

PRACTICE DIRECTION UPDATE No. 6 of 2025

The amendments to existing Practice Directions, and the substituted 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 Lady Chief Justice under Schedule 2, Part 1, paragraph 2(2) of the Constitutional Reform Act 2005, and are approved by Baroness Levitt 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 |
|---|--|
| Amendment to Practice Direction 5B | The day after the date on which this Practice Direction Update is signed by the Minister |
| Amendment to Practice Direction 5D, paragraph 1.4 | The day after the date on which this Practice Direction Update is signed by the Minister |
| Amendments to Practice Direction 5D, paragraph 7.1 | 2nd March 2026 |
| Amendment to Practice Direction 6D | The day after the date on which this Practice Direction Update is signed by the Minister |
| Amendments to Practice Direction 12B | 2nd March 2026 |
| Amendments to Practice Direction 12J | 5th January 2026 |
| Substituted new Practice Direction 27A | 2nd March 2026 |
| Amendments to Practice Direction 29B | 2nd March 2026 |
| Amendments to Practice Direction 30A | 2nd March 2026 |
| Amendments to Practice Direction 36G | The day after the date on which this Practice Direction Update is signed by the Minister |
| Amendments to Practice Direction 36Z, paragraph 5.3 | 2nd March 2026 |
| Amendments to Practice Direction 36Z, other than to paragraph 5.3 | The day after the date on which this Practice Direction Update is signed by the Minister |

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| Amendments to Practice Direction 36ZD | The day after the date on which this Practice Direction Update is signed by the Minister |
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Signed:

_____ Date: 13 November 2025

Sir Andrew McFarlane, The President of the Family Division

Signed:

_____ Date: 20 November 2025

Baroness Levitt KC, Parliamentary Under-Secretary of State, Ministry of Justice

PRACTICE DIRECTION 5B – COMMUNICATION AND FILING OF DOCUMENTS BY EMAIL

- (1) In paragraph 1.5(b) for the words after “website” substitute “at <https://www.gov.uk/find-court-tribunal> ;”.

PRACTICE DIRECTION 5D – PROCEDURE FOR BULK SCANNING OF CERTAIN DOCUMENTS

- (1) In paragraph 1.4, in the definition of “specified third party company”, in sub-paragraph (a) for “Exela Technologies Limited” substitute “XPB Europe Limited”.

- (2) In paragraph 7.1-

(a) in sub-paragraph (a)-

- (i) for “7.1” substitute “15.1”; and
- (ii) for “7.2A” substitute “15.2A”;

(b) in sub-paragraph (b)-

- (i) for “7.2(b)” substitute “15.2”; and
- (ii) for “7.2A” substitute “15.2A”;

(c) in sub-paragraph (c)-

- (i) for “7.2” substitute “15.2”; and
- (ii) in the modified paragraph 7.2A inserted by sub-paragraph (c), for “7.2A” substitute “15.2A”; and

(d) in sub-paragraph (d)-

(i) for “7.3” substitute “15.3”; and

(ii) in the modified paragraph 15.3A inserted by sub-paragraph (d)-

(aa) for “**7.3A**” substitute “**15.3A**”; and

(bb) for “7.2” substitute “15.2”.

PRACTICE DIRECTION 6D – SERVICE ON A PERSON WHERE THERE ARE REASONABLE GROUNDS TO BELIEVE THAT PERSON IS RESIDING IN A REFUGE

(1) After paragraph 1.2 insert-

“Interpretation

1A. In this Practice Direction “refuge” means-

(a) a refuge established for the purpose of providing accommodation for victims of, or those at risk of, domestic abuse; or

(b) a residential home established and maintained by a public body for any other purpose that also provides accommodation to the victims of, or those at risk of, domestic abuse.”.

PRACTICE DIRECTION 12B – CHILD ARRANGEMENTS PROGRAMME

(1) In Annex 1, in the table, in the row relating to the term “Litigant in person bundle” for the text in the second column of the table substitute-

“A bundle of court documents, contained in a paper or digital file, which contains the following, divided into sections:

- Any preliminary documents which have been filed with the court, such as a case summary, parties’ position statements, a chronology and skeleton arguments,
- Applications and Orders,
- Statements,
- Cafcass safeguarding letter, analyses and any expert reports, and
- Police, medical, other documents.”.

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

(1) In paragraph 2B for “violence” substitute “abuse”.

(2) For paragraph 19(c) substitute-

“(c) whether, in addition to any other forms of evidence such as witness statements, the key facts in dispute can be contained in a schedule or a table which-

(i) sets out what the applicant complains of or alleges, including details and/or examples of specific events and of any pattern of coercive and controlling behaviour, to assist the judge to consider the alleged abuse holistically (rather than focus on individual incidents alone);

(ii) focuses on the issues to be tried; and

(iii) sets out what the respondent says in relation to the applicant’s allegations or complaints;

and whether it is practicable for such a table or schedule to be completed at the first hearing, with the assistance of the judge;”.

(3) In paragraph 20 for “chairperson of the lay justices” substitute “presiding justice”.

(4) After paragraph 27 insert-

“27A Paragraph 27B applies where-

(a) the court is considering whether to make an order for interim contact; and

(b) there are reasonable grounds to believe that the child to whom any such order would relate is residing in a refuge.

27B Where this paragraph applies, the court should in addition consider-

(a) any risks to the safety of the child and parent residing at the refuge which could arise from an order made for interim contact;

(b) any risks to the safety and security of the refuge, its residents and its staff which could arise from an order made for interim contact.”.

(4) In paragraph 28-

(a) after “involved.” insert “In particular, the court should consider whether the provisions of rule 3A.13 and Practice Direction 3AB (which relate to the prohibition of cross-examination in person in family proceedings) are of relevance.”; and

(b) the text that is currently in paragraph 28 from (and including) “At the fact finding” to the end is to form a new paragraph 28A.

(5) In paragraph 31-

(a) for “same chairperson of the justices” substitute “same presiding justice”; and

(b) for “or chairperson” substitute “or presiding justice”.

