been refused) ● There will be an enclosure with the notification setting out the reasons for the decision on the application 	<ul style="list-style-type: none"> ● The reasons for the Commission's decision in respect of the application for consent and any evidence supporting that decision

<i>Appeal</i>	<i>Relevant Legislation</i>	<i>Appellant Information</i>	<i>Commission Information</i>
Appeal against the making of a final lump sum deduction order (under section 32F of the 1991 Act)	<ul style="list-style-type: none"> ● Section 32J(5) of the 1991 Act ● The Collection and Enforcement Regulations 25AB(1)(d) (appeals) 	<ul style="list-style-type: none"> ● A copy of the order; ● A covering letter explaining that the order has been made and the reasons for the order namely that there are arrears of child maintenance and/or no other arrangements have been made for the payment of child maintenance, including arrears 	<ul style="list-style-type: none"> ● The amount of the current maintenance calculation (if applicable), the period of debt and the total amount of arrears (including account breakdown if appropriate) and the reasons for the Commission's decision, details of all previous attempts to negotiate payment i.e. phone calls and letters to the non resident parent, details of any previous enforcement action taken.
