
STATUTORY INSTRUMENTS

2017 No. 187

The Court of Protection (Amendment) Rules 2017

New rule after rule 202

6. After rule 202, insert—

“Power of the court to make civil restraint orders

203.—(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 23C 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.”.