- (6) In paragraph 38 for sub-paragraph (a) substitute-
- “(a) whether or not contact should be supervised, and if so-
- (i) where and by whom; and
 - (ii) whether any orders should be made as to who must meet any costs associated with contact being supervised;”.

SUBSTITUTED NEW PRACTICE DIRECTION 27A – FAMILY PROCEEDINGS: COURT BUNDLES

- (1) For Practice Direction 27A (Family Proceedings: Court Bundles (Universal Practice to be applied in the High Court and Family Court) substitute the new Practice Direction 27A as set out in the Annex to this Practice Direction Update.

PRACTICE DIRECTION 29B – HUMAN RIGHTS ACT 1998

- (1) For paragraph 2.1(b)(i) substitute-
- “(i) in cases to which Practice Direction 27A (Family Proceedings: Court Bundles) applies, as part of the bundle;”.

PRACTICE DIRECTION 30A – APPEALS

- (1) In paragraph 2.1, in the table, in row numbered 1 (relating to a bench of – two or three lay magistrates; - or a lay justice), in the second column, for “No” substitute “Yes”.
- (2) After paragraph 2.3 insert-
- “2.3A** Further to rule 30.3(1B)(b) FPR, permission to appeal is required before an appeal may be made against a decision of a justices’ legal adviser. The rules which apply to applications for permission to appeal from a decision of a lay justice in the family court apply equally to applications for permission to appeal from a decision of a justices’ legal adviser. This means that permission to appeal cannot be sought from the lower court but must be sought from the appeal court.”.
- (3) For paragraph 4.1 substitute-
- “4.1** FPR 30.3 (Permission) sets out the circumstances when permission to appeal is required. Permission to appeal is required where the decision of the family court appealed against was made by a judge of district judge level, or a costs judge, a lay justice, a bench of lay justices or (subject to exceptions depending on the type of proceedings and on the court to which the appeal lies) a judge of circuit judge level. Permission to appeal is required where the decision of the High Court appealed against is a decision of a district judge or

a costs judge. However, no permission is required where FPR 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 FPR 30.3(1)(b) (Permission).”.

(4) In paragraph 4.2 for “An application” substitute “Subject to paragraph 4.4A, an application”.

(5) After paragraph 4.4 insert-

“4.4A Where permission is sought to appeal against a decision of a lay justice or a bench of lay justices, the application for permission to appeal cannot be made at the hearing at which the decision to be appealed against is made. The permission to appeal application must be made to the appeal court in an appeal notice.”.

(6) In paragraph 4.7 omit “or written reasons (where a decision is made in the family court by a lay justice or justices)”.

(7) At the end of paragraph 4.8 insert-

“(See paragraph 4.4A as regards applications for permission to appeal from decisions of a lay justice or a bench of lay justices: the application cannot be made to the lower court.)”.

PRACTICE DIRECTION 36G – PILOT SCHEME: PROCEDURE FOR USING AN ONLINE SYSTEM TO GENERATE APPLICATIONS IN CERTAIN PRIVATE LAW PROCEEDINGS RELATING TO CHILDREN

(1) In the heading before paragraph 2.1 after “**Purpose**” insert “**and use**”.

(2) After paragraph 2.2 insert-

“2.3 Subject to paragraph 2.4, where-

- (a) paragraph 1.2 applies;
- (b) the prospective applicant is legally represented; and
- (c) the proceedings to which this Practice Direction applies are to be started

on or after 24 November 2025,

the legal representative must not use the online system referred to in this Practice Direction 36G. Instead, the legal representative must use the online system referred to in Practice Direction 36ZD to start, progress and participate in the proceedings.

2.4 Paragraph 2.3 does not apply when-

- (a) the online system referred to in Practice Direction 36ZD is not available for use because of-
 - (i) planned “down-time” for system maintenance or upgrades; or
 - (ii) unplanned “down-time” because of, for example, a system failure or some other unplanned circumstance; or
- (b) an application is to be made outside of court hours to-
 - (i) the High Court urgent business officer in accordance with Practice Direction 12E; or
 - (ii) the family court in accordance with its scheme for urgent court business.”.

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

- (1) In paragraph 1.3-
 - (a) in sub-paragraph (b) for “or 1.4E” substitute “, 1.4E or 1.4F”; and
 - (b) in paragraph (c) after paragraph (vi) insert-
 - “(vii) an application started in a location of the family court specified in paragraph 1.4F, the application is filed in the period commencing 6th January 2026 and ending at the end of 31 March 2026.”.
- (2) After paragraph 1.4E insert-
 - “**1.4F** The locations of the family court referred to in paragraph 1.3(b) and (c)(vii) are-
 - (a) Aldershot;
 - (b) Basingstoke;
 - (c) Newport, Isle of Wight;
 - (d) Portsmouth;
 - (e) Southampton;
 - (f) Winchester.”.
- (3) In paragraph 5.3-
 - (a) for sub-paragraph (a) substitute-
 - “(a) in paragraph 7.3-
 - (i) for “other than for a financial remedy” substitute “to which Practice Direction 12B (Pilot) applies”; and
 - (ii) for sub-paragraph (e) substitute-

“(e) the Child Impact Report and any experts reports or other reports;”

(b) in sub-paragraph (b) for “4.3(b), (c) and (d) and 4.6” substitute “7.10(b), (d), (f) and (h) and 7.15”; and

(c) for sub-paragraph (c) substitute-

“(c) in paragraph 2.2-

(i) in sub-paragraph (e) for “Practice Direction 12B (the Child Arrangements Programme)” substitute “PD12B (Pilot)”; and

(ii) in the final sentence, for “or 12B” substitute “or Practice Direction 12B (Pilot)”.

