



Jersey

## **CHILDREN RULES 2005**

### **Official Consolidated Version**

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Jersey

## CHILDREN RULES 2005

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## CHILDREN RULES 2005

**THE SUPERIOR NUMBER OF THE ROYAL COURT**, in pursuance of Article 67 of the [Children \(Jersey\) Law 2002](#), have made the following Rules –

Commencement [[see endnotes](#)]

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### PART 1

#### INTRODUCTORY

#### 1 General definitions

(1) In these Rules, unless the context otherwise requires –

“application” means an application made under or by virtue of the Children Law or under these Rules, and “applicant” shall be construed accordingly;

“child”, in relation to proceedings –

- (a) means, subject to sub-paragraph (b), a person under the age of 18 with respect to whom the proceedings are brought; and
- (b) if the proceedings are under Schedule 1 to the Children Law, also includes a person who has reached the age of 18;

“Children Law” means the [Children \(Jersey\) Law 2002](#);

“Court” is to be construed in accordance with Rule 3(3);

“directions appointment” means a hearing for directions under Rule 13(2);

“Greffier” means Judicial Greffier;

“Inferior Number” means the Inferior Number of the Royal Court;

“leave” includes permission and approval;

“legal representative” means an advocate or solicitor acting for a party to any proceedings, and includes a person authorized by that advocate or solicitor in accordance with practice directions issued pursuant to Rule 31(2) for a specific purpose in the proceedings;

“overriding objective” means the objective referred to in Rule 4(1);

“person appointed under Article 75” means a person specified by the Court under sub-paragraph (a) or (b) of paragraph (1), or a person appointed by the Court under sub-paragraph (b) of paragraph (2), of Article 75;

“private law proceedings” means proceedings on an application to which Rule 7 applies;

“proceedings” is to be construed in accordance with Rule 2;

“public law proceedings” means proceedings on an application to which Rule 6 applies;

“relevant person” means the person to whom an exclusion requirement under Article 31 or Article 38, or to whom an application for such a requirement, relates;

“welfare officer” means a person to whom reference is made in Article 9(1)(a) or (b) who has been requested to assist in the proceedings.

- (2) An Article referred to in these Rules means the Article so numbered in the Children Law.
- (3) Unless the context otherwise requires, references in these Rules to Forms are references to the Forms in Schedule 2.<sup>1</sup>

## 2 “Proceedings”

References in these Rules to proceedings are references, unless a contrary intention appears, to proceedings –

- (a) on an application for an Article 10 order;
- (b) on an application for a care order or a supervision order;
- (c) on an application under –
  - (i) Article 5(1)(a) (for parental responsibility by father),
  - (ii) Article 5(2) (for parental responsibility by person claiming to be biological father),
  - (iii) Article 5(4) (to bring to an end an order or agreement concerning parental responsibility),
  - (iv) Article 7(1) (for appointment of a guardian),
  - (v) Article 8(8) (to bring to an end an appointment of a guardian),
  - (vi) Article 14(1) (for leave to change child’s name or remove child from jurisdiction),
  - (vii) Article 16(6) (for Court to consider whether Article 10 order should be varied or discharged),
  - (viii) Article 26(5) (for leave when care order in force to change name of child or remove child from Jersey),
  - (ix) Article 27(2) (by Minister or child for order with respect to contact with child in care),
  - (x) Article 27(3) (by parents etc. for order with respect to contact with child in care),

- (xi) Article 27(4) (by Minister for order to refuse contact with parents etc. of child in care),
  - (xii) Article 27(9) (for variation or discharge of order with respect to contact with child in care),
  - (xiii) Article 30(6)(b) (for variation of directions with respect to medical etc. assessment of child subject of interim order),
  - (xiv) Article 33(1) (for discharge of care order),
  - (xv) Article 33(2) (for variation or discharge of supervision order),
  - (xvi) Article 33(3) (by person with whom child is living for variation of supervision order),
  - (xvii) Article 33(4) (by person to whom exclusion requirement applies for variation or discharge of interim care order),
  - (xviii) Article 33(5) (for variation or discharge of interim care order insofar as it confers a power of arrest),
  - (xix) Article 33(6) (for substitution for care order of supervision order),
  - (xx) Article 36(1) (by Minister for child assessment order),
  - (xxi) Article 37 (for emergency protection order or any direction relating thereto),
  - (xxii) Article 40 (for extension, variation or discharge of emergency protection order),
  - (xxiii) Article 41(5)(a) (by officer in an administration of the States for which the Minister is assigned responsibility for emergency protection order in respect of child in police protection),
  - (xxiv) Article 45(1) (for recovery order in respect of abducted child), or
  - (xxv) Article 78(1) (for police warrant to assist in exercise of statutory powers);
- (d) under Schedule 1 to the Children Law (financial provision for children) except when financial relief is also sought by or on behalf of an adult;
  - (e) on an application under paragraph 4(1)(a) of Schedule 2 to the Children Law (by Minister for approval of Court to child in care living outside Jersey);
  - (f) on an application under paragraph 5(2) of Schedule 3 to the Children Law (by supervisor for extension of duration of supervision order);
  - (g) on an application under paragraph 3(3) of Schedule 5 to the Children Law (by parent etc. for discharge of an existing order); or
  - (h) under Article 22 (order for child to be kept in secure accommodation).

### **3 Jurisdiction and meaning of “Court”**

- (1) There is reserved to the Inferior Number the hearing and determination of those applications to which Rule 6 applies that are not by virtue of the Children Law or these Rules within the jurisdiction of the Bailiff.
- (2) The Greffier may hear and determine those applications to which Rule 7 applies that are not by virtue of the Children Law or these Rules within the jurisdiction of the Bailiff.

- (3) References in these Rules to “the Court” in connection with the exercise of any power or the discharge of any function in any proceedings shall be construed as references to –
- (a) the Inferior Number;
  - (b) the Bailiff; or
  - (c) the Greffier,
- whichever is appropriate in relation to the application in those proceedings.
- (4) Nothing in this Rule prevents when appropriate in any proceedings –
- (a) an order being made or directions being given that –
    - (i) the proceedings, if being heard or due to be heard by the Greffier, be heard instead by the Bailiff or the Inferior Number, or
    - (ii) the proceedings, if being heard or due to be heard by the Bailiff, be heard instead by the Inferior Number; or
  - (b) the reference of any matter from the Inferior Number or the Bailiff to the Greffier for hearing and determination.

#### **4 The overriding objective**

- (1) The overriding objective of the Court in proceedings is to deal with cases justly.
- (2) Dealing with a case justly includes, so far as is practicable –
- (a) ensuring that –
    - (i) the parties are on an equal footing,
    - (ii) the case is dealt with expeditiously, fairly and with the minimum of delay,
    - (iii) the welfare of the children involved is safeguarded, and
    - (iv) distress to all parties is minimised; and
  - (b) allotting to the case an appropriate share of the Court’s resources, while taking into account the need to allot resources to other cases;
  - (c) dealing with the case in ways that are proportionate –
    - (i) to the gravity and complexity of the issues, and
    - (ii) to the nature and extent of any intervention proposed in the private and family life of the children and adults involved.
- (3) The Court must seek to give effect to the overriding objective when it –
- (a) exercises any power given to it by these Rules; or
  - (b) interprets any Rules.
- (4) The parties are required to help the Court to further the overriding objective.
- (5) In private law proceedings, the Court must further the overriding objective by actively managing cases.
- (6) Active case management includes –

- (a) encouraging the parties to co-operate with each other in the conduct of the proceedings;
- (b) encouraging the parties to settle their disputes through mediation, where appropriate;
- (c) identifying the issues at an early date;
- (d) regulating the extent of disclosure of documents and expert evidence so that they are proportionate to the issues in question;
- (e) helping the parties to settle the whole or part of the case;
- (f) fixing timetables or otherwise controlling the progress of the case;
- (g) making use of technology; and
- (h) giving directions to ensure that the trial of a case proceeds quickly and efficiently.

## PART 2

### COMMENCING CHILD PROCEEDINGS

#### 5 Application for leave to commence proceedings

- (1) If leave of the Court is required to bring the proceedings, the person seeking leave must file with the Court –
  - (a) a written request for leave in Form C2 setting out the reasons for the application; and
  - (b) a draft of the application (being the documents referred to in Rule 6(2) or Rule 7(3) or (4) as the case may be) for the making of which leave is sought together with sufficient copies for one to be served on each respondent.<sup>2</sup>
- (2) A request for leave to commence proceedings may be heard and determined by the Greffier except a request made –
  - (a) in existing public law proceedings; or
  - (b) when the child is in the care of or is being looked after by the Minister, which may be heard and determined by the Bailiff.
- (3) On considering the request, the Court must either –
  - (a) grant the request and thereupon inform the person making the request of the decision; or
  - (b) direct that a date be fixed in accordance with Rule 14 for the hearing of the request and thereupon inform the person making the request of that direction.
- (4) If leave is granted to bring the proceedings, the application must proceed in accordance with Rule 6 or Rule 7, as the case may be, except that paragraph (2) in each case shall not apply.
- (5) In the case of a request for leave to bring proceedings under Schedule 1 to the Children Law, the draft application under paragraph (1) must be accompanied by a



statement in Form C4 together with sufficient copies for one to be served on each respondent.

