**In the Family Court Case no. [*Case number*]**

**sitting at [*Court name*]**

**The Children Act 1989**

**The child[ren]**

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

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

**EXCLUSION REQUIREMENT MADE BY [*NAME OF JUDGE*] ON [*DATE*] SITTING IN [PRIVATE] / [PUBLIC]**

**The parties and representation at this hearing**

1. The applicant is[*name of local authority*], represented by [*barrister/solicitor name*] [instructed by [*solicitor firm 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[s] [is] / [are] the child[ren] (by their children’s guardian [*guardian name*], represented by [*barrister/solicitor name*] [instructed by [*solicitor firm name*]] whose contact details are [*chambers/firm name*], [*phone number*], [*email*]

The intervener 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*]

**This order is made [on] / [without] notice to the person to whom it is directed and that person did [not] attend the hearing**

**Penal notice**

**To [*name of person to whom the penal notice is directed*]: If you the within-named [applicant] / [respondent] do not comply with this order you may be held to be in contempt of court and imprisoned or fined, or your assets may be seized.**

**THE COURT ORDERS**

1. The court being satisfied that the conditions in section 38A(2) of the Children Act 1989 are met, including that [*name*] is able and willing to give to the child[ren] the care it would be reasonable to expect a parent to give and consents to the inclusion of this exclusion requirement, the interim care order shall include an exclusion requirement in the following terms:
	1. [*Name*] must by [*date*] leave [*address* **(the dwelling-house in which s/he is living with the child)**];
	2. [*Name*] must not enter or return to [*address/area* **(the dwelling-house where the child lives or a defined area in which it is situated**].
2. The exclusion requirement shall [last as long as the interim care order] / [remain in force until [*date*]].
3. A power of arrest is attached to the exclusion requirement [which shall remain in force until [*date*]].
4. The local authority must send this order to the [*Area*] Police with confirmation of the date and time that it has been served on the person who must comply with it.
5. As this order has been made without notice to [*name*] or at a hearing which [he] / [she] has not attended the name[s] of [*name(s)*] and the making of this order [shall be] / [has been] announced in open court [at the earliest opportunity]. Further, the court will consider at a hearing on [*date*] whether the order should be varied or discharged.
6. **As this order has been made without notice to [*name*] [he] / [she] may apply to the court on 24 hours’ written notice to the parties for this order to be reconsidered by the court.**

Dated: [*date*]

**NOTICE TO POLICE CONSTABLE**

**This order contains a power of arrest pursuant to section 38A(5) of the Children Act 1989. This means that you may arrest without warrant the person named in the order if you have reasonable cause to believe that they have breached the requirements of the order. The arrested person must be brought before a judge within 24 hours after the arrest.**