

PRACTICE DIRECTION UPDATE: No. 7 of 2022

The amendments to the existing Practice Direction, and the new Practice Direction, supplementing the Family Procedure Rules 2010 are made by the President of the Family Division under the powers delegated to him by the Lord Chief Justice under Schedule 2, Part 1, paragraph 2(2) of the Constitutional Reform Act 2005, and are approved by Lord Bellamy KC, Parliamentary Under-Secretary of State, Ministry of Justice.

The provisions in this Practice Direction Update come into force as follows:

| Provision | Coming into force date |
|---------------------------------------|--|
| New Practice Direction 11A | 1 October 2022 |
| Amendments to Practice Direction 36ZB | On the day after the date on which this Practice Direction Update is signed. |

Signed:

Sir Andrew McFarlane
The President of the Family Division

Date: 22 September 2022

Signed:

Lord Bellamy KC
Parliamentary Under-Secretary of State, Ministry of Justice

Date: 27 September 2022

NEW PRACTICE DIRECTION 11A – NOTIFICATION OF CERTAIN PROTECTION ORDERS TO THE POLICE

(1) After Practice Direction 10A insert new Practice Direction 11A as set out in the Annex to this Practice Direction Update.

PRACTICE DIRECTION 36ZB – PILOT SCHEME: PILOT SCHEME: PROCEDURE FOR USING AN ONLINE SYSTEM TO COMPLETE AND FILE CERTAIN APPLICATIONS FOR AN ADOPTION ORDER

(1) In paragraph 1.3(g) for “ending 31 October 2022” substitute “at the end of the day on 31 March 2023”.

ANNEX: NEW PRACTICE DIRECTION 11A TO BE INSERTED AFTER PRACTICE DIRECTION 10A:

PRACTICE DIRECTION 11A: NOTIFICATION OF CERTAIN PROTECTION ORDERS TO THE POLICE

This Practice Direction supplements rule 11.12 of the Family Procedure Rules 2010

Notifying the police by email when an order is made

1.1 Where the court makes a protection order, notification must be given to the police force for the address of—

- (a) the person who is the subject of the protection order; and
- (b) if the court so directs, of the respondent,

by the court officer emailing notification, together with a copy of the protection order, to Protectionorders@pds.police.uk.cjsm.net .

1.2 Where an order is made varying, extending or discharging a protection order, notification must be given to the police force notified of the protection order under paragraph 1.1, by the court officer emailing notification, together with a copy of the protection order and a copy of any order varying, extending or discharging the protection order, to Protectionorders@pds.police.uk.cjsm.net .

1.3 Paragraphs 1.1 and 1.2 only apply where the address of the person who is the subject of the protection order or of the respondent, as the case may be, is in England and Wales.

1.4 The email referred to in paragraph 1.1 or 1.2 must be sent within one day of the order being sealed by the court officer.

Notifying the police by email when an order is served or a person is informed of its terms

2.1 Paragraph 2.2 applies where the respondent, or any other person whose breach of a protection order would be an offence has been—

- (a) served with; or
- (b) informed (whether by being present when the order was made, or by telephone or otherwise) of the terms of,

an order referred to in paragraph 1.1 or 1.2.

2.2 A notification showing that the person has been served with, or has been informed of the terms of, the order must be sent by email as follows:

- (a) where the sender has access to the “cjsm” network, to Protectionorders@pds.police.uk.cjsm.net; or
- (b) where the sender does not have access to the “cjsm” network to Protectionorders@pds.police.uk.

2.3 The notification referred to in paragraph 2.2 must be sent by—

- (a) the applicant, where rule 11.7(3) applies; or
- (b) the court officer, where rule 11.7(4) applies.

2.4 Where paragraph 2.3(a) applies—

- (a) the notification referred to in paragraph 2.2 must be sent within two days of the person being served with, or informed of the terms of, the order; and
- (b) the applicant must also send by email to the court a statement of service confirming that the person has been served with, or has otherwise being informed of the terms of the order.

2.5 Where paragraph 2.3(b) applies, the notification referred to in paragraph 2.2 must be sent within one day of receipt by the court officer of confirmation from the court bailiff of service of the order or of the person having been informed of the terms of the order.