## **6 Commencement of proceedings (public law)**

- (1) This Rule applies to applications –
  - (a) for a care order or supervision order;
  - (b) under Article 26(5) (when a care order is in force for leave to change the name of the child or remove the child from Jersey);
  - (c) under Article 27 for an order with respect to contact with a child in care;
  - (d) under Article 30(6)(b) for the variation of directions concerning a child who is the subject of an interim order;
  - (e) under Article 33 –
    - (i) for the discharge of a care order,
    - (ii) for the variation or discharge of a supervision order or of an interim care order, or
    - (iii) for the substitution for a care order of a supervision order;
  - (f) under Article 36(1) for a child assessment order;
  - (g) under Article 37 for an emergency protection order or a direction relating thereto;
  - (h) under Article 40 for the extension, variation or discharge of an emergency protection order;
  - (i) under Article 41(5) for an emergency protection order in respect of a child in police protection;
  - (j) under Article 45(1) for a recovery order in respect of an abducted child;
  - (k) under Article 78(1) for a police warrant to assist in the exercise of statutory powers;
  - (l) under paragraph 4(1)(a) of Schedule 2 to the Children Law for the approval of the Court to a child in care living outside Jersey;
  - (m) under paragraph 5(2) of Schedule 3 to the Children Law for the extension of a supervision order;
  - (n) under paragraph 3(3) of Schedule 5 to the Children Law for the discharge of an existing order; or
  - (o) under Article 22 for an order for a child to be kept in secure accommodation, made by the Minister or in proceedings to which the Minister is, or is to be, party.
- (2) Subject to Rule 8, an applicant must file with the Bailiff the application, consisting of –
  - (a)
    - (i) Form C1 or, where an order is sought in existing proceedings, Form C2, and
    - (ii) such of the supplemental Forms C5 to C13 as may be appropriate; or

- (b) if there is no appropriate Form, a statement in writing of the order sought, together with sufficient copies for one to be served on each respondent.
- (3) If the application is made in respect of more than one child, all the children must be included in one application.
- (4) Subject to paragraph (7), on receipt of the application, the Bailiff shall –
  - (a) fix the date for a hearing or a directions appointment; and
  - (b) endorse the date so fixed on the copies of the application filed by the applicant and return them forthwith to the applicant.
- (5) In fixing the date for a hearing or a directions appointment, the Bailiff must allow sufficient time for the applicant to comply with paragraph (6).
- (6) The applicant must serve a copy of the application on each respondent such number of days prior to the date fixed under paragraph (4)(a) as is specified for that application in column (ii) of Schedule 1.
- (7) The Bailiff may, if the Bailiff thinks fit, refer an application to which this Rule applies to the Greffier and, if the Bailiff does so, the application shall be treated as an application to which Rule 7 applies.

## **7 Commencement of proceedings (private law)<sup>3</sup>**

- (1) This Rule applies to applications other than applications to which Rule 6 applies.
- (2) Subject to Rule 8, an applicant must file the application with the Greffier.
- (3) The application must consist of –
  - (a) whichever is appropriate of Form C1 or Form C100 or, where an order is sought in existing proceedings, Form C2; and
  - (b) in the case of proceedings under Schedule 1 to the Children Law (financial provision for children), the supplemental Forms C3 and C4.
- (4) If there is no appropriate Form, the application must consist of a statement in writing of the order sought.
- (5) Enough copies of the application must be filed to be served on each respondent.
- (6) If the application is made in respect of more than one child, all the children must be included in one application.
- (7) Subject to paragraph (10), upon the filing of the application the Greffier shall give the applicant a date for a preliminary directions hearing (in these Rules abbreviated to “PDH”).
- (8) The applicant must serve on each respondent a copy of the application with the date and place of the PDH endorsed on it giving not less than 2 clear days’ notice of the PDH.
- (9) The notice required by paragraph (8) may be given by sending it to the last known address of a respondent who does not have, or is not deemed to have, an address for service.
- (10) The Greffier may, if the Greffier thinks fit, refer an application to which this Rule applies to the Bailiff and, if the Greffier does so, the application shall, unless the Bailiff orders otherwise, be treated as an application to which Rule 6 applies.

## **8 Commencement of certain proceedings *ex parte***

- (1) An application for –
  - (a) an Article 10 order;
  - (b) an emergency protection order;
  - (c) leave to remove a child from the jurisdiction;
  - (d) a recovery order; or
  - (e) a warrant under Article 78,may be made *ex parte* in which case the applicant must file the application in the appropriate Form in Schedule 2 with the Bailiff.
- (2) In the case of an application for an Article 10 order or an emergency protection order, the applicant must serve a copy of the application on each respondent within 48 hours after the making of the order.
- (3) If the Court refuses to make an order on an *ex parte* application, it may direct that the application be made *inter partes*.

## **8A Disclosure of addresses<sup>4</sup>**

- (1) If in relation to an application a party does not wish to reveal the address of his or her private residence (or that of any child) the party must give notice of that address to the Court in Form C14.
- (2) Where notice of an address has been given under paragraph (1), the address shall not be revealed to any person except by order of the Court.

## **9 Withdrawal of application**

- (1) An application may be withdrawn only with leave of the Court.
- (2) Subject to paragraph (3), a person seeking leave to withdraw an application must file and serve on the parties a written request for leave setting out the reasons for the request.
- (3) The request under paragraph (2) may be made orally to the Court if the parties and the welfare officer and any person appointed under Article 75 are present.
- (4) Upon receipt of a written request under paragraph (2) the Court must either –
  - (a) grant the request and thereupon inform the parties and any person appointed under Article 75 of the decision; or
  - (b) direct that a date be fixed in accordance with Rule 14 for the hearing of the request and thereupon inform the person making the request of that direction.

## **10 Parties**

- (1) The respondents to proceedings shall be those persons set out in the relevant entry in column (iii) of Schedule 1.

- (2) The persons (apart from the respondents) to whom an applicant must give written notice of the proceedings, and of the time and place –
- (a) of the hearing or appointment fixed under Rule 6(4)(a); or
  - (b) of the hearing fixed under Rule 7(7),
- are the persons set out for the relevant class of proceedings in column (iv) of Schedule 1.<sup>5</sup>
- (3) In any proceedings a person may file a request in Form C2 that he or she or another person –
- (a) be joined as a party; or
  - (b) cease to be a party.
- (4) Subject to paragraph (5), the Court shall either –
- (a) grant the request and thereupon inform the parties and the person making the request of the decision; or
  - (b) direct that a date be fixed in accordance with Rule 14 for the hearing of the request and thereupon inform the person making the request of that direction,
- or, alternatively, the Court shall invite the parties or any of them to make written representations, within a specified period, as to whether the request should be granted; and upon the expiry of the period the Court shall act in accordance with sub-paragraph (a) or (b).
- (5) When a person with parental responsibility requests that he or she be joined under paragraph (3)(a), the Court must grant the request.
- (6) The Court in any proceedings may of its own motion direct –
- (a) that a person who would not otherwise be a respondent under these Rules be joined as a party to the proceedings; or
  - (b) that a party to the proceedings cease to be a party.

## 11 Service

- (1) When service of a document is required under these Rules, it may be effected –
- (a) if the person to be served is not known by the person serving to be represented by an advocate or solicitor –
    - (i) by personal service through the intermediary of the Viscount, or
    - (ii) by ordinary service,on that person; or
  - (b) if the person to be served is known by the person serving to be so represented, by ordinary service on that person's advocate or solicitor.
- (2) Ordinary service is effected in accordance with Rule 5/6(1) of the [Royal Court Rules 2004](#).
- (3) When a child who is a party to proceedings is required by these Rules or other Rules of Court to serve a document, service must be effected in accordance with paragraph (1) on the child's behalf by –

- (a) the advocate or solicitor acting for the child; or
  - (b) any person appointed under Article 75,
- or, if there is neither such an advocate or a solicitor nor a person appointed under Article 75, the Court shall give a direction under paragraph (6).
- (4) Service of any document on a child must, subject to any direction of the Court, be effected by service on –
    - (a) the advocate or solicitor acting for the child; or
    - (b) any person appointed under Article 75; or
    - (c) if there is neither such an advocate or solicitor nor a person appointed under Article 75, with leave of the Court, the child.
  - (5) If the Court refuses leave under paragraph (4)(c) it shall give a direction under paragraph (6).
  - (6) In any proceedings, when a document is required to be served, the Court may, without prejudice to any power under these or other Rules of Court, direct that –
    - (a) the requirement not apply;
    - (b) the time specified by any Rules for complying with the requirement be abridged to such extent as may be specified in the direction; or
    - (c) service be effected (whether in Jersey or not) in such manner as may be specified in the direction.

### **PART 3**

#### **PREPARING FOR THE HEARING**

#### **12 Welfare officer**

- (1) If the Court has directed that a written report be made by a welfare officer, the report must be filed at or by such time as the Court directs or, in the absence of such a direction, at least 10 days before a relevant hearing; and the Court shall, as soon as practicable, serve a copy of the report on the parties and any person appointed under Article 75.
- (2) In paragraph (1), a hearing is relevant if the Court has given the welfare officer notice that the welfare officer's report is to be considered at it.
- (3) After the filing of a report by a welfare officer, the Court may direct that the welfare officer attend any hearing at which the report is to be considered and, except when such a direction is given at a hearing attended by the welfare officer, the Court shall inform the welfare officer of the direction.
- (4) If the welfare officer has been directed to attend, any party may, at the hearing at which the report is considered, question the welfare officer about the report.
- (5) This Rule is without prejudice to any power to give directions under Rule 13, 15 or 16.

### 13 Directions

- (1) In this Rule “party” includes any person appointed under Article 75 and, if a request or a direction concerns a report under Article 9, the welfare officer.
- (2) The Court in any proceedings may, of its own motion or on the written request of any party in Form C2, give, vary or revoke directions for the conduct of the proceedings, including –
  - (a) the timetable for the proceedings;
  - (b) varying the time within which or by which an act is required, by these Rules or by other Rules or Court, to be done;
  - (c) the attendance of the child;
  - (d) the appointment of a person under Article 75;
  - (e) the service of documents;
  - (f) the submission of evidence, including experts’ reports;
  - (g) the preparation of welfare reports under Article 9;
  - (h) consolidation with other proceedings,and the power of the Court under this paragraph includes a power to make interim orders and orders as to costs.
- (3) If the Court intends to give, vary or revoke directions under paragraph (2) of its own motion, it must give the parties notice of its intention to do so and an opportunity to attend and be heard or to make written representations.
- (4) A request under paragraph (2) must be served on the other parties.
- (5) However, a request under paragraph (2) may, with the leave of the Court, be made orally or without notice to the parties, or both.
- (6) On considering a request under paragraph (2) the Court must either –
  - (a) grant the request and thereupon inform the parties of the decision; or
  - (b) direct that a date be fixed in accordance with Rule 14 for the hearing of the request and thereupon inform the person making the request of that direction.
- (7) The powers of the Court under this Rule do not affect any other powers of the Court to give such directions as it thinks fit.