PRACTICE DIRECTION 36ZD – PILOT SCHEME: ONLINE SYSTEM FOR CERTAIN PRIVATE LAW PROCEEDINGS RELATING TO CHILDREN, CERTAIN PROTECTIVE ORDERS AND CERTAIN APPEALS

(1) In paragraph 1.2-

(a) in sub-paragraph (c) after “permitted;” insert “and”; and

(b) omit sub-paragraph (d).

(2) In paragraph 1.2A(i) omit “(i) the appeal lies to the family court; and”.

(3) In the heading before paragraph 2.1 after “**Purpose**” insert “**and use**”.

(4) In paragraph 2.3 for sub-paragraph (c) for the text from after “being filed by email).” to the end of the sub-paragraph substitute-

“If an unrepresented party does not have access to the online system referred to in this Practice Direction 36ZD, or has access but chooses not to use the online system, then they can instead make or respond to an application on paper.”.

(5) After paragraph 2.3 insert-

“Requirement for legal representatives to use the online system

2.4 Subject to paragraph 2.5, where-

(a) proceedings to which this Practice Direction applies are started on or after 24 November 2025; and

(b) the party starting the proceedings is legally represented,

the party’s legal representative must use the online system referred to in Practice Direction 36ZD to start, progress and participate in the proceedings.

2.5 Paragraph 2.4 does not apply when-

- (a) the online system is not available for use because of-
 - (i) planned “down-time” for system maintenance or upgrades; or
 - (ii) unplanned “down-time” because of, for example, a system failure or some other unplanned circumstance; or
- (b) an application is to be made outside of court hours to-
 - (i) the High Court urgent business officer in accordance with Practice Direction 12E; or
 - (ii) the family court in accordance with its scheme for urgent court business.”.

(6) After paragraph 13.1 insert-

“13.1ZA In rule 13.5(1)(b)(ii) after “send” insert “a scan of”.

(7) After paragraph 13.2 insert-

“13.3 In rule 13.15(2)(a) after “reference to” insert “a scan of”.

ANNEX:

New Practice Direction 27A to be substituted for the existing Practice Direction 27A

PRACTICE DIRECTION 27A – FAMILY PROCEEDINGS: COURT BUNDLES

This Practice Direction supplements FPR Part 27

This Practice Direction comes into force on 2 March 2026.

Chapter 1: Introduction

1.1 This practice direction must be applied in order to achieve consistency across England and Wales in the family court and the Family Division of the High Court in the preparation and filing of court bundles.

1.2 In this practice direction-

“Arabic numbering” means numbering using numerals 1, 2, 3 onwards;

“Bates numbering” is a numbering system where each section of a bundle is denoted by a letter, with each page in that section also being numbered, so that the first section begins at page A1, then page A2 and so on, and the second section begins at page B1, then page B2 and so on, through each section;

“e-bundle” means a bundle filed with the court by electronic means;

“hearing” includes all appearances before the court, whether with or without notice to other parties, whether at first instance or on appeal and whether for directions or for interim or final substantive relief;

“PDF numbering” means the page number generated by software to number each page of a PDF document; and

“public law proceedings” has the meaning given in rule 12.2 FPR.

Chapter 2: Application of the practice direction

2.1 The practice set out in this practice direction applies to:

(a) all hearings before a judge sitting in the Family Division of the High Court wherever the court may be sitting; and

(b) all hearings in the family court.

2.2 The provisions of this practice direction apply in conjunction with:

- a) specific directions given in any particular case;
- b) any judicial guidance issued by, or with the approval of, the President of the Family Division;
- c) Practice Directions 30A and 41C (which make provision in relation to bundles in appeal cases);
- d) Practice Direction 12A (the Public Law Outline);
- e) Practice Direction 12B (the Child Arrangements Programme)

In particular, this Practice Direction does not remove or alter any obligation to comply with the requirements of Practice Direction 12A or 12B.

2.3 This practice direction applies whether a bundle is being filed for the first time or is being filed for any subsequent hearing.

2.4 This practice direction does not apply to the hearing of any urgent application if and to the extent that it is impossible to comply with it.

2.5 This practice direction applies whether the bundle is prepared, filed and served as an e-bundle or as a paper bundle.

2.6 Chapter 6 of this practice direction applies in financial remedy proceedings. Chapter 7 applies in all proceedings except financial remedy proceedings. All other chapters apply in all proceedings.

Chapter 3: Penalties for failure to comply with the practice direction

3.1 Failure to comply with any part of this practice direction may result in the court removing the case from the list or putting the case further back in the list and may also result in an adverse costs order or a 'wasted costs' order.

Chapter 4: Preparation of the bundle

E-bundles and paper bundles

4.1 The requirements of this Chapter are subject to any case-specific direction of the court.

4.2 Except where the court considers there to be exceptional circumstances, a bundle should be in the form of an e-bundle. If the person responsible for filing and serving the bundle (see paragraph 4.5) is not able to produce an e-bundle, then they should file and serve a paper bundle.

4.3 Subject to paragraphs 4.1 and 4.4, even if an e-bundle is filed and served, paper bundle(s) must also be provided to the court by the person who has filed and served the e-bundle-

(a) where the court so directs, for use by the judge, by a witness in the witness box at a hearing and/ or by a litigant in person who cannot access an e-bundle; or

(b) even if the court does not so direct, where there is a realistic possibility of a witness giving evidence in person in the court.

4.4 If a party to proceedings (for example, a Local Authority) provides electronic equipment on which an e-bundle can be viewed by the judge, a witness in the witness box or a litigant in person, the court may direct that this equipment be used rather than requiring a paper bundle to be filed.

(See also Chapters 14 and 15 regarding the filing of bundles.)

Who is responsible for preparation of the bundle

4.5 Subject to paragraphs 4.6 and 4.7, and to any direction of the court, the default position is that the applicant (or where there are cross-applications, the party whose application was first in time) must prepare, file and serve the bundle.

4.6 Where an applicant is a litigant in person but a respondent is legally represented, then, subject to any direction of the court, the legally represented respondent must prepare, file and serve the bundle.

