**I****n the High Court of Justice**

**Family Division Case No: [*Case number*]**

**[The Child Abduction and Custody Act 1985] /**

**[The Senior Courts Act 1981] /**

**[Council Regulation (EC) No. 2201/2003 of 27 December 2003 Concerning Jurisdiction and the Recognition and the Enforcement of Judgments in Matrimonial Matters and the Matters of Parental Responsibility] /**

**[The 1996 Hague Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in Respect of Parental Responsibility and Measures for the Protection of Children]**

**The child[ren]**

**[*Name of child*] [Girl] / [Boy] [*dob dd/mm/yy*]**

**[*Name of child*] [Girl] / [Boy] [*dob dd/mm/yy*]**

After hearing [*name the advocate(s) who appeared*]

After consideration of the documents lodged by the applicant

After reading the statements and hearing the witnesses specified in paragraph [*para number*] of the recitals below

After the making of a [Collection] / [Location] / [Passport] Order **(as applicable)**

After the making of a request of the Home Office for information by Form EX660

**ORDER MADE BY [*NAME OF JUDGE*] ON [*DATE*] SITTING IN PRIVATE**

**IMPORTANT WARNING**

You [applicant solicitor name] may be held in contempt of court and imprisoned or fined, or your assets may be seized, if you break the promise[s] that [has] / [have] been given to the court on your behalf.

**IMPORTANT NOTICE TO THE RESPONSIBLE PERSON AT THE HOME OFFICE**

You have the following legal rights:

* 1. to seek legal advice. This right does not entitle you to disobey any part of this order until you have sought legal advice;
  2. to require the applicant’s solicitors, namely [*name of firm*]*,* [*telephone*], [*email*],to provide you with a copy of any statement referred to in paragraph [*para number*] (below);
  3. to apply, whether by counsel or solicitor or in person, to the Urgent High Court Applications’ Judge at the Royal Courts of Justice, Strand, London, if practicable after giving notice to the applicant’s solicitors and to the court, for an order discharging or varying any part of this order. This right does not entitle you to disobey any part of this order until your application has been heard.

**The parties**

1. The applicant is [*applicant name*] (represented by [*name of firm*]).

The respondent is [*respondent name*]

**(Specify any additional respondents)**

**(Specify if any adult party acts by a litigation friend)**

**(Specify if the children or any of them act by a children’s guardian)**

1. Unless otherwise stated, a reference in this order to ‘the respondent’ means all of the respondents.

**Definitions**

1. The Tipstaff is the enforcement officer of the High Court at the Royal Courts of Justice. They have a deputy and assistants and can authorise police officers to act on their behalf. Any obligation to give information to the Tipstaff or to hand over a document to them includes an obligation to do so to their deputy or assistant or a police officer acting on their behalf.
2. A [Collection] / [Location] / [Passport] Order is an order directed to the Tipstaff authorising them to take steps to [collect the child] / [locate the respondent and to thereafter seize any passport or other travel documents from them] / [seize any passport or other travel document held by the respondent as applicable].

**Recitals**

1. This order was made at a hearing without notice to the respondent. The reason why the order was made without notice to the respondent is because:
   1. [*Specify*]
2. The judge read the following documents:
   1. [*Specify*]
3. The judge heard the following oral evidence
   1. [*Specify*]

**Undertakings to the court by the solicitors for the applicant**

1. The solicitors for the applicant undertake as follows:
   1. To use any information provided to them by the Home Office solely to locate the respondent and thereafter to effect service of these proceedings upon them; and
   2. To pay the reasonable costs incurred by the Home Office in complying with this order.

**(where there are reasonable grounds to believe that a person to be served is residing in a refuge, it is not appropriate for the other party or their solicitor to have information relevant to their whereabouts disclosed to them as a result of a disclosure order. practitioners and the court must be alert to the guidance in *re p (service on parent in a refuge)* [2023] ewhc 471 (fam)), and the anticipated insertion of rule 6.23a fpr 2010)**

**IT IS ORDERED THAT:**

1. The Home Office shall, by its officers or agents provide all information within its possession, custody or control relating to the whereabouts of the respondent [*respondent(s) name(s) and date(s) of birth*] and of the subject child[ren] [*child(s) name and date(s) of birth*]. Such information to be provided forthwith upon service of this order upon them to the solicitors for the applicant [*applicant firm name*].
2. The solicitors for the applicant have permission to serve a copy of this order by facsimile or by email if necessary
3. The Home Office are prohibited from informing the respondent of the making of this order or any action taken in compliance with it.
4. The reasonable costs incurred in compliance with this order are considered by the court to be a reasonable expense on the applicant’s legal aid certificate.
5. Costs are reserved.

Dated [*date*]

**Statement of understanding**

I understand the undertakings that I have given, and that if I break any of my promises to the court I may be sent to prison, or fined or my assets may be seized, for contempt of court

[*applicant solicitor name*] [on behalf of [*applicant firm name*]]