### 14 Fixing of hearing dates

- (1) In this Rule “applicant” means –
  - (a) the person seeking leave –
    - (i) to commence proceedings in accordance with Rule 5(1), or
    - (ii) to withdraw an application in accordance with Rule 9(2); or
  - (b) the person making a request –
    - (i) that he or she or another person be joined as a party, or cease to be a party, to proceedings in accordance with Rule 10(3), or
    - (ii) for directions in accordance with Rule 13(2),

as the case may be.

- (2) The applicant must, if the application or request is to be heard by the Bailiff or the Inferior Number, apply to the Bailiff in chambers for a date to be fixed for the hearing of the application or request.
- (3) If the application or request is to be heard by the Greffier, the applicant must request the Greffier for a date upon which the applicant may apply to the Greffier for a date to be fixed for the hearing of the application or request.
- (4) The applicant must, not later than 2 days before applying under paragraph (2) or, as the case may be, paragraph (3), for a date to be fixed, notify in writing the parties of the time when and place where the applicant will so apply.
- (5) If the applicant does not apply, within 10 days of the day on which he or she was notified of the direction of the Court under –
  - (a) Rule 5(3)(b);
  - (b) Rule 9(4)(b);
  - (c) Rule 10(4)(b); or
  - (d) Rule 13(6)(b),

as the case may be, for a date to be fixed for the hearing of the application or request, the application or request shall, unless the Court orders otherwise, be taken to have been withdrawn.

- (6) The reference to parties in paragraph (4) includes any person appointed under Article 75.

## **15 Preliminary directions hearing (“PDH”)**

- (1) This Rule and Rule 16 apply only to private law proceedings.
- (2) Neither this Rule nor Rule 16 affects the power of the Court at any time under Rule 13 to give directions.
- (3) The legal representatives of the parties must attend the PDH or, if any party is unrepresented, that party must attend the PDH in person.
- (4) At the PDH, the Greffier may give directions and make orders –
  - (a) as to the date of any subsequent proceedings (including the fixing of further appointments or hearings for any purpose);
  - (b) as to the service of any pleading, Form, statement or document by or on any party to or person in the proceedings;
  - (c) as to anything required to be stated in any pleading, Form, statement or document in the proceedings;
  - (d) about –
    - (i) the valuation of assets,
    - (ii) obtaining and exchanging expert evidence, and
    - (iii) evidence to be adduced by each party and, if appropriate, about further chronologies or schedules to be filed by each party;
  - (e) as to statements or declarations (including, if need be, affidavits) to be filed;

- (f) as to being at liberty to make an application to the Court in the proceedings;
- (g) as to the forum for any subsequent proceedings;
- (h) as to the attendance of a welfare officer at any subsequent stage of the proceedings;
- (i) that the proceedings be adjourned for alternative dispute resolution, to include mediation; or
- (j) in relation to costs,

and the Greffier shall give such directions and make such orders as he or she thinks appropriate in relation to the case review hearing under Rule 16.

## **16 Case review hearing**

- (1) The case review hearing shall be conducted with the objective of defining the issues and encouraging the parties to address contentious issues in a way that is consistent with –
  - (a) the welfare; and
  - (b) the long term interests, of the child.
- (2) At the hearing the Greffier –
  - (a) shall determine the extent to which any questions seeking further information must be answered, and give directions for the production of such further documents as may be necessary;
  - (b) shall give directions, if not already given at the PDH, about –
    - (i) obtaining and exchanging expert evidence, if required, and
    - (ii) evidence to be adduced by each party and, if appropriate, about further chronologies or schedules to be filed by each party; and
  - (c) may direct any one or more of the following –
    - (i) that a further case review hearing be fixed,
    - (ii) that the case be fixed for final hearing and, if that direction is given, the Greffier must determine whether or not the case is to be heard by the Inferior Number, or
    - (iii) that the case be adjourned for alternative dispute resolution, to include mediation, or for private negotiation or, in exceptional circumstances, generally.
- (3) The parties must attend the case review hearing in person unless the Greffier orders otherwise.

## **17 Attendance at hearings**

- (1) Subject to paragraph (2), a party must attend a directions appointment of which he or she has been given notice, and any hearing, unless the Court otherwise directs.



- (2) Proceedings or any part of them shall take place in the absence of any party, including the child, if –
- (a) the Court considers it in the interests of the child, having regard to the matters to be discussed or the evidence likely to be given; and
  - (b) the party is represented by an advocate or a solicitor or by a person appointed under Article 75,
- and, when considering the interests of the child under sub-paragraph (a), the Court shall give the person representing the child and, if he or she is of sufficient understanding, the child an opportunity to make representations.
- (3) Subject to paragraph (4), if at the time and place appointed for a hearing or directions appointment the applicant appears but one or more of the respondents do not, the Court may proceed with the hearing or appointment.
- (4) The Court shall not begin to hear an application in the absence of a respondent unless –
- (a) it is proved to the satisfaction of the Court that the respondent received reasonable notice of the date of the hearing; or
  - (b) the Court is satisfied that the circumstances of the case justify proceeding with the hearing.
- (5) If, at the time and place appointed for a hearing or directions appointment, one or more of the respondents appear but the applicant does not, the Court may refuse the application or, if sufficient evidence has previously been received, proceed in the absence of the applicant.
- (6) If, at the time and place appointed for a hearing or directions appointment, neither the applicant nor any respondent appears, the Court may refuse the application.
- (7) Unless the Court otherwise directs –
- (a) a directions appointment shall be in chambers before –
    - (i) the Bailiff in public law proceedings, or
    - (ii) the Greffier in private law proceedings; and
  - (b) a hearing of any proceedings shall be in private.

## PART 4

### EVIDENCE

#### 18 Documentary evidence

- (1) Subject to any directions which may have been given pursuant to Rule 13, 15 or 16 and to paragraphs (4) and (5), a party must in any proceedings file and serve on the parties, any welfare officer and any person appointed under Article 75 –
- (a) written statements of the substance of the oral evidence which the party intends to adduce at a hearing of, or a directions appointment in, those proceedings, which must –
    - (i) be dated,

- (ii) be signed by the person making the statement, and
  - (iii) contain a declaration that the maker of the statement believes it to be true and understands that it may be placed before the Court; and
- (b) copies of any documents, including experts' reports, upon which the party intends to rely at the hearing,  
at or by such time as the Court directs or, in the absence of a direction, before the hearing or appointment.
- (2) A party may, subject to any direction of the Court about the timing of statements under this Rule, file and serve on the parties a statement which is supplementary to a statement served under paragraph (1).
- (3) At a hearing or a directions appointment a party may not, without the leave of the Court –
  - (a) adduce evidence; or
  - (b) seek to rely on a document,in respect of which that party has failed to comply with the requirements of paragraph (1).
- (4) In proceedings for an Article 10 order a party shall –
  - (a) neither file nor serve any document other than as required or authorized by these Rules; and
  - (b) in completing a Form prescribed by these Rules, neither give information, nor make a statement, which is not required or authorized by that Form,without the leave of the Court.
- (5) In proceedings for an Article 10 order no statement or copy may be filed under paragraph (1) until such time as the Court directs.

## **19 Amendment of documents**

- (1) Subject to Rule 18(2), a document which has been filed or served in any proceedings may not be amended without the leave of the Court which shall, unless the Court otherwise directs, be requested in writing.
- (2) On considering a request for leave to amend a document the Court shall either –
  - (a) grant the request, whereupon the Court shall inform the person making the request of that decision; or
  - (b) invite the parties or any of them to make representations, within a specified period, as to whether such an order should be made.
- (3) A person amending a document must file it and serve it on those persons on whom it was served prior to amendment; and the amendments must be identified.

## **20 Expert evidence – examination of child**

- (1) No person may, without the leave of the Court, cause the child to be medically or psychiatrically examined, or otherwise assessed, for the purpose of the preparation of expert evidence for use in the proceedings.

- (2) An application for leave under paragraph (1) must, unless the Court otherwise directs, be served on all parties to the proceedings and on any person appointed under Article 75.
- (3) If the leave of the Court has not been given under paragraph (1), no evidence arising out of an examination or assessment to which that paragraph applies may be adduced without the leave of the Court.

## **21 Secure accommodation – evidence**

In proceedings under Article 22, the Court shall, if practical, arrange for copies of all written reports before it to be made available before the hearing to –

- (a) the applicant;
- (b) the parent or guardian of the child;
- (c) any person appointed under Article 75 or otherwise any person by whom the child is legally represented; and
- (d) the child, unless the Court otherwise directs,

and copies of such reports may, if the Court considers it desirable, be shown to any person who is entitled to notice of the proceedings in accordance with these Rules.

## **PART 5**

### **HEARING AND DETERMINATION**

## **22 Hearings and making of orders**

- (1) The Court may give directions as to the order of speeches and evidence at a hearing, or directions appointment, in the course of proceedings.
- (2) Subject to directions under paragraph (1), at a hearing of, or directions appointment in, proceedings, the parties and any person appointed under Article 75 shall adduce their evidence in the following order –
  - (a) the applicant;
  - (b) any party with parental responsibility for the child;
  - (c) other respondents;
  - (d) any person appointed under Article 75;
  - (e) the child, if he is a party to the proceedings and there is no person appointed under Article 75.
- (3) When or as soon as practicable after making an order or refusing an application, the Court shall state any findings of fact and the reasons for the Court's decision.
- (4) Subject to paragraph (5), a copy of an order made by the Court shall, as soon as practicable after it has been made, be served by the Court on the parties to the proceedings in which it was made and on any person with whom the child is living.
- (5) Within 48 hours after the making *ex parte* of –
  - (a) an Article 10 order;

- (b) an emergency protection order under Article 37;
  - (c) an order under Article 43(4) authorizing a search for another child;
  - (d) a recovery order under Article 45; or
  - (e) an order under which a warrant is issued pursuant to Article 78(1),
- the applicant shall serve a copy of the order on –
- (i) each party,
  - (ii) any person who has actual care of the child or who had such care immediately prior to the making of the order, and
  - (iii) in the case of an order referred to in any of sub-paragraphs (b) to (e), the Minister.