4.7 The court will expect the bundle to be prepared by the person referred to in paragraph 4.5 or 4.6, as applicable. However, exceptionally, where-

(a) all parties are litigants in person; and

(b) the court is satisfied that none of the parties is able to prepare, file and serve a bundle,

the court may direct that HM Courts and Tribunals Service prepare, and make available to the parties, an e-bundle, together with a paper bundle(s) for use in the witness box and/or by litigants in person who cannot access an e-bundle.

4.8 A bundle prepared by HM Courts and Tribunals Service need not comply with the requirements of this practice direction in terms of the content, format and pagination of the bundle. Separate guidance will set out the content and structure of a bundle produced by HM Courts and Tribunals Service.

4.9 Except where paragraph 4.7 or 4.8 applies, if possible, the contents of the bundle should be agreed by all parties.

Chapter 5: Contents of the bundle: all proceedings

5.1 The requirements of this Chapter are subject to any case-specific direction of the court, including in relation to any translations required. In addition, in the case of an appeal to the family court or the High Court, the bundle must comply with the relevant paragraphs of Practice Direction 30A and 41C, as applicable.

5.2 The bundle must contain copies of only those documents which are relevant to the hearing and which it is necessary for the court to read or which will actually be referred to during the hearing. In particular, copies of the following classes of documents must not be included in the bundle unless the court directs otherwise:

- (a) correspondence (including letters of instruction to experts and correspondence between legal representatives);
- (b) copies of emails, text messages, WhatsApp messages or any form of social media communications;
- (c) voice notes or other recordings;
- (d) bank and credit card statements and other financial records;
- (e) notes of contact visits;
- (f) foster carer logs;
- (g) social services files (with the exception of any assessment being relied on by any of the parties);
- (h) photographs.

This does not prevent the inclusion in the bundle of specific documents which it is necessary for the court to read or which will actually be referred to during the hearing.

5.3 In the event that a party wishes the content of the bundle to be in Welsh, notice of this must be given to the court and all parties ahead of the first hearing in any proceedings. The court should give resulting directions at that hearing.

Chapter 6: Structure and content of the bundle: proceedings for a financial remedy

6.1 The requirements of this Chapter are subject to any case-specific direction of the court.

6.2 In a bundle for a hearing in proceedings for a financial remedy:

- (a) the documents in each section of the bundle must be arranged in chronological order from the front of the section,
- (b) the documents must be paginated individually and consecutively using Arabic numbering throughout (see paragraph 6.5 regarding the numbering of preliminary documents),
- (c) the bundle must include an index at the beginning,
- (d) whether or not the index is paginated, the page numbering of an e-bundle must match the PDF numbering;

(e) the bundle must be divided into the separate sections specified in paragraph 6.3. If blank pages are used to divide sections, each of those pages must be numbered (continuing the consecutive numbering referred to above).

6.3 A bundle for a hearing in proceedings for a financial remedy must contain the following sections, in the following order:

- (a) preliminary documents (see paragraphs 6.4 to 6.6) and any other case management documents required by any other practice direction;
- (b) applications and orders (any order in the bundle should be-
 - (i) sealed; or
 - (ii) unsealed but include provision to state that the order is approved by the court);
- (c) statements and affidavits comprising-
 - (i) Forms E;
 - (ii) replies to questionnaires;
 - (iii) parties' statements or affidavits, which must be dated in the top right corner of the front page, but without exhibiting or duplicating documents referred to in paragraph 5.2;
- (d) any experts' reports and other reports; and
- (e) other relevant documents, divided into sections as may be appropriate.

All statements, affidavits, experts' reports and other reports included in the bundle must be copies of originals which have been signed and dated.

Preliminary documents

6.4 Each party should file their own set of preliminary documents.

6.5 Preliminary documents will generally be filed later than the rest of the bundle (see Chapter 13). They should be numbered consecutively using Arabic numbering. They should be numbered separately to the rest of the bundle.

6.6 The preliminary documents referred to at paragraph 6.3(a) are-

- (a) Form ES1, which must include details of the issues identified and outstanding in the proceedings;
- (b) any form FM5 which has been filed in the proceedings (see rule 3.3(1A) FPR);
- (c) a composite schedule of assets and income using, unless wholly impractical, Form ES2, on which any disputed items must be clearly denoted;

- (d) an up-to-date composite chronology;
- (e) the parties' position statements (see paragraphs 6.11 to 6.15);
- (f) a list of essential reading for that hearing; and
- (g) where the court has listed a hearing to last for two hours or more, a hearing template (also known as a timetable for the hearing or time estimate) which must-
 - (i) allow a reasonable and realistic time for judicial reading and judgment writing;
 - (ii) not normally allow longer than 30 minutes for opening;
 - (iii) detail the time needed for any questioning of witnesses; and
 - (iv) not normally allow for any evidence-in-chief (pursuant to rule 22.6(2) FPR, the parties' witness statements will normally stand as their evidence-in-chief).

(Notes:

- Form ES1 and Form ES2 are standard summary documents. Templates for these Forms are included in the judicial guidance referred to as the Efficiency Statement.

- See Chapter 18 in relation to changes to time estimates.)

6.7 Each of the preliminary documents must be as short and succinct as possible and must state on the front page, immediately below the heading, the date of the hearing for which it was prepared.

6.8 The Form ES1, Form ES2, chronology and position statement should be cross-referenced to the relevant pages of the bundle.

6.9 The Form ES1 and Form ES2 must set out the parties' respective positions on issues in dispute. The chronology and reading list must in the case of a final hearing, and shall so far as practicable in the case of any other hearing, each consist of a single document in a form agreed by all parties. Where the parties disagree as to the content, the fact of their disagreement and their differing contentions must be set out at the appropriate places in the document.

Bundles for subsequent hearings

6.10 A new bundle must be prepared, served and filed for each subsequent hearing, rather than the first bundle being updated or amended.

Position statements in financial remedy proceedings

6.11 In relation to financial remedy proceedings, "position statement" is the term for any form of written submission by a party, or their advocate, including a skeleton argument.

