

SCHEDULE 1

Rule 13(a)

FL401A	Application for a Forced Marriage Protection Order
FL402A	Notice of proceedings
FL403A	Application to vary, extend or discharge a Forced Marriage Protection Order
FL404B	Forced Marriage Protection Order
FL406A	Power of Arrest: Forced Marriage Protection Order
FL407A	Application for Warrant of Arrest: Forced Marriage Protection Order
FL430	Application for leave to apply for a Forced Marriage Protection Order
FL431	Application to be joined as, or cease to be, a party to Forced Marriage Protection Proceedings

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE 2

Rule 13(b)



In the

Case Number

[Interim] Hospital Order

Family Law Act 1996

Applicant Ref. Respondent Ref.

The Court orders that the respondent whose address is

be admitted to and detained in the following hospital

[name and address]

]

[and that the respondent be conveyed there by

]

[The Court directs that] [pending admission to that hospital within the period of 28 days the respondent shall be detained at a place of safety, namely:

]

[and shall be conveyed there by

]

The Court found that the respondent had breached one or more of the following:

- an occupation order
a non-molestation order
a forced marriage protection order
an exclusion requirement included by virtue of section 38A of the Children Act 1989 in an interim care order made under section 38 of that Act
an exclusion requirement included by virtue of section 44A of the Children Act 1989 in an emergency protection order under section 44 of that Act.

The Court [heard] [considered] the [written] evidence of two medical practitioners, namely

as required by the provisions of section 37 of the Mental Health Act 1983 that the respondent is suffering from [mental illness] [severe mental impairment] within the meaning of that Act.

The Court was satisfied that all other conditions, which under section [37] [38] of the Mental Health Act 1983 are required to be satisfied for the making of [a] [an interim] hospital order, are satisfied in respect of the respondent
arrangements have been made for the respondent's admission to the hospital named above within 28 days of the date of this order.

Ordered by [Mr] [Mrs] Justice
[His] [Her] Honour Judge
District Judge [of the Family Division]
Justice[s] of the Peace
[Assistant] Recorder

on



In the

Case Number

Guardianship Order

Family Law Act 1996

Applicant
Ref.
Respondent
Ref.

The Court orders
that

the respondent
whose address is

be placed under the guardianship of

[social services authority]
[being a person approved by
social services authority]

The Court found
that

the respondent had breached one or more of the following:

- an occupation order
 - a non-molestation order
 - a forced marriage protection order
 - an exclusion requirement included by virtue of section 38A of the Children Act 1989 in an interim care order made under section 38 of that Act
 - an exclusion requirement included by virtue of section 44A of the Children Act 1989 in an emergency protection order under section 44 of that Act.
-

The Court [heard]
[considered]

the [written] evidence of two medical practitioners, namely

as required by the provisions of section 37 of the Mental Health Act 1983 that the respondent is suffering from [mental illness] [severe mental impairment] within the meaning of that Act.

The Court was
satisfied that

- all other conditions, which under section 37 of the Mental Health Act 1983 are required to be satisfied for the making of a guardianship order, are satisfied in respect of the respondent
 - the [authority] [person] specified above is willing to receive the respondent into guardianship.
-

Ordered by [Mr] [Mrs] Justice
[His] [Her] Honour Judge
District Judge [of the Family Division]
Justice[s] of the Peace
[Assistant] Recorder

on

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SCHEDULE 3

Rule 13(c)

Application for a Forced Marriage Protection Order

Part 4A Family Law Act 1996

To be completed by the court	
Date issued	<input type="text"/>
Case number	<input type="text"/>
Name of court	<input type="text"/>

Please read the accompanying notes on page 6 as you complete this form

1 About you (the applicant)

Are you (tick only one box)

- the person who is to be protected by this order (see page 6)
- a relevant third party (see page 6)
- any other person (see page 6)

Mr. Mrs. Ms. Miss Other _____

Full name

If you do not wish your address to be made known to the respondent, leave this space blank and complete Confidential Address Form C8 (if you have not already done so). See notes for guidance on page 6.

Address

Postcode

Telephone no. (optional)

Date of birth (if under 18)

//

For relevant third parties and any other person

Name of organisation (if applicable)

Position held in the organisation

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Your solicitor's details (leave blank if you are representing yourself)

Full name

Name of firm

Address

Postcode	
[][][][]	[][][][]

Reference no.

Telephone no.

Fax no.

DX no.

