**In the High Court of Justice, Family Division**



**No: [*Case number*]**

**[The Child Abduction and Custody Act 1985 incorporating the 1980 Hague Convention on the Civil Aspects of International Child Abduction] /**

**[The Senior Courts Act 1981] /**

**[In the Inherent Jurisdiction of the High Court] /**

**[Council Regulation (EC) No. 2201/2003] /**

**[The 1996 Hague Convention on Jurisdiction, Applicable Law, Recognition and Enforcement and Co-operation in Respect of Parental Responsibility and Measures for the Protection of Children] /**

**[The Children Act 1989] /**

**[The Family Law Act 1986]**

**The child[ren]**

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

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

After hearing [*name the advocate(s) who appeared*]

After consideration of the documents lodged by the applicant

After reading the statements and hearing the witnesses specified in paragraph [*para number*] of the Recitals below

**ATTENDANCE ORDER MADE BY [*NAME OF JUDGE*] ON [*DATE*] SITTING IN PRIVATE**

**IMPORTANT WARNING TO [*NAME OF PERSON WHOM ORDER IS EFFECTIVE AGAINST*] OF [*ADDRESS*]**

**If you [*name of person whom order is effective against*] disobey this order you may be held to be in contempt of court and may be imprisoned, fined or have your assets seized.**

**If any other person who knows of this order and does anything which helps or permits you [*name of person whom order is effective against*] to breach the terms of this order they may be held to be in contempt of court and may be imprisoned, fined or have their assets seized.**

**Important Notice to [*name of person whom order is effective against*]**

Breach of paragraphs [9 and 10] / [*para numbers*] of this order may result in the court issuing a warrant for your arrest to be executed by the Tipstaff (or at [his] / [her] request a member of [his] / [her] staff or a police officer) and a direction to the Tipstaff to bring you before a judge of this court as soon as practicable after your arrest. Breach of any part of this order would be a contempt of court punishable by imprisonment, fine or seizure of your assets. Accordingly, whether or not the Tipstaff arrests you, you may be summoned to attend court and, if you are found to be in breach of the order, you are liable to be committed to prison or fined or to have your assets seized. You are not excused from complying with this order by reason that to do so might incriminate yourself or your spouse of an offence; but a statement or admission made in compliance with this order shall not be admissible in evidence against you or your spouse (if applicable) in proceedings for any offence other than perjury.

You have the following legal rights:

* 1. to seek legal advice. This right does not entitle you to disobey any part of this order until you have sought legal advice.
  2. to require the applicant's solicitors, namely [*applicant firm name*], (ref: [*applicant firm reference*], tel: [*applicant firm phone*], email [*applicant firm email*]) at their own expense to supply you with a copy of any affidavit and their note of the hearing and of any oral evidence referred to in paragraph 6 below.
  3. to apply, whether by counsel or solicitor or in person, to the Urgent High Court Applications Judge at the Royal Courts of Justice, if practicable after giving notice to the applicant's solicitors, for an order discharging or varying any part of this order. This right does not entitle you to disobey any part of this order until your application has been heard.
  4. if you do not speak or understand English adequately, to have an interpreter present in court at public expense in order to assist you at the hearing of any application relating to this order. If you require an interpreter you must notify the applicant’s solicitors as soon as possible.

**The parties**

1. The applicant is [*applicant name*]

The respondent is [*respondent name*]

**(Specify any additional respondents)**

**(Specify if any adult party acts by a litigation friend)**

**(Specify if the children or any of them act by a children’s guardian)**

[*Name of person whom order is effective against*]is a person who the court is satisfied can supply information about the whereabouts of the above-named child[ren] to assist in promoting their welfare and enabling issues relating to them to be decided by the courts of England and Wales

1. Unless otherwise stated, a reference in this order to ‘the respondent’ means all of the respondents.
2. This order is effective against [*name of person whom order is effective against*]. Any person who has notice of this order must not assist [*name of person whom order is effective against*] not to comply or in breaking the terms of this order. If they do so they may also be in contempt of court.

**Definitions**

1. The Tipstaff is the enforcement officer of the High Court at the Royal Courts of Justice. [He] / [She] has a deputy and assistants and can authorise police officers to act on [his] / [her] behalf. Any obligation to give information to the Tipstaff or to hand over a document to [him] / [her] includes an obligation to do so to [his] / [her] deputy or assistant or a police officer acting on [his] / [her] behalf.

**Recitals**

1. This order was made at a hearing without notice to the respondent or to [*name of person whom order is effective against*]. The reason why the order was made without notice to the respondent or [*name of person whom order is effective against*] was [*insert*].
2. The judge read the following [affidavits] / [witness statements] [*insert*] and heard oral evidence from [*name*].

**Undertakings to the court by the applicant [*applicant name*]**

1. If the court later finds that this order has caused loss to [*name of person whom order is effective against*] and decides that [he] / [she] should be compensated for that loss by the applicant, [he] / [she] will comply with any order the court may make that [he] / [she] do so compensate [*name of person whom order is effective against*].

**Undertakings to the court by the applicant’s solicitor [*applicant firm name*]**

1. To pay such travel and other costs (but not including loss of earnings) reasonably incurred by [*name of person whom order is effective against*] in complying with this order and which the court may decide should be paid to [*name of person whom order is effective against*] by [them] / [the applicant]. Such costs will be a reasonable disbursement on the public funding certificate of the applicant (if any).

**IT IS ORDERED THAT:**

1. [*Name of person whom order is effective against*] must attend at the High Court of Justice, Family Division sitting at the Royal Courts of Justice at [*time*] on [*date*] to give oral evidence before a judge of that court and to answer questions on oath concerning what [he] / [she] knows about the whereabouts of the said child[ren], where they are and how they might be found **(adapt as appropriate)**.
2. Other than with the [prior permission of the High Court of Justice, Family Division] / [written permission of the applicant’s solicitors, [*applicant firm name*]] [*name of person whom order is effective against*] must not disclose the making, content, service or any steps taken in compliance with this order to any person other than legal advisers instructed by [*name of person whom order is effective against*] in connection with this order.
3. Permission is granted to the applicant not to serve this order on [*insert*].
4. [*Name of person whom order is effective against*] and any person affected by this order may apply to the High Court of Justice, Family Division (The Strand, London WC2A (Tel: 0207 947 6000) forthwith but if practicable on notice to the applicant’s solicitors to vary or discharge this order.
5. Costs be reserved

Dated [*date*]

**Notice pursuant to PD 37A para 2.1**

You [*applicant name*] may be sent to prison for contempt of court if you break the promise that have been given to the court

**Statements pursuant to PD 37A para 2.2(2)**

I understand the undertakings that I have given, and that if I break any of my promises to the court I may be sent to prison for contempt of court

[*applicant name*] [signed on [his] / [her] behalf by [*applicant firm name*]]

**Notice pursuant to PD 37A para 2.1**

The firm of solicitors [*applicant firm name*] may be fined or sent to prison for contempt of court if the promise that have been given to the court is broken

**Statements pursuant to PD 37A para 2.2(2)**

I understand the undertakings that I have given, and that if I break any of my promises to the court I may be sent to prison for contempt of court

[*applicant solicitor name*] [on behalf of [*applicant firm name*]]