6.12 In financial remedy proceedings, position statements should:

(a) be concise and not exceed-

(i) for the first appointment or first hearing, as applicable, 6 pages (including any attached schedules);

(ii) for any other interim hearing, 8 pages (including any attached schedules);

(iii) for a FDR appointment (if any), 12 pages (excluding any agreed documents, but including any other attached schedules);

(iv) for the final hearing, 15 pages (excluding agreed documents, but including any other attached schedules);

(b) both define and confine the matters in dispute to be resolved at the hearing;

(c) be set out in numbered paragraphs;

(d) be cross-referenced to any relevant documents in the bundle;

(e) be self-contained and not incorporate by reference material from previous position statements;

(f) not include extensive quotations from documents;

(g) not introduce any new factual allegations or evidence;

(h) not include any exhibits;

(i) set out the directions or orders sought; and

(j) where applicable, include information to inform the court of-

(i) the parties' compliance with the duty to negotiate openly and reasonably; and

(ii) the parties' views on using non-court dispute resolution as a means of resolving the matters in dispute.

6.13 Where it is necessary to refer to an authority (see Chapter 10), a position statement must first state the proposition of law the authority demonstrates; and then identify the parts of the authority that support the proposition, but without extensive quotation from it.

6.14 A position statement must be prepared for each hearing. It is not appropriate to use a position statement from one hearing, with an added "update" section, for a subsequent hearing.

6.15 The length and content of skeleton arguments within position statements in financial remedy cases which have been allocated to a High Court Judge shall continue to be governed by the current Statement on the Efficient Conduct of Financial Remedy Hearings.

Chapter 7: Structure and content of the bundle: all proceedings other than proceedings for a financial remedy

7.1 The requirements of this Chapter are subject to any case-specific direction of the court.

7.2 In a bundle for a hearing in proceedings other than for a financial remedy:

(a) the documents in each section of the bundle must be arranged in chronological order from the front of the section,

(b) the bundle must include an index at the beginning, which should not be paginated;

(c) the bundle must be divided into the separate sections specified in paragraph 7.3. If blank pages are used to divide sections, each of those pages must be numbered (using the numbering system referred to below);

(d) the documents must be paginated individually, using the Bates numbering system (see paragraph 1.2).

7.3 A bundle for a hearing in proceedings other than for a financial remedy must contain the following sections, in the following order:

(a) preliminary documents (see paragraphs 7.4 to 7.10) and any other case management documents required by any other practice direction;

(b) applications and orders (any order in the bundle should be-

(i) sealed; or

(ii) unsealed but include provision to state that the order is approved by the court)

(c) statements and affidavits, which must be dated in the top right corner of the front page, but without exhibiting or duplicating documents referred to in paragraph 5.2;

(d) care plans (where applicable);

(e) any experts' reports and other reports (including those of a children's guardian);

(f) any relevant medical records;

(g) any relevant police disclosure;

(h) in public law proceedings, where the bundle is for a Case Management Hearing, a copy of the birth certificate of the child to whom the proceedings relate, or an equivalent document; and

(i) other relevant documents, divided into sections as may be appropriate.

All statements, affidavits, experts' reports and other reports included in the bundle must be copies of originals which have been signed and dated.

Preliminary documents: public law proceedings

7.4 Paragraphs 7.5 to 7.7 apply in respect of the preliminary documents to be filed in public law proceedings.

7.5 Each party should file their own set of preliminary documents.

7.6 In public law proceedings, the preliminary documents referred to at paragraph 7.3(a) are:

(a) an up-to-date case summary of the background to the hearing confined to those matters which are relevant to the hearing and the management of the case and limited, if practicable, to six pages (see paragraph 8.1);

(b) a statement of the issue or issues to be determined (i) at that hearing and (ii) at the final hearing;

(c) a position statement by each party including a summary of the order or directions sought by that party (i) at that hearing and (ii) at the final hearing (see paragraphs 7.17 to 7.20);

(d) a skeleton argument (see paragraph 7.17);

(e) an up-to-date chronology, if it is a final hearing or if the summary under (a) is insufficient, each entry being limited, if practicable, to one sentence and cross-referenced to the relevant page(s) in the bundle;

(f) a list of essential reading for that hearing; and

(g) where a hearing is an evidential hearing, a contested hearing or a final hearing, a witness template (also known as a hearing template, a timetable for the hearing or a time estimate) which must-

(i) allow a reasonable and realistic time for judicial reading and judgment writing;

(ii) not normally allow longer than 30 minutes for opening;

(iii) detail the time needed for any questioning of witnesses; and

(iv) not normally allow for any evidence-in-chief (pursuant to rule 22.6(2) FPR, the parties' witness statements will normally stand as their evidence in chief).

(Note: see Chapter 18 in relation to changes to time estimates.)

7.7 In public law proceedings the case summary and position statement must be prepared on a standard template produced for that purpose.

Preliminary documents: proceedings to which this Chapter applies, other than public law proceedings

7.8 Paragraphs 7.9 to 7.10 apply in relation to all proceedings to which this Chapter applies, other than public law proceedings.

7.9 The preliminary documents must usually be prepared by the applicant. However, in the event that the applicant is a litigant in person, the preliminary documents referred to at paragraph 7.10(a), (b) and (f) must be prepared by a represented party.