## PART 6

### APPEALS

#### 23 Appeals from the Greffier

- (1) An appeal to the Inferior Number under Article 68(1)(a) from any decision of the Greffier must be made in accordance with this Rule.
- (2) The appellant must file and serve on the parties to the proceedings before the Greffier and any person appointed under Article 75 –
  - (a) notice of the appeal in writing, setting out the grounds upon which the appellant relies;
  - (b) a copy of the summons or application and of the order appealed against, and of any order staying its execution;
  - (c) a copy of any transcript of evidence given at the hearing before the Greffier;
  - (d) a copy of the reasons given for the decision.
- (3) The notice of appeal under paragraph (2)(a) must be filed and served –
  - (a) within 10 days of the giving of reasons by the Greffier for the decision against which the appeal is brought; or
  - (b) with the leave of the Bailiff, within such other time as the Bailiff may direct.
- (4) The documents mentioned in paragraph (2)(b) to (d) must, subject to any direction of the Bailiff, be filed and served as soon as practicable after the filing and service of the notice of appeal under paragraph (2)(a).
- (5) A respondent who wishes –
  - (a) to contend on the appeal that the decision of the Greffier should be varied, either in any event or in the event of the appeal being allowed in whole or in part; or
  - (b) to contend that the decision of the Greffier should be affirmed on grounds other than those relied upon by the Greffier; or
  - (c) to contend by way of cross-appeal that the decision of the Greffier was wrong in whole or in part,

must, within 10 days of receipt of notice of the appeal, file and serve on all other parties to the appeal a notice in writing, setting out the grounds upon which that respondent relies (hereinafter referred to as a “respondent’s notice”).

- (6) An application to –
  - (a) withdraw an appeal;
  - (b) have the appeal dismissed with the consent of all the parties; or
  - (c) amend the grounds of appeal,may be heard by the Bailiff in chambers.
- (7) The date for a hearing of the appeal shall be fixed by application made to the Bailiff in chambers.
- (8) Rule 14(4) shall apply to an application under paragraph (7).
- (9) If an application is not made within 10 days of the last day on which a respondent’s notice was able to be filed, for a date to be fixed for the hearing of the appeal, the appeal shall be deemed to have been abandoned.

## **24 Appeals to the Court of Appeal**

- (1) Where an appeal lies to the Court of Appeal under Article 68(1)(b) it must be made in accordance with this Rule.
- (2) The appellant must file and serve on the parties to the proceedings before the Court and any person appointed under Article 75 –
  - (a) notice of the appeal in writing, setting out the grounds upon which the appellant relies;
  - (b) a copy of the summons or application and of the order appealed against, and of any order staying its execution;
  - (c) a copy of any transcript of evidence given at the hearing before the Court;
  - (d) a copy of any reasons given for the decision.
- (3) The notice of appeal under paragraph (2)(a) must be filed and served –
  - (a) within 10 days of the giving of reasons by the Court for the decision against which the appeal is brought; or
  - (b) in the case of an appeal against an interim care order or an interim supervision order under Article 30(1), within 7 days of the making of the order; or
  - (c) with the leave of a single judge of the Court of Appeal, within such other time as that judge may direct.
- (4) The documents mentioned in paragraph (2)(b) to (d) must, subject to any direction of the Court of Appeal, or of a single judge thereof, be filed and served as soon as practicable after the filing and service of the notice of appeal under paragraph (2)(a).
- (5) Subject to paragraph (6), a respondent who wishes –

- (a) to contend on the appeal that the decision of the Royal Court should be varied, either in any event or in the event of the appeal being allowed in whole or in part; or
- (b) to contend that the decision of the Royal Court should be affirmed on grounds other than those relied upon by that court; or
- (c) to contend by way of cross-appeal that the decision of the Royal Court was wrong in whole or in part,

must, within 10 days of receipt of notice of the appeal, file and serve on all other parties to the appeal a notice in writing, setting out the grounds upon which the respondent relies (hereinafter referred to as a “respondent’s notice”).

- (6) A respondent’s notice may not be filed or served in an appeal against an order under Article 30.
- (7) When –
  - (a) the period of 10 days referred to in paragraph (5) has elapsed; or
  - (b) a respondent’s notice has been filed and served,a date shall be fixed for the hearing of the appeal.
- (8) When a day is fixed for the hearing of the appeal, the Greffier shall, with the least possible delay, give notice thereof to the appellant or his advocate or solicitor.
- (9) The appellant, or the appellant’s advocate or solicitor if the appellant is not acting in person, must give not less than 10 clear days notice of the day so fixed to the parties to the proceedings before the Court and any person appointed under Article 75.
- (10) An application to –
  - (a) withdraw the appeal;
  - (b) have the appeal dismissed with the consent of all the parties; or
  - (c) amend the grounds of appeal,may be heard by a single judge of the Court of Appeal.

## PART 7

### MISCELLANEOUS

#### 25 Confidentiality of documents<sup>6</sup>

- (1) No document, other than a record of an order, held by the Court and prepared for the purposes of proceedings may be disclosed, other than to –
  - (a) a party;
  - (b) the legal representative of a party;
  - (c) a person appointed under Article 75;
  - (d) a welfare officer; or
  - (e) an expert whose instruction by a party has been authorized by the Court,

without leave of the Court.

- (2) A document disclosed under paragraph (1) may not be further disclosed other than in accordance with this Rule.
- (3) Leave under paragraph (1) may be granted subject to such conditions as the Court thinks fit, including, without prejudice to the generality of the foregoing, conditions to prevent the identification of any child in the proceedings.
- (4) Nothing in this Rule shall prevent the notification by the Court of a direction under Article 29(1) to the Minister.
- (5) This Rule is subject to Rule 25A.

## **25A Disclosure of documents: Inspections<sup>7</sup>**

- (1) This Rule applies where –
  - (a) the Health and Social Care Commission (“the Care Commission”);
  - (b) the Office for Standards in Education, Children’s Services and Skills (“Ofsted”); or
  - (c) a person or body duly appointed to inspect the Children’s Service or the Jersey Family Court Advisory Service (“the Inspector”),requires access to a document referred to in Rule 25(1) for the purposes of an inspection of any aspect of the Children’s Service or of the Jersey Family Court Advisory Service.
- (2) Where this Rule applies, a document referred to in Rule 25(1) may be disclosed to the Care Commission, Ofsted or the Inspector –
  - (a) for the purpose of the inspection, and for no other purpose; and
  - (b) on condition that the content or any part of the content of the document is not further disclosed without leave of the Court.
- (3) Leave under paragraph (2)(b) may be granted subject to such conditions as the Court thinks fit, including, without prejudice to the generality of the foregoing, conditions to prevent the identification of any child in the proceedings.

## **26 Notification of consent**

- (1) Consent for the purposes of –
  - (a) Article 16(3); or
  - (b) Article 31(2)(b)(ii) or 38(2)(b)(ii); or
  - (c) paragraph 4(2)(c) or (d) of Schedule 2 to the Children Law,must be given either –
  - (i) orally in court, or
  - (ii) in writing to the Court signed by the person giving the consent.
- (2) Any written consent given for the purposes of Article 31(2) or Article 38(2), must include a statement that the person giving consent –

- (a) is able and willing to give to the child the care which it would be reasonable to expect a parent to give; and
- (b) understands that the giving of consent could lead to the exclusion of the relevant person from the dwelling-house in which the child lives.

## **27 Exclusion requirements: interim care orders and emergency protection orders**

- (1) This Rule applies when the Court includes an exclusion requirement in an interim care order pursuant to Article 31(1) or in an emergency protection order pursuant to Article 38(1).
- (2) The applicant for an interim care order or emergency protection order must prepare a separate statement of the evidence in support of the application for an exclusion requirement.
- (3) The statement must be served personally by the Viscount or a police officer on the relevant person with a copy of the order containing the exclusion requirement (and of any power of arrest which is attached to it) and the relevant person must be informed of his or her right to apply to vary or discharge the exclusion requirement.
- (4) When a power of arrest is attached to an exclusion requirement in an interim care order or an emergency protection order, a copy of the order must be delivered to a police officer together with a statement showing that the relevant person has been served with the order or informed of its terms.
- (5) The relevant person must serve the parties to the proceedings with any application which he or she makes for the variation or discharge of the exclusion requirement.
- (6) When an exclusion requirement ceases to have effect whether –
  - (a) as a result of the removal of a child under Article 31(8) or 38(8);
  - (b) because of the discharge of the interim care order or emergency protection order; or
  - (c) otherwise,the applicant must inform –
  - (i) the relevant person,
  - (ii) the parties to the proceedings,
  - (iii) the Viscount, and
  - (iv) (where necessary) the Court.
- (7) If the Court includes an exclusion requirement in an interim care order or an emergency protection order of the Court's own motion, paragraphs (2) and (3) shall not apply except that the relevant person must still be informed of his or her right to apply to vary or discharge the exclusion requirement.

## **28 Investigation under Article 29**

- (1) This Rule applies when a direction is given to the Minister by the Court under Article 29(1).
- (2) On giving a direction the Court must adjourn the proceedings.



- (3) A copy of the direction shall, as soon as practicable after it is given, be served by the Greffier on the parties to the proceedings in which the direction is given and, if the Minister is not a party, on the Minister.
- (4) When serving the copy of the direction on the Minister the Greffier shall also serve copies of such of the documentary evidence which has been, or is to be, adduced in the proceedings as the Court may direct.
- (5) When the Minister informs the Court of any of the matters set out in Article 29(3)(a) to (c) the Minister must do so in writing.

