**In the High Court of Justice No: [*Case number*]  
Family Division  
[*name of District Registry*]  
sitting at [*court name*]**



**The Senior Courts Act 1981**

**The child**

**[*Name of child*] [Girl] / [Boy] [*dob dd/mm/yy*]**

**ORDER MADE BY [*NAME OF JUDGE*] [SITTING AS] A JUDGE OF THE HIGH COURT, FAMILY DIVISION ON [*DATE*]**

**The parties and representation at this hearing**

1. The applicant is[*name of local authority*], represented by [*barrister/solicitor name*] [instructed by [*solicitor name*]] whose contact details are [*chambers/firm name*], [*phone number*], [*email*]

The first respondent is [*name*], the [*relationship to child*], [in person], represented by [*barrister/solicitor name*] [instructed by [*solicitor firm name*]] whose contact details are [*chambers/firm name*], [*phone number*], [*email*]

The second respondent is [*name*], the [*relationship to child*], [in person], represented by [*barrister/solicitor name*] [instructed by [*solicitor firm name*]] whose contact details are [*chambers/firm name*], [*phone number*], [*email*]

The third respondent is the child (born on [*date of birth*]) acting by [his] / [her] guardian [*guardian name*], represented by [*barrister/solicitor name*] [instructed by [*solicitor firm name*]] whose contact details are [*chambers/firm name*], [*phone number*], [*email*]

1. Unless otherwise stated, a reference in this order to ‘the respondent’ means all of the respondents.

**Recitals**

1. **[Note these details should be included as an exception to the house rules]** The judge read the following documents:
   1. [*Insert details*]
2. The judge heard the following oral evidence:
   1. [*Insert details*]
3. It appears to the court that the [proposed] living and care arrangements of the child arguably amount to a deprivation of their liberty.
4. [The solicitor for the child has confirmed that the guardian and [he] / [she] intend to visit the child [*name of child*] in the near future to undertake their preliminary enquiries.]

**or**  
[The solicitor for the child and the guardian do not intend to visit the child [*name of child*] in the near future for the following welfare reasons:

* 1. [*set out reasons*]].

1. The local authority has confirmed that it will facilitate the guardian being able to inspect any records held by it in relation to the child upon request.

**IT IS DECLARED, PENDING FINAL HEARING THAT**:

1. It is lawful and in the child’s, [*name of child*], best interests to be deprived of [his] / [her] liberty by [*name of local authority*] at [*name of placement*] and accordingly such [continued] deprivation of liberty is authorised.
2. The confinement, as described within the social worker’s statement dated [*date*] at [*insert bundle reference*], which is in place for [*name of child*] is necessary, the least restrictive and is a proportionate response to the risk of harm which arise.
3. **[insert if appropriate]** In depriving [*name of child*] of [his] / [her] liberty, the local authority is directed to use the minimum degree of force or restraint required. The use of such force/restraint is lawful and in his best interests provided always that the measures are:
   1. The least restrictive of the child’s rights and freedoms;
   2. Proportionate to the anticipated harm;
   3. The least required to ensure the child’s safety and that of others; and
   4. Respectful of the child’s dignity.

**IT IS ORDERED THAT:**

1. Pursuant to s.100 of the Children Act 1989, leave is granted to the local authority to invoke the inherent jurisdiction.

**[insert if appropriate – for example if there is an issue in relation to the child’s capacity]**

**Experts**

1. [The court being satisfied that it is necessary for the following expert to be instructed,] [permission] to [*name*] to instruct an expert [*type of expert*], namely [*name*], as a single joint expert is [given] / [refused].[The court being satisfied that it is necessary for the following expert to be instructed,] [permission] to [*name*] to instruct the following experts is [given] / [refused]: [*name and discipline of expert*].
2. The application by [*name*] for permission to instruct an expert [*type of expert*] is adjourned pending compliance with Part 25C. Upon compliance the court will consider the application [at a hearing] / [on paper].
3. The following directions shall apply to the instruction of [*name or discipline of expert*]:
   1. The lead for the instruction of the expert shall be [*name*].
   2. The letter of instruction to the expert [as approved by the court today] / [to be agreed by the parties by 4.00pm on [*date*] and sent to the court] must be sent the expert by 4.00pm on [*date*].
   3. The questions to be dealt with by the expert are as follows: [*insert*]
   4. Permission is [not] given for the expert to see and assess the child[ren].
   5. The expert’s report must be sent to the court and to the parties by no later than 4.00pm on [*date*].
   6. Permission is [not] given to call [*name*] to give oral evidence at the hearing.
4. Questions of the expert must be dealt with in accordance with FPR rule 25.10.
5. Experts can request the court (by letter or email) to give directions pursuant to FPR rule 25.17 for the purpose of assisting in the carrying out of the expert’s functions.



1. Any application for permission to call an expert to give oral evidence shall be made no later than 1 working day before the pre-IRH advocates meeting. Any party making such an application will be expected to have raised written questions in accordance with FPR rule 25.17.

1. [*Name of expert(s)*] shall give evidence by live link. [*Name*] shall send a witness bundle to the expert no later than 2 working days before the hearing.
2. The costs of the expert[s] [attending] shall be paid by the parties [equally] / [in the same proportions as the costs of the original instruction of the expert, subject to any further order made by the court].
3. The reports by [*name*] may be disclosed to any person or agency providing professional therapy, counselling or treatment to the child.

**Statements**

1. The respondents may by 4.00pm on [*date*] send to the court and to the other parties a statement setting out their response to the local authority’s application.
2. In the event that the child is separately represented, by 4.00pm on [*date*] a statement shall be sent to the court and to the other parties in response to the application.
3. The guardian shall by 4.00pm on [*date*] send to the court and to the other parties a final analysis and recommendations report.
4. In the event that the child, if of an age to express wishes and feelings, indicates a wish to meet with the judge, the solicitor for the child shall notify the court so as that appropriate arrangements can be made in this regard.

**Listing**

1. The matter be listed before [*name of judge*], sitting at [*court name*], for [case management hearing] / [issues resolution hearing] / [final hearing] on [*date*] at [*time*] allowing [*time estimate*]. The parties and their representatives shall attend no later than one hour before the time the hearing is listed. [All parties should note that this is a hearing at which final orders may be made.]

Dated [*date*]

**Communications with the court**

All communications to the court about this order should be sent to:

[*Insert the address and telephone number of the appropriate Court Office*]

If the order is made at the Royal Courts of Justice, communications should be addressed as follows:

The Clerk of the Rules, Queen’s Building, Royal Courts of Justice, Strand, London WC2A 2LL quoting the case number. The telephone number is 020 7947 6543.

The offices are open between 10.00am and 4.30pm Monday to Friday.

**Name and address of applicant’s legal representatives**

The applicant’s legal representatives are:

[*Name, address, reference, fax and telephone numbers (both in and out of office hours) and email*]