7.10 In proceedings to which this Chapter applies, other than public law proceedings, the preliminary documents referred to at paragraph 7.3(a) are:

- (a) an agreed up-to-date case summary of the background to the hearing confined to those matters which are relevant to the hearing and the management of the case and limited, if practicable, to six pages (see paragraph 8.1);
- (b) an agreed statement of the issue or issues to be determined (i) at that hearing and (ii) at the final hearing;
- (c) any form FM5 which has been filed in the proceedings (see rule 3.3(1A) FPR);
- (d) a position statement by each party including a summary of the order or directions sought by that party (i) at that hearing and (ii) at the final hearing (see paragraphs 7.17 to 7.20);
- (e) a skeleton argument (see paragraph 7.17);
- (f) an agreed up-to-date chronology, if it is a final hearing or if the summary under (a) is insufficient, each entry being limited, if practicable, to one sentence and cross-referenced to the relevant page(s) in the bundle;
- (g) an agreed list of essential reading for that hearing; and
- (h) where a hearing is an evidential hearing, a contested hearing or a final hearing, an agreed witness template (also known as a hearing template, a timetable for the hearing or a time estimate) which must-
 - (i) allow a reasonable and realistic time for judicial reading and judgment writing;
 - (ii) not normally allow longer than 30 minutes for opening;
 - (iii) detail the time needed for any questioning of witnesses; and
 - (iv) not normally allow for any evidence-in-chief (pursuant to rule 22.6(2) FPR, the parties' witness statements will normally stand as their evidence-in-chief).

(Note: see Chapter 18 in relation to changes to time estimates.)

Preliminary documents: all proceedings to which this Chapter applies.

7.11 Paragraphs 7.12 to 7.15 apply to all proceedings to which this Chapter applies.

7.12 Preliminary documents will generally be filed later than the rest of the bundle (see Chapter 13). They should be numbered as Section A, following the Bates numbering system.

7.13 Each of the preliminary documents must be as short and succinct as possible and must state on the front page, immediately below the heading, the date when it was prepared and the date of the hearing for which it was prepared. (See also paragraphs 7.17 to 7.20 regarding position statements.)

7.14 If practicable, the summary of the background, statement of issues, chronology, position statement and any skeleton arguments must be cross-referenced to the relevant pages of the bundle.

7.15 The summary of the background, statement of issues, chronology and reading list must in the case of a final hearing, and shall so far as practicable in the case of any other hearing, each consist of a single document in a form agreed by all parties. Where the parties disagree as to the content, the fact of their disagreement and their differing contentions must be set out at the appropriate places in the document.

Bundles for subsequent hearings

7.16 Where a bundle is updated or amended for a subsequent hearing, the provisions of this Practice Direction apply and-

(a) any new documents must be added to the end of the relevant section of the bundle, with the Bates numbering pagination following on accordingly;

(b) all superseded documents (and in particular all outdated case summaries, statements of issues, chronologies, skeleton arguments and similar documents) must be removed from the bundle.

Position statements: all proceedings to which this Chapter applies

7.17 In relation to proceedings other than for a financial remedy, “position statement” is the term for any form of written submission by a party, or their advocate, which sets out a party’s position on the issues to be determined at the particular hearing. In this context, a skeleton argument is not part of a position statement. A skeleton argument is a separate document (see paragraphs 7.6(d) and 7.10(e)) which sets out a party’s arguments in support of their position on the issues to be determined at the particular hearing.

7.18 In proceedings other than for a financial remedy, position statements should:

(a) be concise and not exceed 3 pages, unless the court accepts the case is complex and directs a different maximum number of pages;

(b) both define and confine the matters in dispute to be resolved at the hearing;

(c) be set out in numbered paragraphs;

(d) be cross-referenced to any relevant documents in the bundle;

(e) be self-contained and not incorporate by reference material from previous position statements;

(f) not include extensive quotations from documents;

(g) not introduce any new evidence;

(h) not include any exhibits;

(i) set out the directions or orders sought;

(g) where applicable, include information to inform the court of-

(i) the parties' compliance with the duty to negotiate openly and reasonably;
and

(ii) the parties' views on using non-court dispute resolution as a means of resolving the matters in dispute; and

(h) be prepared in accordance with the applicable requirements in this Practice Direction: see in particular Chapters 11 and 12.

(In relation to position statements in public law proceedings, note that paragraph 7.7 states that these should be provided on a standard template.)

7.19 Where it is necessary to refer to an authority (see Chapter 10), a position statement must first state the proposition of law the authority demonstrates; and then identify the parts of the authority that support the proposition, but without extensive quotation from it.

7.20 A position statement must be prepared for each hearing. It is not appropriate to use a position statement from one hearing, with an added "update" section, for a subsequent hearing.

Chapter 8: E-bundles and paper bundles: length of documents

8.1 Unless the court has specifically directed otherwise, being satisfied that such direction is necessary to enable the proceedings to be disposed of justly, any of the following documents included in the bundle must be limited to no more than the number of pages (in the case of e-bundles) or the number of sheets of A4 paper (in the case of paper bundles) specified below:

- Case summary: 6
- Statement of issues: 2
- Position statement: as provided in paragraphs 6.10 and 7.17
- Chronology: 10

- List of essential reading: 1
- Witness statement or affidavit (exclusive of exhibits): 25
- Expert's or other report: 40 (including executive summary at the beginning of no more than 4 pages)
- Care plan: 10

Chapter 9: Core bundles

9.1 The court may direct that a core bundle be provided instead of a complete bundle where the court considers that the nature of a hearing is such that a complete bundle of all documents is unnecessary. The core bundle (which need not be repaginated) may comprise only those documents necessary for the hearing, but-

(a) the summary of the background must commence with a statement that the bundle is limited or incomplete; and

(b) the bundle must, if reasonably practicable, be in a form agreed by all parties.

Chapter 10: Authorities

10.1 This Chapter is subject to any case-specific direction of the court.

10.2 Copies of all authorities relied on must be contained in a separate composite bundle agreed between the advocates and/or any unrepresented parties. Unless the court has specifically directed otherwise, being satisfied that such direction is necessary to enable the proceedings to be disposed of justly, the bundle must not contain more than ten authorities. Where a case is reported in a law report which contains a headnote, such a report must be used and transcripts (including transcripts on BAILII or The National Archives) must not be used. Where the bundle is in e-bundle format an appropriate hyperlink to each authority should be provided.

