PRACTICE DIRECTION UPDATE No. 5 of 2026

The amendments to existing Practice Directions supplementing the Family Procedure Rules 2010 are made by the President of the Family Division under the powers delegated to him by the Lady Chief Justice under Schedule 2, Part 1, paragraph 2(2) of the Constitutional Reform Act 2005, and are approved by Jake Richards MP, 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**
Practice Direction 3A	18th December 2026
Practice Direction 5A	18th December 2026
Practice Direction 11A	26th October 2026
Practice Direction 12B	18th December 2026
Practice Direction 12J	18th December 2026
Practice Direction 36Z - except the amendments to the annexed Practice Direction 12B (Pilot), referred to below	The day after the date on which this Practice Direction Update is signed by the Minister
Practice Direction 36Z – amendments to annexed Practice Direction 12B (Pilot)	18th December 2026
Practice Direction 36ZG	25th November 2026
Practice Direction 41H	The day after the date on which this Practice Direction Update is signed by the Minister

Signed:

_____ Date: _____15 October 2026 _____

Sir Stephen Cobb, The President of the Family Division

OFFICIAL - SENSITIVE

Signed:

_____ Date:_____22 October 2026_____

Jake Richards MP, Parliamentary Under-Secretary of State, Ministry of Justice

PRACTICE DIRECTION 3A - FAMILY MEDIATION INFORMATION AND ASSESSMENT MEETINGS (MIAMS)

(1) In paragraph 12(2)—

(a) in sub-paragraph (c) after "a supervision order" for "." substitute "; or"; and

(b) after sub-paragraph (c) insert—

"(d) are for the review, variation or discharge of a prohibited steps order made under section 10A(3) of the Children Act 1989.".

PRACTICE DIRECTION 5A – FORMS

(1) In Table 1 (Index to Forms), in the row for "Part 12 Applications in respect of children", in the second column after "PLP10 (PLO8 and PLO9 do not apply to Part 4 proceedings)" insert ", C145, C146, C147".

(2) In Table 2 (List of Forms) after the row for "Form C100" insert—

"C145	Application by the Relevant Local Authority (as defined in section 10B(7) of the Children Act 1989) to review prohibited steps orders made under section 10A(3) of the Children Act 1989
C146	Application by the convicted parent, to vary or discharge prohibited steps orders made under section 10A(3) of the Children Act 1989 in cases where the original order made in the Crown Court has not yet been reviewed, varied or discharged by the family court.
C147	Application by other persons, to vary or discharge prohibited steps orders made under section 10A(3) of the Children Act 1989 in cases where the original order made in the Crown Court has not yet been reviewed, varied or discharged by the family court.".

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

(1) In the first paragraph, which begins "This Practice Direction supplements", after "2010" insert "("FPR")".

(2) After paragraph 1.4 insert-

"**1.5** The requirements in paragraphs 1.1 and 1.2 apply irrespective of whether a party has given notice in accordance with rule 29.1(2) FPR that any or all of the details referred to in rule 29.1(1) FPR should be kept confidential.".

(3) After paragraph 2.5 insert-

"**2.6** The requirement in paragraph 2.2 applies irrespective of whether a party has given notice in accordance with rule 29.1(2) FPR that any or all of the details referred to in rule 29.1(1) FPR should be kept confidential.".

PRACTICE DIRECTION 12B – CHILD ARRANGEMENTS PROGRAMME

(1) After paragraph 7 insert—

"7A Specific provisions for applications using Forms C145, C146 or C147 to review, vary or discharge a prohibited steps order made under section 10A(3) of the Children Act 1989

7A.1 The procedure in this Practice Direction applies as modified by paragraphs 7A.2 to 7A.8 where an application is made on Form C145, C146 or C147 to the court in relation to a prohibited steps order made by the Crown Court under section 10A(3) of the Children Act 1989 following the conviction of a parent who has parental responsibility for a child of the murder or manslaughter of the other parent.

7A.2 Any reference in paragraphs 8.7, 8.8, 9.1, 14.1, 22.1 or 22.2 of this Practice Direction to "form C100" is to be read as a reference to "form C145, C146 or C147".

7A.3 The requirements in paragraph 8.12, so far as they apply to Cafcass/CAFCASS Cymru, do not apply.

7A.4 Paragraph 13 does not apply. Paragraphs 7A.5 to 7A.8 apply in relation to safeguarding.

7A.5 In order to inform the court of possible risks of harm to the child the Relevant Local Authority will carry out safeguarding enquiries. The safeguarding checks will include seeking information from local authorities

and carrying out police checks on the parties. They may include seeking information from others if that is necessary in the professional judgment of the Relevant Local Authority.

7A.6 The Relevant Local Authority shall record and outline any safety issues for the court, in the form of a Safeguarding letter (in Wales, this is called a 'Safeguarding report').

