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STATUTORY INSTRUMENTS

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**2017 No. 1035**

**The Court of Protection Rules 2017**

**PART 1**

**THE OVERRIDING OBJECTIVE**

*Duties to further the overriding objective*

**The duty of the parties**

- 1.4.**—(1) The parties are required to help the court to further the overriding objective.
- (2) Without prejudice to the generality of paragraph (1), each party is required to—
- (a) ask the court to take steps to manage the case if—
    - (i) an order or direction of the court appears not to deal with an issue; or
    - (ii) if a matter including any new circumstances, issue or dispute arises of which the court is unaware;
  - (b) identify before issue if the case is within the scope of one of the case pathways and comply with the requirements of the applicable case pathway;
  - (c) co-operate with the other parties and with the court in identifying and narrowing the issues that need to be determined by the court, and the timetable for that determination;
  - (d) adhere to the timetable set by these Rules and by the court;
  - (e) comply with all directions and orders of the court;
  - (f) be full and frank in the disclosure of information and evidence to the court (including any disclosure ordered under Part 16);
  - (g) co-operate with the other parties in all aspects of the conduct of the proceedings, including in the preparation of bundles.
- (3) If the court determines that any party has failed without reasonable excuse to satisfy the requirements of this rule, it may under rule 19.5 depart from the general rules about costs in so far as they apply to that party.
- (Rule 16.2(2) deals with the requirements of general disclosure.)