10.3 Attention is drawn to paragraph 6 of Practice Direction (Citation of Authorities) [2001] 1 WLR 1001, to Practice Direction (Citation of Authorities) [2012] 1 WLR 780, to the Guidance on Citation of Authorities: Judgments of Circuit Judges and District Judges issued by the President of the Family Division on 24 February 2025, and to any subsequent guidance that may be issued in relation to citing authorities.

10.4 If a party seeks to cite an authority, then a copy of, or link to, it must be provided in advance of a hearing to any litigant in person.

Chapter 11: Format of the bundle: e-bundles

11.1 This Chapter is subject to any case-specific direction of the court.

11.2 The following requirements apply to e-bundles for all types of proceedings-

- (a) **Format:** e-bundles must be provided in PDF format;
- (b) **Page limit:** an e-bundle may only be up to 350 pages (A4 size pages) and this default limit may only be exceeded with the court's permission;
- (c) **Page numbering:**
 - (i) all pages in an e-bundle must be numbered by computer-generated numbering, not by hand. Paragraphs 6.2 and 7.2 make provision about the numbering system to be applied (which depends on the type of proceedings);
 - (ii) as noted in paragraph 6.2, in proceedings for a financial remedy the computer-generated page numbering must match the PDF "page label" numbering;
 - (iii) where a paper copy of the bundle is produced, for example for use in the witness box: see paragraphs 4.3 and 4.7, the pagination must match the e-bundle;
- (d) **Indexing:**
 - (i) each entry in the index must be added to the indexed document;
 - (ii) all significant documents and all sections in bundles must be bookmarked for ease of navigation, with a short description as the bookmark. The bookmark should contain the page number of the document;
 - (iii) where possible, the bundle should be searchable;
- (e) **Optical Character Recognition (OCR):** all pages in an e-bundle that contain typed text must be subject to OCR if they have not been created directly as electronic text documents. This makes it easier to search for text, to highlight parts of a page, and to copy text from the bundle.
- (f) **Page Orientation:** any page that has been created in landscape orientation should appear in that orientation so that it can be read from left to right. No page should appear upside down or sideways;
- (g) **Page view:** the default page view for all pages should be 100%;
- (h) **Core bundles:** if a core bundle is required (see paragraph 9.1), then a PDF core bundle should be produced complying with the same requirements as a paper bundle. A core bundle of key documents may only be produced with the permission of the court.
- (i) **Quantity of bundles:** thought should be given to the number of bundles required. There should be a single hearing e-bundle and (where appropriate) a separate single authorities e-bundle (compiled in accordance with the requirements in this practice direction – see Chapter 10);
- (j) **Resolution:** the resolution of the bundle should not be greater than 300 dpi, to avoid slow scrolling or rendering. The bundle should be electronically optimised so as to ensure that the file size is not larger than necessary;

- (k) **Spacing and margins:** wherever possible, all documents in the bundle must be in no smaller than 12 point font, with 1.5 or double line spacing and with margins each side of the page;
- (l) **Typeface:** wherever possible, documents in the bundle should be in Arial or Times New Roman typeface (noting that Arial is generally considered to be more accessible to neurodiverse readers);
- (m) **Adding to a bundle:** see paragraphs 6.10 and 7.10 above regarding bundles for subsequent hearings. If a bundle has already been filed and served before a hearing and a party wishes to add a new document or section to that bundle for that hearing then, subject to any different direction, the court should be provided with both (a) the new document or section and, separately, (b) the revised bundle. This is because the court may have already marked up the original bundle.

Chapter 12: Format of the bundle: paper bundles

12.1 Unless the court has specifically directed otherwise, being satisfied that such direction is necessary to enable the proceedings to be disposed of justly, a paper bundle must be contained in one A4 size ring binder or lever arch file limited to no more than 175 sheets of A4 paper and 350 sides of text.

12.2 For all types of proceedings, all documents in a paper bundle (including statements, affidavits, care plans and experts' reports and other reports) must be-

- (a) copied on both sides of paper, unless the court has specifically directed otherwise,
- (b) divided by the author into numbered paragraphs;
- (c) wherever possible, typed or printed in a font no smaller than 12 point, with 1.5 or double spacing and with margins each side of the page; and
- (d) wherever possible, in Arial or Times New Roman typeface (noting that Arial is generally considered to be more accessible to neurodiverse readers).

12.3 The ring binder or lever arch file in the case of a paper bundle must have clearly marked on the front and the spine:

- (a) the title and number of the case;
- (b) the place where the case has been listed;
- (c) the hearing date and time;
- (d) if known, the name of the judge hearing the case; and
- (e) where in accordance with a direction of the court there is more than one ring binder or lever arch file, a distinguishing letter (A, B, C etc).

Chapter 13: Timetable for preparing and filing the bundle (paper and e-bundles)

13.1 The timescales provided for in this Chapter are subject to any case-specific directions of the court.

13.2 The following timescales apply each time a bundle is to be filed for a given hearing.

| Time period: no later than the stated number of days, or the stated time, before a given hearing | Action to be taken |
|---|--|
| Seven working days | Parties must seek to agree the contents of the bundle. |
| Five working days | The bundle, with the exception of the preliminary documents if and insofar as they are not available, must be (a) served and (b) filed by the person responsible for preparing the bundle on the other parties. |
| 11am on the working day before the hearing | The preliminary documents, if not already served and filed, must be served on all parties and filed with the court by the person responsible for preparing the bundle. Where the hearing is before a judge of the High Court and the name of the judge is known, the preliminary documents must also be sent by email to the judge's clerk. |

13.3 Once the bundle has been filed with the court ahead of a given hearing, the bundle must not be amended before that hearing has taken place without the prior agreement of the court, which may be given, for example, if there is an accepted error in the bundle or if additional documents are required in the form of a supplemental bundle.

