
STATUTORY INSTRUMENTS

2017 No. 1035

The Court of Protection Rules 2017

PART 14

ADMISSIONS, EVIDENCE AND DEPOSITIONS

Section 49 reports

Reports under section 49 of the Act

14.24.—(1) This rule applies where the court requires a report to be made to it under section 49 of the Act.

(2) It is the duty of the person who is required to make the report to help the court on the matters within that person's expertise.

(3) Unless the court directs otherwise, the person making the report must—

- (a) contact or seek to interview such persons as the person making the report thinks appropriate or as the court directs;
- (b) to the extent that it is practicable and appropriate to do so, ascertain what P's wishes and feelings are, and the beliefs and values that would be likely to influence P if P had the capacity to make a decision in relation to the matters to which the application relates;
- (c) describe P's circumstances; and
- (d) address such other matters as are required in a practice direction or as the court may direct.

(4) The court will send a copy of the report to the parties and to such persons as the court may direct.

(5) Subject to paragraphs (6) and (7), the person who is required to make the report may examine and take copies of any documents in the court records.

(6) The court may direct that the right to inspect documents under this rule does not apply in relation to such documents, or descriptions of documents, as the court may specify.

(7) The court may direct that any information is to be provided to the maker of the report on an edited basis.