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STATUTORY INSTRUMENTS

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**2017 No. 1035**

The Court of Protection Rules 2017

PART 22

CIVIL RESTRAINT ORDERS

**Contents of this Part**

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Powers of the court to make civil restraint orders	Rule 22.1
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**Powers of the court to make civil restraint orders**

**22.1.**—(1) If the court, whether or not on its own initiative, dismisses an application (including an application for permission) and considers that the application is totally without merit—

- (a) the court's order must record that fact; and
  - (b) the court must at the same time consider whether it is appropriate to make a civil restraint order.
- (2) Practice Direction 22A sets out—
- (a) the circumstances in which the court has the power to make a civil restraint order against a party to proceedings;
  - (b) the procedure where a party applies for a civil restraint order against another party; and
  - (c) the consequences of the court making a civil restraint order.