

PROTOCOL FOR THE FILING OF CASE MANAGEMENT ORDERS
IN PUBLIC LAW CHILDREN ACT CASES

1. It is acknowledged that the Family Procedure Rules 2010 and the revised Public Law Outline are unclear as to where responsibility lies for the drafting of orders following hearings in public law Children Act cases.
2. Following discussions between the Designated Family Judge, Michael Oliver (on behalf of Leicestershire County Council) and Fiona Gingell (on behalf of Leicester City Council) it has been accepted that, save where paragraph 7 below applies, in proceedings in the Leicester Family Court the responsibility for drafting such orders should lie with the relevant local authority or the barrister instructed on behalf of the local authority.
3. It is agreed that in cases involving sibling groups the parties and the court should make it clear whether one or more than one order must be drawn to reflect any orders made.
4. It is agreed that typed orders drawn by the local authority should be filed at court within no more than 3 working days from the date of the order unless the judge directs that the typed order should be filed sooner.¹
5. In any case in which a typed order has not been filed within 3 working days, the court will send a letter in standard form:

‘With reference to the above matter, and in accordance with the Protocol dated XXX, following the hearing which took place on XXX your authority should have filed a typed order in Word format by XXX. We have not received that order, Unless it is received within 2 working days from the date of this letter the file will be referred back to the Bench/Judge for further consideration.’
6. A copy of the standard letter will be sent by e-mail to the local authority lawyer with responsibility for the case and to Michael Oliver or Fiona Gingell depending upon which local authority is involved.
7. With respect to any hearing requested by a respondent to public law Children Act proceedings, unless the court orders otherwise the case summary for that hearing and the drafting of the order at the end of the hearing should be the responsibility of the

¹ The 2013 Protocol and Good Practice Model: Disclosure of information in alleged child abuse and linked criminal and care directions hearings requires that orders for police disclosure be served upon the police within 48 hours. The Leicestershire Police have agreed to act upon service of an unsealed order in the first instance, the sealed order to be served when available.

party which sought that hearing. Typed orders drawn by a respondent should be filed with the court in accordance with the timescales set out at paragraph 4 above. Though not required to do so by the Family Procedure Rules 2010 the local authorities have agreed that they will continue to prepare bundles for such hearings.

His Honour Judge Clifford Bellamy
Designated Family Judge for Leicester
7th May 2014