## **29 Cost of transcripts on appeal**

- (1) The preparation of any transcript for the purpose of Rule 23(2)(c) or Rule 24(2)(c) shall be at the cost of the appellant unless the Court or the Court of Appeal (as the case may be) otherwise orders.
- (2) An order of the Court of Appeal for the purposes of paragraph (1) may be by a single judge of the Court of Appeal.

## **30 Periods of time**

For the avoidance of doubt, Rules 1/3 and 1/4 of the [Royal Court Rules 2004](#) apply to any period of time fixed, or time prescribed, by these Rules.

## **31 Directions**

- (1) The Bailiff may issue directions in exercise of the inherent jurisdiction of the Court to regulate its own process.
- (2) The Greffier may, with the concurrence of the Bailiff, issue directions for the purpose of securing due observance of statutory requirements and uniformity of practice in private law proceedings.

## **32 Transitional provision**

Nothing in these Rules affects any proceedings pending (within the meaning of paragraph 1 of Schedule 5 to the Children Law) immediately before these Rules come into force.

## **33 Citation**

These Rules may be cited as the Children Rules 2005.

**SCHEDULE 1**

(Rules 6(6) and 10(1) and (2))

**NOTICES AND RESPONDENTS**

<b>(i)</b> <i>All proceedings</i> <i>Provision under</i> <i>which proceedings</i> <i>brought</i>	<b>(ii)</b> <i>Public law</i> <i>proceedings only</i> <i>Minimum number of</i> <i>days for service</i> <i>(Rule 6(6))</i>	<b>(iii)</b> <i>All proceedings</i> <i>Respondents</i> <i>(Rule 10(1))</i>	<b>(iv)</b> <i>All proceedings</i> <i>Persons to whom</i> <i>notice is to be given</i> <i>(Rule 10(2))</i>
All applications	See separate entries below.	Subject to separate entries below – every person whom the applicant believes to have parental responsibility for the child; where the child is the subject of a care order, every person whom the applicant believes to have had parental responsibility immediately prior to the making of the care order; in the case of an application to extend, vary or discharge an order, the parties to the proceedings leading to the order which it is sought to have extended, varied or discharged.	Subject to separate entries below – the Minister, if providing accommodation for the child; persons who are caring for the child at the time when the proceedings are commenced; in the case of proceedings brought in respect of a child who is alleged to be staying in a refuge which is certificated under Article 46(1), the person who is providing the refuge
Article 5(1)(a), 5(4), 7(1), 8(8), 10, 14(1), 16(6), 26(5), Schedule 1, paragraph 4(1)(a) of Schedule 2, or paragraph 3(3) of Schedule 5, to the Children Law.	14 days (in the case only of an application under Article 16(6), 26(5), paragraph 4(1)(a) of Schedule 2, or paragraph 3(3) of Schedule 5, to the Children Law).	As for all applications above, and: in the case of proceedings under Schedule 1 to the Children Law, those persons whom the applicant believes to be interested in or affected by the proceedings;	As for “all applications” above, and – in the case of an application for an Article 10 order, every person whom the applicant believes – (i) to be named in a court order with

		<p>in the case of an application under paragraph 3(3)(b) of Schedule 5 to the Children Law, any person, other than the child, named in the order or directions which it is sought to discharge or vary.</p>	<p>respect to the same child, which has not ceased to have effect,</p> <p>(ii) to be a party to pending proceedings in respect of the same child, or</p> <p>(iii) to be a person with whom the child has lived for at least 3 years prior to the application, unless, in a case to which (i) or (ii) applies, the applicant believes that the court order or pending proceedings are not relevant to the application;</p> <p>in the case of an application under paragraph 4(1)(a) of Schedule 2 to the Children Law, the parties to the proceedings leading to the care order;</p> <p>in the case of an application under Article 7(1), the father of the child if he does not have parental responsibility.</p>
<p>Article 33(1), 33(2), 33(3), 33(6), 36(1) or paragraph 5(2) of Schedule 3 to the Children Law.</p>	<p>7 days</p>	<p>As for “all applications” above and:</p> <p>in the case of an application under Article 33(2) or (3), the supervisor.</p>	<p>As for “all applications” above, and:</p> <p>in the case of an application for an order under Article 36(1) –</p> <p>(i) every person whom the applicant believes to be a parent of the child,</p>

			<p>(ii) every person whom the applicant believes to be caring for the child,</p> <p>(iii) every person in whose favour a contact order is in force with respect to the child, and</p> <p>(iv) every person who is allowed to have contact with the child by virtue of an order under Article 27.</p>
<p>Article 24, 27(2), 27(3), 27(4), 27(9) or 30(6).</p>	<p>3 days</p>	<p>As for “all applications” above, and:</p> <p>in the case of an application under Article 27, the person whose contact with the child is the subject of the application.</p>	<p>As for “all applications” above, and:</p> <p>in the case of an application under Article 24 –</p> <p>(i) every person whom the applicant believes to be a party to pending relevant proceedings in respect of the same child, and</p> <p>(ii) every person whom the applicant believes to be a parent without parental responsibility for the child.</p>
<p>Article 22, 37(1), 37(6)(b), 40(3), 40(5), 41(5)(a), 45(1) or 78(1).</p>	<p>1 day</p>	<p>As for “all applications” above, and:</p> <p>in the case of an application under Article 37(6) –</p> <p>(i) the parties to the application for the order in respect of which it is sought to</p>	<p>Except for applications under Article 78(1), as for “all applications” above, and:</p> <p>in the case of an application under Article 37(1), every person whom the applicant believes to be a parent of the</p>

		<p>vary the directions;</p> <p>(ii) any person who was caring for the child prior to the making of the order, and</p> <p>(iii) any person whose contact with the child is affected by the direction which it is sought to have varied;</p> <p>in the case of an application under Article 45, the person whom the applicant alleges to have effected or to have been or to be responsible for the taking or keeping of the child.</p>	<p>child;</p> <p>in the case of an application under Article 37(6)(b) –</p> <p>(i) the Minister, and</p> <p>(ii) any person whom the applicant believes to be affected by the direction which it is sought to have varied;</p> <p>in the case of an application under Article 78(1), the person referred to in Article 78(1) and any person preventing or likely to prevent such a person from exercising powers under enactments mentioned in Article 78(1).</p>
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**SCHEDULE 2<sup>8</sup>**

(Rules 6(2) and 7(2))

**FORMS**

Form C1	:	Application for an order (except a private law application for an Article 10 order, a parental responsibility order, an order for leave to remove a child from the jurisdiction, or an order for the change of a child's name)
Form C100	:	Private law application for an Article 10 order, a parental responsibility order, an order for leave to remove a child from the jurisdiction, or an order for the change of a child's name
Form C2	:	Application – <ul style="list-style-type: none"><li>• for leave to commence proceedings</li><li>• for an order or directions in existing family proceedings</li><li>• to be joined as, or cease to be, a party in existing family proceedings</li></ul>
Form C3	:	Supplement for an application for financial provision for a child or variation of financial provision for a child
Form C4	:	Statement of means
Form C5	:	Supplement for an application for an Emergency Protection Order
Form C6	:	Supplement for an application for a warrant to assist a person authorized by an Emergency Protection Order
Form C7	:	Supplement for an application for a care or supervision order
Form C8	:	Supplement for an application for authority to refuse contact with a child in care
Form C9	:	Supplement for an application for contact with a child in care
Form C10	:	Supplement for an application for a Child Assessment Order
Form C11	:	Supplement for an application for a recovery order
Form C12	:	Application for a warrant of assistance
Form C13	:	Supplement for an application for an order to hold a child in secure accommodation
Form C14	:	Confidential address

**Application for an order**

Form C1

(except a private law application for an Article 10 order, a parental responsibility order, an order for leave to remove a child from the jurisdiction, or an order for the change of a child's name)

File Number:

**In the Royal Court of Jersey**

(Family Division)

The full name(s) of the child(ren).

**1 About you (the applicant)**

- State
- *your title, full name, address, telephone number, date of birth and relationship to each child above.*
  - *your advocate's or solicitor's name, address.*

**2 The child(ren) and the order(s) you are applying for**

- For each child state
- *the full name, date of birth and sex.*
  - *the type of order(s) you are applying for (for example, residence order, contact order, supervision order).*

### 3 Other cases which concern the child(ren)

*If there have ever been, or there are pending, any court cases which concern -*

- *a child whose name you have put in paragraph 2.*
- *a full, half or step brother or sister of a child whose name you have put in paragraph 2.*
- *a person in this case who is or has been, involved in caring for a child whose name you have put in paragraph 2.*

*Attach a copy of the relevant order and give -*

- *the name of the court.*
- *the name and address (if known) of the guardian ad litem, if appointed.*
- *the name and contact address (if known) of the court welfare officer, if appointed.*
- *the name and contact address (if known) of the advocate appointed for the child(ren).*

### 4 The respondent(s)

- For each respondent state*
- *the title, full name and address.*
  - *the date of birth (if known) or the age.*
  - *the relationship to each child.*

### 5 Others to whom notice is to be given

- For each person state*
- *the title, full name and address.*
  - *the date of birth (if known) or the age.*
  - *the relationship to each child.*



## **6 The care of the child(ren)**

*For each child in paragraph 2 state -*

- *the child's current address and how long the child has lived there.*
- *whether it is the child's usual address and who cares for the child there.*
- *the child's relationship to the other children (if any).*

## **7 Children's Service**

*For each child in paragraph 2 state -*

- *whether the child is known to the Children's Service. If so, give the name of the child care officer concerned.*
- *(if known) state whether the child is on the Child Protection Register. If so, give the date of registration.*

## **8 The education and health of the child(ren)**

*For each child state*

- *the name of the school, college or place of training which the child attends.*
- *whether the child is in good health. Give details of any serious disabilities or ill health.*
- *whether the child has any special needs.*

## 9 The parents of the child(ren)

- For each child state*
- *the full name of the child's mother and father.*
  - *whether the parents are, or have been, married to each other.*
  - *whether the parents live together. If so, where.*
  - *whether, to your knowledge, either of the parents has been involved in a court case concerning a child. If so, give the date and the name of the court.*