2 About the person to be protected (see notes on page 6)

Mr. Mrs. Ms. Miss Other _____

Full name

If you do not wish the following address to be made known to the respondent, leave this space blank and complete Confidential Address Form C8 (if you have not already done so). See notes for guidance on page 6.

Address

Postcode	
[][][][]	[][][][]

Date of birth (if known)

Tick this box if you do not know the date of birth but believe the person to be protected is under 18 years.

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4 The Order(s) for which you are applying

State what you want the order to say (for examples see page 6). Give full details in support of your application below (continue on a separate sheet if necessary) or in a separate statement. Include details of any violence that the respondent has used or threatened.

Tick this box if you wish the court to hear your application without notice being given to the respondent. The reasons relied on for an application being heard without notice must be stated in the sworn statement in support. (See notes for guidance on page 6.)

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5 At the court

If you require an interpreter, you must notify the court now so that one can be arranged.

Will you need an interpreter at court? Yes No

If Yes, specify the language and dialect:

If you have a disability for which you require special assistance or special facilities, please state what your needs are. The court staff will get in touch with you about your requirements.

Please say whether the court needs to make any special arrangements for you to attend court (e.g. providing you with a separate waiting room from the respondent or other security provisions).

6 Other information

This could include name and address of any other persons who may become involved as a respondent.

7 Other Proceedings and Orders

If there are any other current family proceedings or orders in force involving you, the respondent(s) or the person to be protected, then where known, state the type of proceedings or orders, the court and the case number. Please attach a copy of the order if available.

This application is to be served upon the respondent and the person to be protected by the order

Signed:

Date:

Application for a Forced Marriage Protection Order

Notes for guidance

Please read these notes with the leaflet FL701 'Forced Marriage Protection Orders'

Section 1 - Applicants

There are three types of applicant. The person to be protected, someone on their behalf and a relevant third party.

If you are the person to be protected and are applying yourself for an order, with or without legal representation, you are also the applicant. Fill in section 1 only, and then go to section 3.

A relevant third party applicant is a person or organisation that is allowed to make an application on behalf of another without the leave of the court. Only the Lord Chancellor can make a person or organisation a relevant third party.

If you are not a relevant third party and you are not the person who is to be protected by the order you can still make the application, but you need the court's permission. The court can give you the form (FL430) to apply for permission.

Address details

If you **do not** wish your address, or the address of any person named in the application form to be made known to the respondent, leave the space(s) on the form blank and complete Confidential Address Form C8. The court can give you this form.

Section 2 - Person to be protected

This section only needs to be completed if you are applying on behalf of someone. If you are the person to be protected by the order, leave this section blank.

Address details

If you do not wish the address of the person to be protected to be made known to the respondent, leave the space blank and complete Confidential Address form C8. The court can give you this form.

Section 3 - Respondents

A person who you want the court to make an order against is called the respondent. There may be more than one respondent.

If you know of other people who may become involved as a respondent include their details in section 6.

Section 4 - The Order

A forced marriage protection order protects a person from being forced into marriage or a person who has been forced into marriage. Each Forced Marriage Protection Order is specific to each case and contains terms that change the behaviour of the respondent and other people.

Examples of what you might want the court to order are:

- that the respondent does not take you abroad to be forced into marriage
- that the respondent behave in a different way
- that the respondent hands over your passport and travel documents to the court.

In section 4 or in a separate statement say why you are applying and give full details. Include details of violence the respondent has used or threatened, so the court can consider a power of arrest.

Urgent orders

An urgent order made by the court before the notice of the application is served on the respondent is called a without notice order. In deciding whether to make a without notice order the court will consider all the circumstances of the case, including:

- any risk of significant harm to the person to be protected or another person, if the order is not made immediately
- whether it is likely that the applicant will be deterred or prevented from pursuing the application if an order is not made immediately
- whether there is reason to believe that the respondent is aware of the proceedings but is deliberately evading service and the person to be protected or the applicant will be seriously prejudiced by the delay.

If you are applying for a 'without notice' order you must include the reasons why the court should deal with the application without notifying the respondent first. You must make a sworn statement. The court can tell you how to do this.

continued over the page 

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If the court makes a 'without notice' order, it must give the respondent or other person an opportunity to make representations about the order as soon as just and convenient at a full hearing.

Further details

Further information on making an application is contained in the leaflet FL701 'Forced Marriage Protection Orders'. The leaflet contains information on coming to court, the power of arrest and what happens if a respondent or other person fails to obey a court order.

