**In the Family Court Case No:** **[*Case number*]**

**sitting at [*Court name*]**

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Order**  **Children Act 1989**  **The Domestic Abuse Act 2021** | | |
|  |  |  |  |
|  | The full name(s) of the children | Boy or Girl | Date(s) of Birth |
|  |  |  |  |
|  | [*insert*] | [*insert*] | [*insert*] |
|  | [*insert*] | [*insert*] | [*insert*] |
|  |  |  |  |

Before [*name of judge*] in private on [*date*] at a [*type of hearing*].

**The parties:** The applicant is [*local authority*] represented by [*name*] [of counsel]

The 1st respondent is [*name*], the [*relationship to child*], represented by [*name*] [of counsel]

The 2nd respondent is [*name*], the [*relationship to child*], represented by [*name*] [of counsel]

The 3rd [[and] / [to][*insert* **(number so that each child is identified as a separate respondent)**] respondent[s] [is] / [are] the child[ren] (by their children’s guardian [*name*]) represented by [*name*] [of counsel]

The intervenor is [*name*] [in person] [represented by [*name*] [of counsel]]

**Important Notices**

## Confidentiality warnings

**During the proceedings and after they have concluded no person shall publish information related to the proceedings including accounts of what has gone on in front of the judge, documents filed in the proceedings, transcripts or notes of evidence and submissions, and transcripts and notes of judgments (including extracts, quotations, or summaries of such documents). Any person who does so may be in contempt of court.**

**Until the conclusion of the proceedings no person shall publish to the public at large or any section of the public without the court’s permission any material which is intended or likely to identify the child[ren] as being involved in these proceedings or an address or school as being that of the child[ren]. Any person who does so may be guilty of an offence.**

**The exceptions to this are in Rules 12.73 or 12.75 or Practice Direction 12G of the Family Procedure Rules 2010.**

**RECITALS**

1. The court having heard [*insert*] and the court having reviewed the court file.
2. The court has determined that an automatic prohibition on cross examination applies under the Matrimonial and Family Proceedings Act 1984 (MFPA) because:

**(either – select relevant sub-para(s))**

* 1. **[Section 31R:** The vulnerable party is the victim of a specified domestic abuse offence perpetrated by the other party;]
  2. **[Section 31S:** the vulnerable party is protected by an on-notice protective injunction against the other party;]
  3. **[Section 31T:** the vulnerable party adduces specified evidence that they are a victim of domestic abuse perpetrated by the other party.]

**(or)**

**[Under Section 31U of the MFPA**, it appears to the court that the quality of the party’s evidence on cross-examination is likely to be diminished if the cross-examination is conducted in person, or if the conduct of cross-examination in person would cause significant distress to a party, and it would not be contrary to the interests of justice to make the direction.]

**IT IS ORDERED THAT:**

1. [*Name of person prohibited from questioning*] must notify the court by 4.00pm on [*date*] (a) whether, in their view, there are suitable alternative means of cross-examination and (b) should the court determine that there are no suitable alternative means of cross-examination, whether they intend to appoint their own qualified legal representative.
2. The file is to be referred to [*name of judge]* on [*date following deadline for filing the response set out above*] to consider whether it is necessary for the court to appoint a qualified legal representative to conduct cross examination on behalf of either party.
3. If [*name of person prohibited from questioning*] does intend to appoint their own qualified legal representative for the purpose of cross-examination, they shall provide the name and contact details of that person no later than [*date*].

Dated [*date*]