## 10 The family of the child(ren) (other children)

*For any other child not already mentioned in the family (for example, a brother or a half sister) state -*

- *the full name and address.*
- *the date of birth (if known) or the age.*
- *the relationship of the child to you.*

## 11 Other adults

- State*
- *the full name of any other adults (for example, lodgers) who live at the same address as any child named in paragraph 2.*
  - *whether they live there all the time.*
  - *whether, to your knowledge, the adult has been involved in a court case concerning a child. If so, give the date and the name of the court.*

## 12 Your reason(s) for applying and any plans for the child(ren)

*State briefly your reasons for applying and what you want the court to order.*

- *Do not give a full statement if you are applying for an order under Article 10 of the Children (Jersey) Law 2002. You may be asked to provide a full statement later.*
- *Do not complete this section if this Form is accompanied by any of the supplemental Forms C3 to C13.*

## 13 At the Court

- State*
- *whether you will need an interpreter at court (parties are responsible for providing their own). If so, specify the language.*
  - *whether disabled facilities will be needed at court.*

**Signed**

(Applicant)

**Date**

**Private law application for an Article 10 order,  
a parental responsibility order, an order for  
leave to remove a child from the jurisdiction,  
or an order for the change of a child’s name**

Form C100

**File number:**

**In the Royal Court of Jersey  
(Family Division)**

(Before completing this Form please read the Procedural Guide *attached*.  
**You can get a copy of all the Forms and leaflets from: the Judicial Greffe or  
online at**  
[www.gov.je/](http://www.gov.je/) [\*\*\*\*\*]

**The Jersey Family Court Advisory Service (JFCAS) will carry out checks as it  
considers necessary.**

### Summary of application

Some people need **permission** to apply – please consult the Procedural Guide and  
chart ‘Who can apply for orders without leave of the Court’

Have you applied to the court for  
permission to make this application?  Yes  Permission not required

Your name (the applicant(s))

The respondent’s name(s)

Please list the name(s) of the child(ren) and the type(s) of order you are applying for, starting with the oldest.			
Child 1 – Full name of Child	Date of Birth	Gender	Order(s) applied for
	/ /	Male	
		Female	
Relationship to applicant(s)		Relationship to respondent(s)	
Child 2 – Full name of Child	Date of Birth	Gender	Order(s) applied for
	/ /	Male	
		Female	
Relationship to applicant(s)		Relationship to respondent(s)	

Child 3 – Full name of Child	Date of Birth	Gender	Order(s) applied for
	/ /	Male	
		Female	
Relationship to applicant(s)		Relationship to respondent(s)	

If there are more than three children please continue on a separate sheet.

Please tick if additional sheets are attached.

**1. About you (the applicant(s))**

	Applicant 1 (You)	Applicant 2 (if applicable)
Full Names		
Previous names (if any)		
Gender	<input type="checkbox"/> Male <input type="checkbox"/> Female	<input type="checkbox"/> Male <input type="checkbox"/> Female
Date of Birth	<input type="text"/> <input type="text"/> <input type="text"/>	<input type="text"/> <input type="text"/> <input type="text"/>
Place of Birth (town/county/country)		

If you do not wish your address and/or contact details to be made known to the respondent, leave the details you do not wish to be known below blank and complete Confidential contact details Form C14.

Address		
Postcode		
Home telephone number		
Mobile telephone number		

E-mail address		
----------------	--	--

Have you lived at this address for more than 5 years?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
---	--	--

If No, please provide details of **all** previous addresses you have lived at for the last 5 years.

--	--

\* Please note that we require all addresses for the previous 5 years. Please continue on a separate sheet if necessary.

Please tick if additional sheets are attached.

**2. The Respondent(s)**

If there are more than 2 respondents please continue on a separate sheet.

	Respondent 1	Respondent 2								
Full Names										
Previous names (if known)										
Gender	<input type="checkbox"/> Male <input type="checkbox"/> Female	<input type="checkbox"/> Male <input type="checkbox"/> Female								
Date of Birth	<table border="1" style="width: 100%; height: 20px;"> <tr> <td style="width: 25%;"></td> <td style="width: 25%;"></td> <td style="width: 25%;"></td> <td style="width: 25%;"></td> </tr> </table>					<table border="1" style="width: 100%; height: 20px;"> <tr> <td style="width: 25%;"></td> <td style="width: 25%;"></td> <td style="width: 25%;"></td> <td style="width: 25%;"></td> </tr> </table>				
Place of Birth (town/county/country)										

Address		
Postcode		
Home telephone number		
Mobile telephone number		
E-mail address		
Have they lived at this address for more than 5 years?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Don't know	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Don't know
	If No, please provide details of <b>all</b> previous addresses for the last 5 years below (if known, including the dates and starting with the most recent).	

\* Please note that we require all addresses for the previous 5 years. Please continue on a separate sheet if necessary.

Please tick if additional sheets are attached.

**3. Others who should be given notice**

There may be other people who should be notified of your application, for example, someone who cares for the child but is not a parent.

	<b>Person 1</b>	<b>Person 2</b>
Full Names		
Previous names (if known)		
Gender	<input type="checkbox"/> Male <input type="checkbox"/> Female	<input type="checkbox"/> Male <input type="checkbox"/> Female
Date of Birth (if known)	<input type="text"/>	<input type="text"/>
Place of Birth (if known) (town/county/country)		
Address		
Postcode		
Please state their relationship to the children listed in Section 1. If their relationship is not the same to each child please state their relationship to each child.		



**4. Legal representation details**

Do you have an advocate or solicitor acting for you?  Yes  No

If Yes, please give the following details:

Advocate's/Solicitor's Name

Name of firm

Address

Postcode

Telephone number

Fax number

E-mail address

**5. The Child(ren)**

Does the child/Do any of the children have any disability or special needs?  Yes  No

If Yes, please give details:

Are any of the children known to the Children's Service?  Yes  No  Don't know

If Yes, please state which child(ren) and the name(s) of the social worker(s) (if known)

Are the names of any of the children on the Child Protection Register?  Yes (state which)  No  Don't know

Do all the children share the same parents?  Yes  No

If Yes, what are the names of the parents?

If No, please identify the parents for each child named in this application

Please state everyone who has parental responsibility for each child and how they have parental responsibility (e.g. 'child's mother', 'child's father and was married to the mother when the child was born', etc.)

With whom do each of the children currently live?

- Applicant(s)
- Respondent(s)
- Other

If Other, please give the full address of the child(ren), the names of any adults living with the child(ren) and their relationship to or involvement with the child(ren)

If you do not wish this information to be made known to the Respondent, leave the details blank and complete Confidential contact details form **C14**

## 6. Why are you making this application?

Please give brief details:

- any previous agreements (formal or informal), and how they have broken down
- your reasons for bringing this application to the court
- what you want the court to do
- reasons given by the respondent(s) for their actions in relation to this application

**Do not give a full statement, please provide a summary of any relevant grounds and reasons.**

You may be asked to provide a full statement later.

**7. Agreements about residence and/or contact?**

Have you received a copy of the **‘Parenting Plan: Putting your children first: A guide for separating parents’** booklet?  Yes  No **If No, you can get a copy free of charge from the Judicial Greffe**

Have you attended mediation?  Yes  No

Please give the following details:

- If you attended mediation information/assessment meeting, what was the outcome?
- If you attended full mediation sessions, what was the outcome?
- If you did not attend mediation, please explain why?
- Would you be willing to attend?

--	--

<ul style="list-style-type: none"> <li>• Have you been on the ‘Children in Mind’ course?</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No
---	--

<ul style="list-style-type: none"> <li>• If you have not, what was the reason?</li> </ul>	
---	--

**8. Risk**

Do you believe that any of the children listed in Section 1 have experienced or are at risk of experiencing harm from any of the following by any person who has had or may have contact with the child(ren) or who is or has been involved in caring for the child(ren)?

any form of domestic abuse/ violence	<input type="checkbox"/> Yes	<input type="checkbox"/> No
child abduction	<input type="checkbox"/> Yes	<input type="checkbox"/> No
child abuse	<input type="checkbox"/> Yes	<input type="checkbox"/> No
drugs, alcohol or substance abuse	<input type="checkbox"/> Yes	<input type="checkbox"/> No
other safety or welfare concerns	<input type="checkbox"/> Yes	<input type="checkbox"/> No

Has there been Police, Children’s Service, Mental Health, Medical or any other support services involvement with any of these risks?  Yes  No  Don’t know

If you answered Yes to any of the above, you will be asked to provide further details in due course.

**9. Other court cases which concern the child(ren) listed in Section 1**

Are you aware of any other court cases now, or at any time in the past, which concern any of the child(ren) listed in Section 1?  Yes If Yes, please give details below (and provide copies of any orders in your possession):

No If No, please go to Section 10

**Details**

Name of child(ren)

Details of Case(s)

Date/year (if known)

**If the above details are different for each child, please provide details on additional sheets.**

Please tick if additional sheets are attached.

**10. Attending the court**

**If you require an interpreter, you must tell the court**

Do you or any of the parties need an interpreter at court?

Yes  No

If yes, please specify the language:

If attending court, do you or any of the parties involved have a disability for which you require special assistance or special facilities?

Yes  No

If Yes, please say what the needs are:

**11. Statement**

\* I, the applicant, honestly believe that the facts stated in this application are true.

\* Delete as appropriate

\* I am duly authorised by the applicant to sign this statement.

Print full name

Signed

Dated

--	--	--	--	--	--	--	--	--	--

**Applicant**

Name of applicant lawyer's firm

Position or office held (If signing on behalf of firm or company)

Signed

Dated

--	--	--	--	--	--	--	--	--	--

**Applicant's lawyer**

**What to do now**

- Check you have attached copies of any relevant orders (as per Section 9)
- Has Form C14 been attached (if applicable – relating to confidential contact details)?
- Check you have completed and **signed** Section 11.
- You must provide a copy of the application and attached documents for each of the respondents and one for JFCAS.**
- Check you have included dates of birth for all parties (if known) and children.
- Are there any additional sheets attached?
- If you have included additional sheets, you must add the names of the parties and children at the top of the page, and details of the questions and page number that the additional sheets relate to.
- Check you have attached the correct stamp fee. For details of the fee and how to purchase the stamp, either attend at Reception of the Royal Court building or contact the Judicial Greffe by telephone on 441300.