You can download this leaflet and details of your local court from our website
www.hmcourts-service.gov.uk

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In

Telephone Number

FAX Number

Case Number

**Notice of Proceedings
[Hearing] [Directions Appointment]**

has applied to the court for an order.

About the [Hearing][Directions Appointment]

You should attend when the Court hears the application at

on

at

[am]

[pm]

What to do next

There is a copy of the application with this Notice. Read the application now, and the notes overleaf.

When you go to court

Please take this Notice with you and show it to a court official.

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About this Notice

If you are named as a respondent in the application form It is in your own interest to attend the court on the date shown on this form. You should be ready to give any evidence which you think will help you to put your side of the case.

For legal advice go to a solicitor or an advice agency.

You can obtain the address of a solicitor or an advice agency from the Yellow Pages or the Solicitors' Regional Directory.

You will find these books at:

- a Citizens' Advice Bureau
- a Law Centre
- a local library

A solicitor or an advice agency will be able to tell you whether you may be eligible for legal aid.

If you require an interpreter because you do not speak English, please notify the court now so that one can be arranged.

If you have a disability for which you require assistance or special facilities, please contact the court to ask what help is available.

If you need the court to make any special arrangements for you to attend court (e.g. providing you with a separate waiting room from the other respondents or other security provisions) please contact the court.

If you are named as the person to be protected or anyone else It may be in your interest to attend court on the date shown.

For legal advice go to a solicitor or an advice agency.

You can obtain the address of a solicitor or an advice agency from the Yellow Pages or the Solicitors' Regional Directory.

You will find these books at:

- a Citizens' Advice Bureau
- a Law Centre
- a local library

A solicitor or an advice agency will be able to tell you whether you may be eligible for legal aid.

If you want to become a party to these proceedings, you need to apply to the court. The court can give you the form FL431.

If you require an interpreter because you do not speak English, please notify the court now so that one can be arranged.

If you have a disability for which you require assistance or special facilities, please contact the court to ask what help is available.

If you need the court to make any special arrangements for you to attend court (e.g. providing you with a separate waiting room from the respondent or other security provisions) please contact the court.

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Application to vary, extend or discharge a forced marriage protection order Part 4A Family Law Act 1996 The court to which you are applying: Note: the application should be made to the court currently dealing with the forced marriage proceedings (whether or not this is the court which made the order you wish to vary).	To be completed by the court Date issued Case number
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1 About you (the applicant)

State your title, full name, address, telephone number and date of birth (if under 18).

If you do not wish your address to be made known to the respondent or other persons, leave this space blank and complete Confidential Address Form C8 (if you have not already done so). The court can give you this form.

State your solicitor's name, address, reference, telephone, FAX and DX numbers.

If you are already a party to the case, give your description (for example, applicant, respondent or other).

2 The order(s) for which you are applying *Please attach a copy of the order if possible.*

I am applying to vary
 extend
 discharge

the order dated:

If you are applying for an order to be varied or extended please give details of the order which you would like the court to make:

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3 Your reason(s) for applying

State briefly your reasons for applying.

4 Person(s) to be served with this application

State the title, full name and address (where known) of all respondents, the person protected by the order and any other person named in the order.

Signed
(Applicant)

Date

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In the

Case number

Forced Marriage Protection Order

Part 4A Family Law Act 1996

Notice

(Insert name and address of respondent or other person(s) to whom this order is directed)

To

Address

Warning

You must obey this order. You should read this order carefully. If you do not understand anything in this order you should go to a solicitor, Legal Advice Centre or Citizens Advice Bureau. You have a right to apply to the court to change or cancel the order.

If you do not obey this order, you will be guilty of contempt of court and may be sent to prison.

Terms of the Order

(Attach a separate page for the order if required)

Date of hearing _____

Name of person to be protected

The court makes a Forced Marriage Protection Order in the following terms:

[A power of arrest is attached to [some] [all] of these terms]

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Power of Arrest

See separate form FL406A (if attached).

Duration of Order

This order is made until

(The following date and time) _____

Further notice

Notice of further hearing

The court will reconsider the application and whether the order should continue at a further hearing

Place _____

Date _____ **Time** _____

If you do not attend at the time shown the court may make an order in your absence.

This order is made

without notice

with notice

to the respondent.

Important notice

Where attached to a Forced Marriage Protection Order the power of arrest (see attached form FL406A) also applies to any third party who frustrates the terms of the order or otherwise acts in contempt of court in relation to this order, even where they are not a respondent to the original proceedings.

