

PRACTICE DIRECTION

PRACTICE DIRECTIONS RELATING TO FAMILY PROCEEDINGS IN FORCE BEFORE 6TH APRIL 2011 WHICH SUPPORT THE FAMILY PROCEDURE RULES 2010

Introduction and the Existing Practice Directions

- 1.1** The Family Procedure Rules 2010 ('the FPR 2010') come into force on 6th April 2011. The purpose of this practice direction is to inform court users of the practice directions relating (only) to family proceedings which date from before 6th April 2011 ('existing Practice Directions') but will continue to apply after that date.
- 1.2** The table in the Annex to this practice direction lists those existing Practice Directions which will continue to apply. The listed existing Practice Directions will apply to family proceedings on and after 6th April 2011 –
- (a) with the modifications outlined in the Annex (in particular that the numbering of the existing Practice Directions will be as set out in column one of the table in the Annex) and any other modifications necessary in consequence of the FPR 2010 coming into force; and
 - (b) subject to the FPR 2010 and any other practice directions supporting those rules.

Application of Practice Direction 23B of the Civil Procedure Rules 1998

- 2.1** Paragraphs 1.1, 1.2, 1.4 and 1.5 of CPR Practice Direction 23B apply to applications under Part III of the Family Law Reform Act 1969 for the use of scientific tests to determine parentage. These applications will be made using the procedure in Part 18 of the FPR 2010 (Procedure for Other Applications in Proceedings).

Annex

<i>Number</i>	<i>Title</i>	<i>Date</i>	<i>Court</i>	<i>Updated Rule References</i>
Practice Direction 6C	Practice Direction (Disclosure of Addresses by Government Departments) <ul style="list-style-type: none">• (amending Practice Direction of 13th February 1989)• (NB this practice direction does not apply to requests for disclosure from HMRC and related agencies which are covered by 'Disclosure Orders against the Inland Revenue-Guidance from the President's Office (November 2003)')	20 July 1995	High Court, county court and magistrates' court	
Practice Direction 7D	Gender Recognition Act 2004	5th April 2005	High Court and county court	
Practice Direction 12A	Public Law Proceedings Guide to Case Management: April 2010	April 2010	High Court, county court and magistrates' court	
Practice Direction 12B	The Revised Private Law Programme	April 2010	High Court, county court and magistrates' court	
Practice Direction 12I	Applications for Reporting Restriction Orders (nb this practice direction applies to information about children and protected parties)	18 March 2005	High Court	

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Practice Direction 12J	Residence and Contact Orders: Domestic Violence and Harm	14th January 2009	High Court, county court and magistrates' court	In paragraph 10, for 'the Family Proceedings Rules 1991, rule 4.17AA and by the Family Proceedings Courts (Children Act 1989) Rules 1991, rule 17AA', substitute, 'rule 12.34 of the Family Procedure Rules 2010'
Practice Direction 12K	President's Direction (Children Act 1989: Exclusion Requirement)	17th December 1997	High Court, county court and magistrates' court	
Practice Direction 12L	Children Act 1989: Risk Assessments under Section 16A	3rd September 2007	High Court, county court and magistrates' court	
Practice Direction 12M	Family Assistance Orders: Consultation	3rd September 2007	High Court, county court and magistrates' court	
Practice Direction 12N	Enforcement of Children Act 1989 Contact Orders: Disclosure of Information to Officers of the National Probation Service (High Court and county court)	6th November 2008	High Court and county court (The Lord Chief Justice issued a Practice Direction on this subject for the magistrates' courts mirroring the one for the High Court and county courts)	
Practice Direction 12O	Practice Direction (Arrival of Child in England by Air)	18th January 1980	High Court and county court	
Practice Direction 12P	Registrar's Direction(Removal from jurisdiction: issue of Passports)	15th May 1987	High Court and county court	

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Practice Direction 14A	Who Receives a Copy of the Application Form for Orders in Proceedings		High Court, county court and magistrates' court	In the heading, for 'Part 5, rule 24(1)(b)(ii) of the Family Procedure (Adoption) Rules 2005', substitute 'Part 14, rule 14.6(1)(b)(ii) of the Family Procedure Rules 2010'
Practice Direction 14B	The First Directions Hearing-Adoptions with a Foreign Element		High Court, county court and magistrates' court	In the heading, for 'Part 5, rule 26(3) of the Family Procedure (Adoption) Rules 2005', substitute 'Part 14, rule 14.8(3) of the Family Procedure Rules 2010'; and in paragraph 2, for 'rule 26(1)', substitute 'rule 14.8(1)'
Practice Direction 14C	Reports by the Adoption Agency or Local Authority		High Court, county court and magistrates' court	In the heading for 'Part 5, rule 29(3) of the Family Procedure (Adoption) Rules 2005', substitute 'Part 14, rule 14.11(3) of the Family Procedure Rules 2010'
Practice Direction 14D	Reports by a Registered Medical Practitioner ('Health Reports')		High Court, county court and magistrates' court	In the heading for 'Part 5, rule 30(2) of the Family Procedure (Adoption) Rules 2005', substitute 'Part 14, rule 14.12(2) of the Family Procedure Rules 2010'; and in paragraph 1.1, for 'rule 30(1)', substitute 'rule 14.12(1)'

