

Schedule to the Allocation and Gatekeeping Guidance – Private Law

<p>Part 1 - District Judge (unless in the opinion of the allocated District Judge, the particular characteristics of the individual case justify transfer to a Circuit Judge)</p>	<p>Part 2 – District Judge but may exceptionally be by Circuit Judge (or at most serious level transfer to High Court)</p>	<p>Part 3 - High Court/Inherent Jurisdiction:</p>
<p>Allegations of serious physical, emotional or sexual abuse, or behaviours which have caused, or are at risk of causing, significant harm to the relevant child.</p> <p>Cases where significant factual matters are in issue (including substance misuse, domestic violence, paternity, physical and/or mental health of relevant adults or children) such that a fact-finding hearing lasting more than one day is likely and/or the necessity for expert evidence is likely to arise.</p> <p>Cases where the capacity of one of the parents is, or is likely to be, raised as an issue.</p> <p>Cases where there is a real possibility that the child will have to be joined as a party (see guidelines under <i>rule 16.4 FPR 2010</i>) or may be called to give evidence.</p>	<p>Cases involving significant factual disputes (including allegations of abuse, violence, alleged or proven criminal activity, gravely inappropriate behaviours, sexual abuse, complex physical and/or mental health issues in relation to relevant adults or children) particularly where a fact finding hearing of 3 days or more is a real possibility and/or where it is likely that more than one expert involved.</p> <p>Cases where there are particularly difficult and unusual immigration or jurisdictional issues.</p> <p>Cases involving leave to remove (permanently or temporarily) from the jurisdiction to Hague Convention and/or EU countries which are factually or legally complex.</p>	<p>Proceedings with an international element relating to or enforcement of Orders, conflict or comity of laws which have exceptional immigration/asylum status issues;</p> <p>Hague convention cases</p> <p>International abduction cases</p> <p>Cases invoking the inherent jurisdiction of the Court</p> <p>Cases which require the jurisdiction of the Administrative Court to be invoked</p> <p>Applications for Declaratory Relief</p> <p>Cases seeking leave to remove from the jurisdiction [permanently or temporarily] outside Hague Convention/ the EU.</p>

<p>Cases where there is, or is likely to be, a significant issue in relation to disclosure of documents to or from third parties or outside agencies.</p> <p>Cases where immigration issues are likely to be relevant and significant</p> <p>Cases involving leave to remove children (permanently or temporarily) from the jurisdiction to Hague Convention and/or EU countries.</p> <p>Cases where contact in principle is opposed and/or where the child is expressing views which give rise to a real possibility of there being no contact.</p> <p>Cases which involve significant issues to be determined in relation to the disclosure of information to one or other of the parties (e.g. where the Cafcass officer seeks to withhold information contained in a Safeguarding letter).</p> <p>Cases involving the enforcement of existing Orders made by a District Judge or cases where a District Judge has previously made Orders in relation to the same parties.</p>	<p>Cases which appear to involve, or have the potential to involve, intractable opposition to contact.</p> <p>Cases seeking enforcement of existing Orders made by a Circuit Judge or Recorder or in cases where a Circuit Judge or Recorder has previously made orders in relation to the same parties. Allocation should be to the same Circuit Judge or Recorder where practicable.</p>	
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No reliance is to be placed on this document in any court.

Allocation should be to the same District Judge where practicable.

Cases where there is a real possibility that Public Law Orders will be required (to be allocated to a District Judge or a Circuit Judge with public law ticket).

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