**Now take or send your application with the correct stamp fee and correct number of copies to the court.**

**Application**

Form C2

- for leave to commence proceedings  
*Children Rules 2005 Rule 5*
- for an order or directions in existing family proceedings  
*Children Rules 2005 Rule 6(2)(a), Rule 7(2)(a), Rule 13(2)*
- to be joined as, or cease to be, a party in existing family proceedings  
*Children Rules 2005 Rule 10(3)*

File number:

**In the Royal Court of Jersey**

(Family Division)

The full name(s) of the child(ren).

**1 About you (the person making this application)**

- State
- *your title, full name, address, telephone number, date of birth and relationship to each child above.*
  - *your advocate's or solicitor's name, address, reference, telephone and FAX numbers.*
  - *if you are already a party to the case, give your description (for example, applicant, respondent or other).*



## 2 The order(s) or direction(s) you are applying for

*State for each child*

- *the full name, date of birth and sex.*
- *the type of order(s) you are applying for (for example, residence order, contact order, supervision order).*

## 3 Persons to be served with this application

*For each respondent to this application state the title, full name and address.*

## 4 Your reason(s) for applying and any plans for the child(ren)

*State briefly your reasons for applying.*

*Do not give a full statement if you are applying for an order under Article 10 Children (Jersey) Law 2002.*

*You may be asked to provide a full statement later.*

Signed

Date

(Applicant)

**Supplement for an application for  
financial provision for a child or  
variation of financial provision for  
a child**

Form C3

*Paragraph 4 Schedule 1 Children (Jersey) Law 2002*

File Number:

**In the Royal Court of Jersey**  
(Family Division)

The full name(s) of the child(ren).

**1 About the application**

*State whether you are seeking*

- *an order for a lump sum; a transfer of property; a settlement of property; periodical payments; secured periodical payments*
- or
- *a variation of an order for periodical payments; secured periodical payments; payment of a lump sum by instalments*

**2 Previous court orders and written agreements**

*If a written agreement or court order has been made a copy should be attached to this application.*

- If not available, state*
- *the date*
  - *the terms*
  - *the parties*
  - *the court.*

### 3 About the order

*State the terms of the order you ask the Court to make and in particular*

- *the amount you would like the Court to order*
- *whether you would like that amount paid weekly or monthly (if you are not applying for a lump sum)*
- *why you require the payments, or would like the Court to vary an existing order.*

### 4. The collection of payment

*Give details of how you would like payments collected. Possible ways are:*

**Directly to a bank, building society or post office account**

Give the full name and address, sorting code and the number of the account into which payment is to be made

**If you would like the Court to direct that money is paid in some other way please say what method you would like**

*And if you do not mind how the money is paid, please say so. The Court will decide how it should be paid.*

Signed  
(Applicant)

Date

**Statement of Means***Schedule 1 Children (Jersey) Law 2002*

Form C4

File Number:

**In the Royal Court of Jersey**

(Family Division)

The full name(s) of the child(ren).

**Warning** The Court will require to see written evidence of unemployment or sickness; or wages or salary slips, bank statements, and other papers giving details of your means. This evidence should be attached to this form or brought with you when you attend the hearing.

**1 About you**

- State*
- *your title, full name, address, telephone number and date of birth*
  - *whether you are married, single or other*
  - *whether you are the applicant or the respondent.*

**2 Your dependants**

- State for each dependant*
- *the dependant's title, full name and age*
  - *whether the dependant is a spouse, partner, child or other*
  - *whether the dependant is wholly or partially financially dependent on you*
  - *whether the dependant lives with you*

### 3 Your employment

*State whether you are employed, self-employed, unemployed or other*

- If you are employed, state*
- *your employment*
  - *your employer's name, address and daytime telephone number.*

### 4 Your buildings and land

*List all buildings and land you own, whether in your name alone or jointly, stating for each*

- *the address*
- *the name(s) of the owner(s)*
- *the current value.*

### 5 Your financial assets

*List each bank, building society and post office account, stating for each*

- *the name and address whether the account is held*
- *the account number*
- *the current balance*

*List all investments and securities (for example, shares, insurance policies) stating for each one the name and quantity and current value.*

*List all pension schemes, stating for each one the scheme name and the company.*

### 6 Other possessions of value

*List all possessions of value (for example, jewellery, antiques, collectable items), stating for each:*

- *what they are*
- *the current value.*

**7. Your income**

*State whether  
Weekly (W) or  
Monthly (M)*

<i>If employed, state your usual take home pay</i>		£
<i>If self-employed, state</i>	• <i>your drawings</i>	£
	• <i>your gross turnover</i>	£
	• <i>your profit after expenses</i>	£
	• <i>whether you expect your turnover to increase, decrease or remain the same</i>	£
	• <i>the date of the accounts showing the above gross turnover and profit after expenses</i>	Year ending 20
 <i>In all cases, state any of the following which you receive</i>		
	• <i>Income support</i>	£
	• <i>Child benefits</i>	£
	• <i>Support from the Parish</i>	£
	• <i>Other State benefits (specify source)</i>	£
		£
		£
	• <i>Pension(s) (specify source)</i>	£
		£
		£
	• <i>Contributions from others in the home (total)</i>	£
	• <i>Other income (specify source and amount)</i>	£
		£
		£
		£
		-----
	<i>Total income</i>	£
		-----

### 8 Court Orders

*Enclose a copy of any order*

Court	Amount outstanding (£)	Amount of Payment (£)	Weekly (W) or Monthly (M) (£)

### 9 Your expenses

	Amount of Payments	Weekly (W) or Monthly (M)	Total debt	Amount of arrears
Hypothec ( <i>i.e.</i> Mortgage)				
1 <sup>st</sup>				
2 <sup>nd</sup>				
Rent				
Parish Rate				
Gas				
Electricity				
Telephone				
Water charges				
Credit Card				
Loans				
Storecards				
HP Payments				
TV rental and licence				
Mail Order				
Food				
Clothing				
Public transport				
Car expenses				
School				
Child care				
Maintenance				

Other payments				
(give details)				
<b>Total Payments</b>				

**Signed**

**Date**

[Applicant] [Respondent]



## Supplement for an application for an Emergency Protection Order

*Article 37 Children (Jersey) Law 2002*

Form C5

File Number:

### Before the Bailiff of Jersey

The full name(s) of the child(ren).

#### 1 Description of the child(ren)

*If a child's identity is not known, state details which will identify the child.*

*You may enclose a recent photograph of the child, which should be dated.*

#### 2 The grounds for the application

*The grounds are*

ANY  
APPLICANT

A  that there is reasonable cause to believe that [this] [these] child[ren] [is] [are] likely to suffer significant harm if

the child[ren] [is] [are] not removed to accommodation provided by or on behalf of this applicant

the child[ren] [does] [do] not remain in the place where [the child] [they] [is] [are] currently being accommodated.

HEALTH AND  
SOCIAL SERVICES

B  that enquiries are being made about the welfare of the child[ren] under Article 42(1)(b) of Children (Jersey) Law 2002 **and** those enquires are being frustrated by access to the child[ren] being unreasonably refused to someone who is authorised to seek access **and** there is reasonable cause to believe that access to the child[ren] is required as a matter of urgency.

#### 3 The additional order(s) applied for

information on the whereabouts of the child[ren] (*Article 43(1) Children (Jersey) Law 2002*)

authorisation for entry of premises (*Article 43(3) Children (Jersey) Law 2002*)

authorisation to search for another child on the premises (*Article 43(4) Children (Jersey) Law 2002*)

**4 The direction(s) sought**

- contact (*Article 37(4)(a) Children (Jersey) Law 2002*)
- a medical or psychiatric examination or other assessment of the child[ren] (*Article 37(4)(b) Children (Jersey) Law 2002*)
- to be accompanied by a registered medical practitioner or other person (*Article 40(11) Children (Jersey) Law 2002*)

**5 The reason(s) for the application**

*If you are relying on a report or other documentary evidence, state the date(s) and author(s) and enclose a copy.*

Signed  
(Applicant)

Date

**Supplement for an application for  
a warrant to assist a person  
authorised by an Emergency  
Protection Order**

*Article 78 Children (Jersey) Law 2002*

Form C6

**File Number:**

**Before the Bailiff of Jersey**

The full name(s) of the child(ren).

**1 Description of the child(ren)**

*If a child's identity is not known, state details which will identify the child.*

*You may enclose a recent photograph of the child, which should be dated.*

**2. The grounds for the application**

An emergency protection order was made on:

*(State the date and time, and attach a copy of the order)*

and  a person **has been** prevented from exercising powers under the order by being refused entry to premises or access to the child[ren]

**or**

a person **is likely to be** prevented from exercising powers under the order by being refused entry to premises or access to the child[ren]

**3 The direction(s) sought**

State -

- whether you wish to accompany the authorised person, if the warrant is granted.
- where the child is to be taken, if the warrant is executed.

**4 The reason(s) for the application**

*If you are relying on a report or other documentary evidence, state the date(s) and author(s) and enclose a copy.*

Signed

Date

(Applicant)

**Supplement for an application for  
a Care or Supervision Order***Article 24 Children (Jersey) Law 2002*

Form C7

File Number:

**In the Royal Court of Jersey**

(Family Division)

The full name(s) of the child(ren).