Ordered by [Mr] [Mrs] Justice
[His] [Her] Honour Judge
[Deputy] District Judge [of the Family Division]
Recorder

on



In the

Case number

Power of Arrest
Forced Marriage Protection Order
Part 4A Family Law Act 1996

Applicant
Ref.

Respondent
Ref.

The Court orders that

(Set out those provisions of the order to which this power of arrest is attached and no others)

a power of arrest applies to the following paragraph(s) of an order made under Part 4A of the Family Law Act 1996 on

Power of Arrest
(Delete the part that does not apply)

The court considers that the respondent or other person to whom an order is directed has used or threatened violence against the person being protected or otherwise in connection with the matters being dealt with by the order and

[Orders with notice]

[in all the circumstances, there will not be adequate protection without a power of arrest being attached to the provision(s) of that order.]

or

[Orders without notice]

[that there is a risk of significant harm to a person, attributable to the conduct of the respondent or other person to whom an order is directed, if a power of arrest is not attached to the provision(s) of the order immediately.]

A power of arrest is attached to the order whereby any constable may (under the power given by section 63I of the Family Law Act 1996) arrest without warrant a person if the constable has reasonable cause for suspecting that the person may be in breach of any provision to which the power of arrest is attached or is otherwise in contempt of court in relation to this order.

This Power of Arrest expires on

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Note to the Arresting Officer

Where a person is arrested under the power given by section 63I of the Family Law Act 1996, that section requires that the person must be brought before the court within 24 hours beginning at the time of arrest.

If the matter is not then disposed of forthwith, the court may remand the person arrested.

Nothing in section 63I authorises the detention of the person arrested after the expiry of the period of 24 hours beginning at the time of arrest, unless remanded by the court.

The period of 24 hours shall not include Christmas Day, Good Friday or any Sunday.

Ordered by [Mr] [Mrs] Justice
[His] [Her] Honour Judge
[Deputy]District Judge [of the Family Division]
Recorder

on

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Application for leave to apply for a Forced Marriage Protection Order

Part 4A Family Law Act 1996

To be completed by the court

Date issued	<input type="text"/>
Case number	<input type="text"/>
Name of court	<input type="text"/>

Complete this form if you are asking for the court's permission to make an application on behalf of the person to be protected. You **must** also complete application form FL401A. The court can give you this form.

1 About you (the applicant)

Mr. Mrs. Ms. Miss Other _____

Full name

2 About the person to be protected

Mr. Mrs. Ms. Miss Other _____

Full name

3 Your reasons for applying on behalf of the person to be protected

State briefly your reasons including:

- your connection with the person to be protected;
- what you know of the circumstances of the person to be protected;
- the wishes and feelings of the person to be protected so far as you know them.

continue over the page ⇨

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3 continued from over the page

Continue on a separate sheet if needed.

Signed:

Date:

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Application to be joined as, or cease to be, a party to Forced Marriage Protection Proceedings

Part 4A Family Law Act 1996

To be completed by the court

Date issued	<input type="text"/>
Case number	<input type="text"/>
Name of court	<input type="text"/>

For further information please read the leaflet FL701 Forced Marriage Protection Orders.

1 About you (the applicant)

Mr. Mrs. Ms. Miss Other _____

Full name

Date of birth (if under 18)

/ /

If you do not wish your address to be made known to the respondent or other persons, leave this space blank and complete Confidential Address Form C8 (if you have not already done so).

Address

<input type="text"/>
Postcode
<input type="text"/> <input type="text"/>

Telephone no. (optional)

Your solicitor's details (leave blank if you are representing yourself)

Full name

Address

<input type="text"/>
Postcode
<input type="text"/> <input type="text"/>

Reference no.

Telephone no.

Fax no.

DX no.

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2 Your reasons for applying

State briefly your reasons:

3 The persons to be served with this application (The respondent(s))

If there are more than two respondents please continue on a separate sheet of paper.

Mr. Mrs. Ms. Miss Other _____

Full name

Address

Postcode

Date of birth (if known)

//

Mr. Mrs. Ms. Miss Other _____

Full name

Address

Postcode

Date of birth (if known)

//

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4 At the court

If you require an interpreter, you must notify the court now so that one can be arranged.

Will you need an interpreter at court?

Yes No

If Yes, specify the language and dialect:

If you have a disability for which you require special assistance or special facilities, please state what your needs are. The court staff will get in touch with you about your requirements.

Please say whether the court needs to make any special arrangements for you to attend court (e.g. providing you with a separate waiting room from the respondent or other security provisions).

Signed:

Date:
