



# Important update regarding the compendium of Standard Family Orders

On 17 May 2023 Mr. Justice Peel, with the authority of the President of the Family Division, published [updated standard family orders and accompanying house rules](#). The publication followed a review of standard family orders conducted by Mr. Justice Peel which proceeded that carried out by Mr. Justice Mostyn with the assistance of family law professionals. This firm, The International Family Law Group LLP, contributed to this crucial review.

The updated order templates incorporate recent changes to law, practice and procedure. They are designed to assist Judge's but will ultimately assist all those involved in family law cases. They are to be used with immediate effect and can be adapted to suit each case. Some of the most significant changes are set out below.

## Content

Long and repetitive recitals can make orders difficult to follow and can distract from the actual orders or directions that have been made by the court. In future, recitals in orders should only record necessary and neutral information and they should not be used to rehash what has happened to date in the proceedings, or what has been said by whom in court.

Any relevant and necessary recitals should, in future, be set out at the end of the order and, in children cases specifically, should feature as a separate schedule to the order.



If an order is made without notice to a party, the reason why the order was made without notice must be included as a recital. This is in keeping with recent case law and guidance which has confirmed that '*without notice applications*' should not be made routinely and the necessity for an order to be made without notice must be carefully scrutinised by the court.

Orders directed to third parties necessitate a separate order and should be referenced in the substantive order. This will provide a much clearer record of all orders made at each hearing.

## Language

Fussy, frilly and over complicated language bewilders litigants in person. Mr. Justice Peel has made it clear that archaic legal language should be avoided and should not be included in family court orders. This is in keeping with the view of family law professionals that the law must be easier to understand and accessible to all. This is at the heart of the current [Family Law Language Projects](#) campaign. The encouraged use of clear and concise language is to be welcomed. It will help ensure that, crucially, there is no ambiguity regarding orders and directions.

There must also, in future, be far greater clarity regarding the timing of orders and directions. Specific dates and times should, where possible, be included, e.g., 7 June 2023 and 17:00.

The applicant and the respondent should be referred to by these terms and practitioners are discouraged from using other terms such as mother, father, etc. Additionally, the pronoun "their" should be used instead of '*his*' or '*her*'. These subtle changes signify that family law must be inclusive and less gendered.

## Format

- Orders are to be typed in Times New Roman font, size 12
- Single spacing is to be used
- Consecutive numbering is to be used
- Sub-paragraphs to only two levels are to be used



- Directions and orders should be set out chronologically and
- The applicable Statute, European Regulation or Protocol should be included in the case heading

These formatting stipulations encourage orders to be clear and concise.

## Conclusion

All family practitioners should use the updated standard family orders with immediate effect and also take head of the crucial changes to style and format set out in the accompanying house rules. If the changes are adopted, they will, hopefully, lead to far greater clarity regarding the terms of family court orders, which can only be a good thing.

Annie Boxer

[Annie.boxer@iflg.uk.com](mailto:Annie.boxer@iflg.uk.com)

The International Family Law Group LLP

[www.iflg.uk.com](http://www.iflg.uk.com)

© June 2023