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Practice Direction 14E	Communication of Information Relating to the Proceedings		High Court, county court and magistrates' court	In the heading for 'Part 8, rule 78(1)(b) of the Family Procedure (Adoption) Rules 2005', substitute 'Part 14, rule 14.14(b) of the Family Procedure Rules 2010'; and in paragraph 1.1, for 'rule 78', substitute 'rule 14.14'
Practice Direction 14F	Disclosing Information to an Adopted Adult		High Court, county court and magistrates' court	In the heading for 'Part 8, rule 84(1)(d) of the Family Procedure (Adoption) Rules 2005', substitute 'Part 14, rule 14.18(1)(d) of the Family Procedure Rules 2010'; in paragraphs 1.1 and 1.2, for 'rule 84', substitute 'rule 14.18'; and in paragraph 1.2, for 'rule 17', substitute 'rule 5'
Practice Direction 27A	Family Proceedings: Court Bundles (Universal Practice to be applied in All Courts other than the Family Proceedings Court)	27th July 2006	High Court and county court	

<i>Number</i>	<i>Title</i>	<i>Date</i>	<i>Court</i>	<i>Updated Rule References</i>
Practice Direction 27B	Attendance of Media Representatives at Hearings in Family Proceedings (High Court and county courts) (This practice direction should be read as if amended by Re X (a child)(residence and contact: rights of media attendance)(2009) EWHC 1728 (Fam) [87])	20th April 2009	High Court and county courts	<p>For references to ‘rule 10.28 of the Family Proceedings Rules 1991’, substitute ‘rule 27.11 of the Family Procedure Rules 2010’;</p> <ul style="list-style-type: none"> ● in paragraph 2.2 for ‘paragraphs (4) to (6)’, substitute ‘paragraphs (3) to (5)’; ● in paragraph 2.3, for ‘Part 11 of the Family Proceedings Rules 1991’, substitute ‘Part 12, Chapter 7 of the Family Procedure Rules 2010 and Practice Direction 12G’; ● in paragraph 4.2, for ‘paragraph (8)’, substitute ‘paragraph (7)’; ● in paragraph 4.3, for ‘paragraph (3)(f)’, substitute ‘paragraph 2(f)’ and for ‘paragraph 3(g)’, substitute ‘paragraph (2)(g)’; ● in paragraph 5.1, for paragraph(4), substitute paragraph (3); ● in paragraph 5.2, for ‘paragraph (4)’, substitute ‘paragraph (3)’ and for ‘paragraph (4)(a)’, substitute ‘paragraph 3(a)’; ● in paragraph 5.3, for ‘paragraph 4(a)(iii)’, substitute ‘paragraph 3(a)(iii)’;

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				<ul style="list-style-type: none"> ● in paragraph 5.4, for 'paragraph 4(b)', substitute 'paragraph 3(b)'; and ● in paragraph 6.1, for 'paragraph (6)' substitute 'paragraph (5)'
Practice Direction 27C	Attendance of Media Representatives at Hearings in Family Proceedings (Family Proceedings Court) (This practice direction should be read as if amended by Re X (a child)(residence and contact: rights of media attendance)(2009) EWHC 1728 (Fam) at [87]	20th April 2009	Magistrates' courts	<p>In paragraph 1.1, for 'rule 16A of the Family Proceedings Courts (Children Act 1989) Rules 1991 ('the Rules')', substitute 'rule 27.11 of the Family Procedure Rules 2010 ('the Rules')';</p> <ul style="list-style-type: none"> ● in paragraph 2.1, for references to 'rule 16A(2)' where it occurs, substitute 'rule 27.11(1)' and for 'paragraphs (3) to (5) of rule 16A', substitute; 'paragraphs (3) to(5) of rule 27.11'; ● in paragraph 2.2, for 'rule 16A(2)', substitute 'rule 27.11(1)'; ● in paragraph 2.3 for 'Part 11C (rules relating to disclosure to third parties)', substitute 'Part 12, Chapter 7 of the Family Procedure Rules 2010 and Practice Direction 12G'; ● in paragraph 2.4, for 'rule 16A', substitute 'rule 27.11';and ● in paragraph 4.3, for 'paragraph (1)(f)', substitute 'paragraph 2(f)' and for 'paragraph (1)(g)' substitute 'paragraph 2(g)'

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Practice Direction 29B	Human Rights Act 1998	24th July 2000	High Court, county court and magistrates' court	
Practice Direction 34B	Practice Note Tracing Payers Overseas	10th February 1976	High Court and county court	