**1 The grounds for the application**

The grounds are that the child[ren] [is] [are] suffering or [is] [are] likely to suffer, significant harm and the harm, or likelihood of harm, is attributable to

- the care given to the child[ren], or likely to be given to the child[ren] if the order were not made, not being what it would be reasonable to expect a parent to give to the child[ren]
- the child[ren] being beyond parental control

**2 The reason(s) for the application***If you are relying on a report or other documentary evidence, state the date(s) and author(s) and enclose a copy.*

### **3 Your plans for the child(ren)**

- Include to*
- *in the case of supervision orders only, any requirements which you will invite the Court impose pursuant to Schedule 3 Children (Jersey) Law 2002*
  - *in all cases, whether you will invite the Court to make an interim order.*

### **4 The direction(s) sought**

*Children Rules 2005 Rule 13*

**Signed**

**Date**

(Applicant)

**Supplement for an application for  
authority to refuse contact with a  
child in care**

*Article 27 Children (Jersey) Law 2002*

Form C8

File Number:

**In the Royal Court of Jersey**

(Family Division)

The full name(s) of the child(ren).

**1 The current arrangements for contact**

- State
- *the full name(s) of each person who has contact with each child and the current arrangements for contact*
  - *whether Health and Social Services have refused contact for 7 days or less (Article 27 Children (Jersey) Law 2002)*

**2 The order applied for**

*State the full name and relationship of any person in respect of whom authority to refuse contact with each child is sought.*

**3 The reason(s) for the application**

*If you are relying on a report or other documentary evidence, state the date(s) and author(s) and enclose a copy.*

**Signed**

**Date**

(Applicant)



**Supplement for an application for  
contact with a child in care***Article 27 Children (Jersey) Law 2002*

Form C9

File Number:

**In the Royal Court of Jersey**

(Family Division)

The full name(s) of the child(ren).

**1 Your relationship to the child(ren)***State whether*

- *you are a parent*
- *you hold a residence order which was in force immediately before the care order was made (Article 27(1)(b) Children (Jersey) Law 2002)*
- *you had care of the child(ren) through an order which was in force immediately before the care order was made (Article 27(1)(c) Children (Jersey) Law 2002).*

**2 The reason(s) for the application***If you are relying on a report or other documentary evidence, state the date(s) and author(s) and enclose a copy.***Signed**

(Applicant)

**Date**

**Supplement for an application for  
a Child Assessment Order***Article 36 Children (Jersey) Law 2002*

Form C10

File Number:

**In the Royal Court of Jersey**

(Family Division)

The full name(s) of the child(ren).

**1 The grounds for the application**

The grounds are that there is reasonable cause to suspect that the child[ren] [is] [are] suffering, or [is] [are] likely to suffer, significant harm

**and**

an assessment of the state of the child[ren]'s health or development or of the way in which the child[ren] [has] [have] been treated, is required to determine whether or not the child[ren] [is] [are] suffering, or [is] [are] likely to suffer, significant harm

**and**

it is unlikely that such an assessment will be made, or be satisfactory, in the absence of an order under this Article.

*State your reason(s) for believing the grounds exist*

*If you are relying on a report or other documentary evidence, state the date(s) and author(s) and enclose a copy.*

**2 The direction(s) sought in respect of the assessment***Articles 36(4), (5) and (6) Children (Jersey) Law 2002*

**3. The direction(s) sought in respect of contact**

*Article 36(7) Children (Jersey) Law 2002*

**Signed**

**Date**

(Applicant)

## Supplement for an application for a Recovery Order

*Article 45 Children (Jersey) Law 2002*

Form C11

File Number:

### In the Royal Court of Jersey

(Family Division)

The full name(s) of the child(ren).

#### 1 Particulars of child(ren)

State whether the child[ren] [is] [are]  in care

or  the subject of an emergency protection order

or  in police protection



Enclose a  
copy of  
the order

*If a child's identity is not known, state details that will identify the child.*

*You may enclose a recent photograph of the child, which should be dated.*

#### 2 The order and direction(s) applied for

- State
- *whether the child[ren] (is) (are) to be produced to an authorised person specified by the Court (Article 45(5) Children (Jersey) Law 2002)*
  - *whether you require the Court to authorise a police officer to enter specified premises (Article 45(2)(d) Children (Jersey) Law 2002)*

### 3 The grounds for the application

The grounds are that the child[ren]  [has] [have] been unlawfully taken away or (is) (are) being unlawfully kept away from the responsible person

or  [has] [have] run away or (is) (are) staying away from the responsible person

or  (is) (are) missing

### 4 The reason(s) for the application

*Include your ground(s) for believing that the child[ren] (is) (are) on the premises named in paragraph 2 above (if applicable) (Article 45(2)(d) Children (Jersey) Law 2002)*

*If you are relying on a report or other documentary evidence, state the date(s) and author(s) and enclose a copy.*

**Signed**

(Applicant)

**Date**

**Application for a warrant of assistance**

Form C12

*Article 78 Children (Jersey) Law 2002**Article 35 Adoption (Jersey) Law 1961**Article 11 Day Care of Children (Jersey) Law 2002*

File Number:

**Before the Bailiff of Jersey**

The full name(s) of the child(ren) (if known)

**1 About you (the applicant)**

- State*
- *your title, full name, address, telephone number, and relationship to the child[ren] (if any)*
  - *your lawyer's name, address, reference, telephone and FAX numbers*
  - *whether you are:*
    - a person authorised by Health and Social Services*
    - a supervisor acting under a supervision order*

**2 Description of the child(ren) (if applicable)***If a child's identity is not known, state details which will identify the child**You may enclose a recent photograph of the child, which should be dated*

### 3 The grounds for the application

I am attempting to exercise powers under an enactment within Article 78(1) Children (Jersey) Law 2002 at the following premises (*give full address*):

and

I **have been** prevented from exercising those powers by

I **am likely to be** prevented from exercising those powers by

PERSON AUTHORISED BY HEALTH AND SOCIAL SERVICES	{	<i>Article 57(3)</i>	<input type="checkbox"/>	{	[being, or likely to be, refused entry to a voluntary home]
					[being, or likely to be, refused access to a child in a voluntary home]
		<i>Article 61(3)</i>	<input type="checkbox"/>	{	[being, or likely to be, refused entry to a private foster home]
					[being, or likely to be, refused access to a child in a private foster home]
PERSON AUTHORISED BY HEALTH AND SOCIAL SERVICES	{	<i>Article 11 Day Care of Children (Jersey) Law 2002</i>	<input type="checkbox"/>	{	[being, or likely to be, refused entry to premises on which day care for children is provided]
					[being, or likely to be, refused access to a child in premises on which day care for children is provided]
PERSON AUTHORISED BY HEALTH AND SOCIAL SERVICES	{	<i>Article 25 Adoption (Jersey) Law 1961</i>	<input type="checkbox"/>	{	[being, or likely to be, refused entry to premises on which a protected child is, or is likely to be, kept]
					[being, or likely to be, prevented from visiting a protected child]
SUPERVISOR UNDER THE SUPERVISION ORDER	{	<i>Paragraph 6(1)(b) Schedule 3</i>	<input type="checkbox"/>		[being, or likely to be, refused entry to accommodation where a supervised child is living]
		<i>Paragraph 6(2)(b) Schedule 3</i>	<input type="checkbox"/>		[being, or likely to be, refused contact with a supervised child by a responsible person]

**4 The respondent(s)**

*For each respondent state the title, full name, address, telephone number and relationship (if any) to each child*

**5 The reason(s) for the application**

*If you are relying on a report or other documentary evidence, state the date(s) and author(s) and enclose a copy.*

**6 The direction(s) sought**

- State*
- *whether you wish to accompany the police officer, if the warrant is granted*
  - *whether you wish the police officer to be accompanied by a registered medical practitioner, or other person, if he so wishes*

**Signed**

(Applicant)

**Date**



**Supplement for an application for an order to  
hold a child in secure accommodation***Article 22 Children (Jersey) Law 2002*

Form C13

File Number:

**In the Royal Court of Jersey**

(Family Division)

The full name(s) of the child(ren).

**1. The grounds for the application**

- The grounds are
- that the child[ren] [has] [have] a history of absconding and (is) (are) likely to abscond from any other accommodation and if the child[ren] abscond [he] [she] [they] (is) (are) likely to suffer significant harm.
  - That if the child[ren] (is) (are) kept in any other accommodation, [the child] [they] (is) (are) likely to injure [himself] [herself] [themselves] or other people.

**2 The reason(s) for the application and length of order applied for**

*If you are relying on a report or other documentary evidence, state the date(s) and author(s) and enclose a copy.*

**Signed**

(Applicant)

**Date**

Form C14

**Confidential address****File number:****In the Royal Court of Jersey  
(Family Division)**

The full name(s) of the child(ren)

Your full name

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**The omitted address**

*This Form is to be used by any party in children law proceedings who does not wish to reveal the address of their private residence or that of any child. This address will not be revealed to any person except by order of the Court. State that address:*

## ENDNOTES

### Table of Legislation History

Legislation	Year and No	Commencement
Children Rules 2005	<a href="#">R&amp;O.80/2005</a>	1 August 2005 except Schedule 3; Schedule 3, 9 December 2005
Children (Amendment) Rules 2005	<a href="#">R&amp;O.192/2005</a>	26 December 2005
Children (Amendment No. 2) Rules 2013	<a href="#">R&amp;O.67/2013</a>	23 May 2013
Children (Amendment No. 3) Rules 2019	<a href="#">R&amp;O.73/2019</a>	26 August 2019

### Table of Renumbered Provisions

Original	Current
33	Spent, omitted
34(1)	33
34(2) and (3)	Spent, omitted

### Table of Endnote References

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<sup>1</sup> Rule 1(3)	<i>inserted by R&amp;O.67/2013</i>
<sup>2</sup> Rule 5(1)	<i>amended by R&amp;O.67/2013</i>
<sup>3</sup> Rule 7	<i>substituted by R&amp;O.67/2013</i>
<sup>4</sup> Rule 8A	<i>inserted by R&amp;O.67/2013</i>
<sup>5</sup> Rule 10(2)	<i>amended by R&amp;O.67/2013</i>
<sup>6</sup> Rule 25	<i>substituted by R&amp;O.73/2019</i>
<sup>7</sup> Rule 25A	<i>inserted by R&amp;O.73/2019</i>
<sup>8</sup> Schedule 2	<i>amended by R&amp;O.192/2005, R&amp;O.67/2013</i>