
STATUTORY INSTRUMENTS

2017 No. 1035

The Court of Protection Rules 2017

PART 21

**APPLICATIONS AND PROCEEDINGS IN
RELATION TO CONTEMPT OF COURT**

SECTION 5 – COMMITTAL FOR MAKING A FALSE STATEMENT OF TRUTH

Scope and interaction with other Sections of this Part

21.16.—(1) This Section contains rules about committal applications in relation to making, or causing to be made, a false statement in a document verified by a statement of truth, without an honest belief in its truth.

(2) Where the committal relates only to a false statement of truth, this Section applies.

(3) Where the committal application relates to both—

(a) a false statement of truth; and

(b) breach of a judgment, order or undertaking to do or abstain from doing an act,

then Section 2 (Committal for breach of a judgment, order or undertaking to do or abstain from doing an act) applies, but subject to paragraph (4).

(4) To the extent that a committal application referred to in paragraph (3) relates to a false statement of truth—

(a) the applicant must obtain the permission of the court in accordance with rule 21.17; or

(b) the court may direct that the matter be referred to the Attorney General with a request that the Attorney General consider whether to bring proceedings for contempt of court.

Committal application in relation to a false statement of truth

21.17.—(1) A committal application in relation to a false statement of truth in connection with proceedings in the Court of Protection may be made only—

(a) with the permission of a Tier 3 Judge; or

(b) by the Attorney General.

(2) Where permission is required under paragraph (1)(a), rule 21.15 applies.

(3) The court may direct that the matter be referred to the Attorney General with a request that the Attorney General consider whether to bring proceedings for contempt of court.