Chapter 14: Filing: e-bundles

14.1 This Chapter is subject to any case-specific direction of the court.

14.2 The following requirements apply to the filing of e-bundles:

- (a) **Filename:** The filename for a bundle must contain the date of the hearing for which the bundle was prepared, the case reference, a short version of the name of the case and an indication of the content of the bundle.
- (b) **Uploading bundles:** where the facility to upload a bundle to an online portal is made available by HM Courts and Tribunals Service, this means of filing the bundle must be used.
- (c) **Email:** If the facility to upload a bundle is not available, the bundle may be sent by email (reference should be made to Practice Direction 5B and accompanying guidance, and to guidance on the naming conventions for subject headings when filing by email at the High Court, as to the requirements applicable).
- (d) **Other means:** where the bundle would otherwise be sent by email (rather than being uploaded to a portal) but is too large to be sent under cover of a single email then it may be sent to the Document Upload Centre by prior arrangement with the court – for instructions see <https://www.gov.uk/guidance/hm-courts-and-tribunals-service-information-bulletins>.

14.3 Reference should be made to paragraph 4.3 above in relation to the requirement to also file a paper bundle for use in the witness box and/or by litigant in person. Chapter 15 below applies in relation to such bundles.

Chapter 15: filing: paper bundles

15.1 The bundle must be filed at the appropriate court office (see paragraph 15.2). If the bundle is filed in the wrong place the court may:

- (a) treat the bundle as having not been filed; and
- (b) take the steps referred to in paragraph 3.1.

15.2 Unless the court has given some other direction as to where the bundle in any particular case is to be filed (for example a direction that the bundle is to be filed with the judge's clerk) the bundle shall be filed:

- (a) for hearings at the RCJ, in the office of the Clerk of the Rules, 1st Mezzanine (Rm 1M), Queen's Building, Royal Courts of Justice, Strand, London WC2A 2LL (DX 44450 Strand);
- (b) for hearings at any other place, at such place as may be designated by the designated family judge responsible for that place and in default of any such designation at the court office for the place where the hearing is to take place.

15.3 Any bundle sent to the court by post, DX or courier must be clearly addressed to the appropriate office and must show the date and place of the hearing on the outside of any packaging as well as on the bundle itself.

15.4 Unless the court has given some other direction (for example as referred to in paragraph 4.4), or unless paragraph 15.5 applies, only one copy of the bundle must be filed with the court but the party who is responsible for filing the bundle must bring to court at each hearing at which oral evidence may be called a copy of the bundle for use by the witnesses.

15.5 In the case of a hearing listed before a bench of magistrates, if exceptionally a paper bundle (not an e-bundle) is to be used, four copies of the paper bundle must be filed with the court.

15.6 In the case of hearings at the Royal Courts of Justice or at any other place where the designated family judge responsible for that place has directed that this paragraph shall apply, parties must:

(a) if the bundle or preliminary documents are delivered personally, ensure that they obtain a receipt from the clerk accepting it or them; and

(b) if the bundle or preliminary documents are sent by post or DX or electronically, ensure that they obtain proof of posting or despatch.

The receipt (or proof of posting or despatch, as the case may be) must be brought to court on the day of the hearing and must be produced to the court if requested. If the receipt (or proof of posting or despatch) cannot be produced to the court the judge may: (a) treat the bundle as having not been filed; and (b) take the steps referred to in paragraph 3.1.

Chapter 16: Filing the bundle – additional requirements for Family Division or family court cases being heard at the Royal Courts of Justice

16.1 This Chapter is subject to any case-specific directions of the court.

16.2 Bundles or preliminary documents delivered after 11am on the day before the hearing may not be accepted by the Clerk of the Rules and, if not accepted, must be delivered:

(a) in a case where the hearing is before a judge of the High Court, directly to the clerk of the judge hearing the case;

(b) in a case where the hearing is before any other judge, to such place as may be specified by the Clerk of the Rules.

16.3 Upon learning before which judge a hearing is to take place, the clerk to counsel, or other advocate, representing the party in the position of applicant shall no later than 3 pm the day before the hearing:

(a) in a case where the hearing is before a judge of the High Court, email the clerk to the judge hearing the case;

(b) in a case where the hearing is before any other judge email the Clerk of the Rules at rcj.familyhighcourt@justice.gov.uk;

to ascertain whether the judge has received the bundle (including the preliminary documents) and, if not, shall organise prompt delivery by the applicant's solicitor.

16.4 Paragraph 14.2 above refers to guidance on email subject naming conventions where bundles are filed with the High Court by email.

Chapter 17: Removing paper bundles

17.1 Unless either the court wishes to retain a paper bundle or specific alternative arrangements have been agreed with the court, the party responsible for the bundle must, following completion of the hearing, retrieve the bundle from the court immediately or, if that is not practicable, collect it from the court within 5 working days. Bundles which are not collected in due time are liable to be destroyed without further notice.

Chapter 18: Changes to time estimates

18.1 This Chapter is subject to any case-specific direction of the court.

18.2 Once a case has been listed, any change in time estimates shall be notified immediately by email:

(a) in the case of hearings in the Royal Courts of Justice, to the Clerk of the Rules; and

(b) in the case of hearings elsewhere, to the relevant listing officer.

Chapter 19: Taking cases out of the list

19.1 As soon as it becomes known that a hearing will no longer be effective, whether as a result of the parties reaching agreement or for any other reason, the parties and their representatives must immediately apply to the court-

(a) where applicable, via the relevant HMCTS online system (Portal);

(b) where sub-paragraph (a) does not apply-

(i) by email, which must be confirmed by an application filed with the court in hard copy as soon as practicable; or

(ii) by filing a hard copy application, where a party cannot communicate with the court by email.

19.2 The application referred to at paragraph 19.1-

(a) must, wherever possible, be a consent application, sent on behalf of all parties with their signatures applied or appended; and

(b) must include-

(i) a short background summary of the case;

(ii) the written consent of each party who consents and, where a party does not consent, details of the steps which have been taken to obtain that party's consent and, where known, an explanation of why that consent has not been given;

(iii) a draft of the order being sought; and

(iv) enough information to enable the court to decide-

(aa) whether to take the case out of the list; and

(bb) whether to make the proposed order.
