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STATUTORY INSTRUMENTS

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**2017 No. 1035**

The Court of Protection Rules 2017

PART 21

APPLICATIONS AND PROCEEDINGS IN  
RELATION TO CONTEMPT OF COURT

SECTION 7 – GENERAL RULES ABOUT COMMITTAL APPLICATIONS,  
ORDERS FOR COMMITTAL AND WRITS OF SEQUESTRATION

**Discharge of a person in custody**

**21.31.**—(1) A person committed to prison for contempt of court may apply to the court to be discharged.

(2) The application must—

- (a) be in writing and attested by the governor of the prison (or any other officer of the prison not below the rank of principal officer);
- (b) show that the person committed to prison for contempt has purged, or wishes to purge, the contempt; and
- (c) be served on the person (if any) at whose instance the warrant of committal was issued at least one day before the application is made.

(3) Paragraph (2) does not apply to an application made by the Official Solicitor acting with official authority for the discharge of a person in custody.