7A.7 Within 17 working days from the date of the C145 being issued by the court, or 17 working days of being served a C146 or C147 application, and at least 3 working days before the hearing, the Relevant Local Authority will provide a safeguarding letter/report to the Court. If both a C145 is issued and a C146 or C147 is served, the 17 working days starts from whichever happened first. The letter / report should specify which court forms filed by the parties (C145, C146, C147, C7 and C1A) have been considered.

7A.8 In paragraph 14 of this Practice Direction-

(a) references to Cafcass or Cafcass Cymru are to be read as references to the Relevant Local Authority; and

b) references to the Cafcass Officer or Welsh Family Proceedings Officer are to be read as references to the officer of the Relevant Local Authority.

7A.9 The requirements of paragraph 22.3 do not apply.".

(2) In paragraph 8.3 after "For section 8 Children Act 1989 applications" insert "made on Form C100".

(3) In paragraph 12.5 after "a copy of the C100," insert "where applicable,".

(4) In paragraph 14.13, in the section headed "Reports", in sub-paragraph (d) omit "relevant".

(5) In paragraph 22.2A after "(2 working days after the date of issue):" for "The" substitute "If an application is made on Form C100, the".

(6) In paragraph 22.2B for "On receipt" substitute "If an initial application was made on Form C100, on receipt".

(7) In the table in Annex 1 (Explanation of Terms) after the row for "Private family law / private law" insert—

"Relevant Local Authority	This means: (a) where the child with respect to whom the prohibited steps order was made under section 10A(3) of the Children Act 1989 is ordinarily

	resident within the area of a local authority in England or Wales, that local authority; (b) where the child with respect to whom the order was made does not fall within paragraph (a) but is present within the area of a local authority in England or Wales, that local authority.”.

(8) In Annex 2, in the section headed “Pre-application Protocol: private law proceedings relating to children”, in paragraph 3—

(a) in sub-paragraph (c), omit “or”; and

(b) in sub-paragraph (d) after “See paragraph 21 below for more details” for “.” substitute “; or

(e) are for the review, variation or discharge of a prohibited steps order made under section 10A(3) of the Children Act 1989.”.

PRACTICE DIRECTION 12J – CHILD ARRANGEMENTS AND CONTACT ORDERS: DOMESTIC ABUSE AND HARM

(1) In paragraph 1 for “This Practice Direction” substitute “Subject to paragraph 1A, this Practice Direction”.

(2) After paragraph 1 insert—

“1A. This Practice Direction does not apply to proceedings for the review, variation or discharge of a prohibited steps order made under section 10A(3) of the Children Act 1989.”.

PRACTICE DIRECTION 36Z – PILOT SCHEME : PRIVATE LAW REFORM: INVESTIGATIVE APPROACH

(1) In paragraph 1.3-

(a) in sub-paragraph (b) for “or 1.4F” substitute “, 1.4F or 1.4G”; and

(b) in paragraph (c) after paragraph (vii) insert-

“(viii) an application started in a location of the family court specified in paragraph 1.4G, the application is filed in the period commencing 17 November 2026 and ending at the end of 31 March 2027.”.

(2) After paragraph 1.4F insert-

“1.4G The locations of the family court referred to in paragraph 1.3(b) and (c)(viii) are-

(a) Barrow;

(b) Birkenhead;

(c) Blackburn;

(d) Blackpool;

(e) Burnley;

(f) Carlisle;

(g) Chester;

(h) Crewe;

(i) Coventry;

(j) Darlington;

(k) Durham;

(l) Gateshead;

(m) Harrogate;

(n) Lancaster;

(o) Liverpool;

(p) Newcastle;

(q) North Shields;

(r) Northampton;

(s) Nuneaton;

(t) Preston;

(u) Scarborough;

(v) Skipton;

(w) South Shields;

(x) St Helens;

(y) Sunderland;

(z) Teeside;

(aa) Warrington;

(bb) West Cumbria;

(cc) York.”.

PRACTICE DIRECTION 36Z – PILOT SCHEME: PRIVATE LAW REFORM: INVESTIGATIVE APPROACH: AMENDMENTS TO THE ANNEXED PRACTICE DIRECTION 12B (PILOT) – PRIVATE LAW REFORM: INVESTIGATIVE APPROACH

In Practice Direction 12B (Pilot) annexed to Practice Direction 36Z-

(1) After paragraph 7 insert—

"**7A Specific provisions for applications using form C145, C146 or C147 to review, vary or discharge a prohibited steps order made under section 10A(3) of the Children Act 1989**

7A.1 The procedure in this Practice Direction applies as modified by paragraphs 7A.2 to 7A.6 where an application is made to the court on Form C145, C146 or C147 in relation to a prohibited steps order made by the Crown Court under section 10A(3) of the Children Act 1989 following the conviction of a parent who has parental responsibility for a child of the murder or manslaughter of the other parent.

7A.2 Any reference in paragraphs 8.7 to 8.9 of this Practice Direction to "form C100" is to be read as a reference to "form C145, C146 or C147".

7A.3 The telephone communication referenced in paragraph 8.10 and 8.10A is not required in relation to the applicant or the respondent.

7A.4 The requirements in paragraph 8.11 do not apply.

7A.5 As regards the determination of the Court referred to in paragraph 13.2A, it is expected that the Relevant Local Authority will be appointed as the Social Work Agency to lead on the preparation of the Child Impact Report

7A.6 The requirements in paragraph 13.9 for applications for child arrangement orders also apply to all applications for the review, variation or discharge of a prohibited steps order made under section 10A(3) of the Children Act 1989.".

(2) In paragraph 8.3 after "For section 8 Children Act 1989 applications" insert "made on Form C100".

(3) In paragraph 8.11 –
(a) after "the court shall" insert ", where relevant,";
(b) in sub-paragraph (b) after "be kept confidential" insert "if sent alongside a C100 or C79";
(c) in the table in Annex 1 (Explanation of Terms) after the row for "Practice Direction" insert—

"Relevant Local Authority	This means: (a) where the child with respect to whom the prohibited steps order was made under section 10A(3) of the Children Act 1989 is ordinarily resident within the area of a local authority in England or Wales, that local authority; (b) where the child with respect to whom the order was made does not fall within paragraph (a) but is present within the area of a local authority in England or Wales, that local authority.".

(4) In Annex 2, in the section headed "Pre-application Protocol: private law proceedings relating to children" in paragraph 3—

(a) in sub-paragraph (c) omit "or"; and
(b) in sub-paragraph (d) after "See paragraph 21 below for more details" for "." substitute "; or

(e) are for the review, variation or discharge of a prohibited steps order made under section 10A(3) of the Children Act 1989.".

PRACTICE DIRECTION 36ZG – PART 3 OF THE DOMESTIC ABUSE ACT 2021: PROVISION DURING PILOTED COMMENCEMENT

(1) In the first paragraph which begins, "This practice direction supplements", after "FPR" insert "(Domestic Abuse Act 2021: provision during pilot commencement of Part 3.)".

(2) After paragraph 1.1, insert—
"(From 27 November 2024, piloted commencement began in specified areas of England and Wales for specified purposes. From 25 November 2026, piloted commencement began in all of England and Wales for specified purposes. See regulations made under section 90(7) to (9) of the 2021 Act.)".

(3) In paragraph 2.1, in the defined term "responsible person", for "a positive requirement," to the end substitute "an electronic monitoring requirement".

(4) In paragraph 5.4, for "service on P," to the end substitute "service on P and the person to be protected".

(5) In paragraph 5.7—
(a) in sub-paragraph (b), at the end insert "and";

(b) in sub-paragraph (c), for "; and" substitute "."; and
(c) omit sub-paragraph (d).

(6) After paragraph 5.7, insert—
"5.7A No other person or organisation is to be informed under paragraph 5.7 unless the court directs otherwise.".

(7) In paragraph 7.6—
(a) at the end of sub-paragraph (b) insert "and";
(b) at the end of sub-paragraph (c) substitute "; and" for "."; and
(c) omit sub-paragraph (d).

(8) After paragraph 7.6, insert—
"7.6A No other person or organisation is to be informed under paragraph 7.6 unless the court directs otherwise.".

(9) In paragraph 8.1—
(a) at the end of sub-paragraph (a) insert "and";
(b) at the end of sub-paragraph (b) substitute "; and" for ","; and
(c) omit sub-paragraph (c).

(10) After paragraph 8.8, insert—
"8.8A No other person or organisation is to be served under this paragraph unless the court directs otherwise.".

(11) In paragraph 9.2—
(a) in the opening words, after "in paragraph "9.3" insert "in accordance with the relevant provisions of paragraph 8"; and
(b) in sub-paragraph (b), for "the 2021 Act" to the end substitute "the 2021 Act, the person to be protected, not less than 2 days before the date on which the application will be heard".

(12) After paragraph 9.4, insert—
"9.4A No other person or organisation is to be served under this paragraph unless the court directs otherwise.".

(13) Omit paragraphs 9.5 and 9.6.

(14) In paragraph 10.2, in the opening words, for "notice of the hearing on" to the end substitute "notice of the hearing on P, personally, unless it is made without notice to P, not less than 2 days before the date on which the application will be heard".

(15) After paragraph 10.5 insert—
"10.5ANo other person or organisation is to be served under this paragraph unless the court directs otherwise.".

(16) For paragraph 14, substitute—

"**14. Including a positive requirement in a DAPO**

(Programme-based positive requirements are not currently available in the family court and the Family Division of the High Court. See regulations made under section 90(7) to (9) of the 2021 Act by which piloted commencement began from 25 November 2026 in all of England and Wales for specified purposes. Programme-based positive requirements means attendance on a behaviour change programme or a mental health or substance misuse intervention.)".

(17) In paragraph 15.2—

(a) at the end of sub-paragraph (a) omit "or";

(b) at the end of sub-paragraph (b) for "." substitute "; and"; and

(c) after sub-paragraph (b) insert—

"(c) unless it has been notified by the Secretary of State that electronic monitoring arrangements are available in the relevant area and it is satisfied that the necessary provision can be made under the arrangements currently available.".

(18) In paragraph 15.4, sub-paragraph (a), for "sections 36(7) and 37(8)" substitute "section 37(8)".

(19) After paragraph 15.5 insert—

"15.6 In this paragraph, "relevant area" has the meaning given by section 37(5) of the 2021 Act.".

(20) In paragraph 16.2—

(a) at the end of sub-paragraph (a) insert "and"; and

(b) omit sub-paragraph (b).

(21) After paragraph 16.5 insert—

"16.5A No other person or organisation is to be served under this paragraph unless the court directs otherwise.".

(22) In paragraph 18.2, in the opening words, for "the applicant must serve" to the end substitute "the applicant must serve on the mortgagee or landlord of the property—

(a) a copy of the application for a DAPO; and

(b) a copy of the DAPO".

(23) For paragraphs 20.1 to 20.3 substitute—

"20.1 Subject to paragraph 20.5(a), where the court makes a notifiable order, His Majesty's Courts and Tribunals Service (HMCTS) must notify the police by making the information relating to the notifiable order available automatically by electronic means to the police.

20.2 The information relating to the notifiable order is—

(a) the notifiable order;

(b) the names of each of the parties and the name of the person to be protected,

if that person is not the applicant;

(c) subject to paragraph 20.3, where known, the address, email address and telephone number of—

(i) the applicant;

(ii) the person to be protected, if that person is not the applicant; and

(iii) P;

(d) the date of birth of the person to be protected, where known;

(e) the date of birth of P, where known;

(f) the date on which the notifiable order was made; and

(g) the date on which the notifiable order expires.

20.3 The information specified in paragraph 20.2(c) must not be notified to the police where a party has given notice that—

(a) their details; or

(b) the person to be protected's details, if that person is not the applicant,

are not to be revealed in accordance with rule 29.1(2).

20.4 The information referred to in paragraph 20.2 must be made available automatically by electronic means by the court to the police within one day of the notifiable order being recorded on the HMCTS case management system.

20.5 Where the court—

(a) makes an order varying a DAPO but the information specified in paragraph 20.2 cannot be made available automatically by electronic means to the police; or

(b) discharges a DAPO,

notification must be given to the police force for the address of the applicant or the person to be protected, if that person is not the applicant, by the court officer emailing a copy of the order to the email address for that police force.

20.6 The email notification under paragraph 20.5 must be sent within 1 day of whichever is the earliest of—

(a) the order varying or discharging the DAPO being sealed; or

(b) the order being approved by the judge, where the order states that it has effect despite not bearing the seal of the court.

20.7 In this paragraph, "notifiable order" means—

(a) a DAPO; or

(b) an order that varies a DAPO (other than an order to which paragraph 20.5(a) applies),

but not an order that discharges a DAPO.".

(24) At the end of paragraph 21.2, for "to which the DAPO was sent" substitute "for the address of the applicant or the person to be protected, if that person is not the applicant".

(25) In paragraph 22.4, sub-paragraph (a), for "detailed" substitute "specified".

(26) In paragraph 22.11, in the opening words, for "relates to" to the end substitute "relates to an electronic monitoring requirement imposed in the DAPO, the court officer must notify the responsible person of the variation or discharge, as the case may be".

(27) In paragraph 23.4—

(a) at the end of sub-paragraph (a) insert "and";

(b) at the end of sub-paragraph (b) for "; and" substitute "."; and

(c) omit sub-paragraph (c).

(28) After paragraph 23.4 insert—

"23.4A No other person or organisation is to be informed under paragraph 23.4 unless the court directs otherwise.".

PRACTICE DIRECTION 41H – PROCEEDING BY ELECTRONIC MEANS: PROCEDURE FOR ONLINE FILING AND PROGRESSION OF CERTAIN APPLICATIONS FOR OR IN RELATION TO A FINANCIAL REMEDY

(1) In paragraph 3.1 omit "in respect of the applicant to cases falling within the Pilot Scheme".

(2) In paragraph 7.1, in the heading to the inserted rule 9.9C FPR, for "**Pilot Scheme cases: filing**" substitute "**Filing**".

(3) In paragraph 11.1, in the inserted paragraph 2A.3 of Practice Direction 9A, omit "the Pilot Scheme referred to in".