

STATUTORY INSTRUMENTS

**2010 No. 2955**

**The Family Procedure Rules 2010**

**PART 10**

**APPLICATIONS UNDER PART 4 OF THE FAMILY LAW ACT 1996**

**Proceedings following arrest <sup>F1</sup>...**

**10.11.**—(1) This rule applies where a person is arrested pursuant to—

- (a) a power of arrest attached to a provision of an occupation order; <sup>F2</sup>...
- (b) a warrant of arrest issued on an application under section 47(8) of the 1996 Act <sup>M1</sup>[<sup>F3</sup>; or]
- (c) [<sup>F4</sup>a warrant of arrest issued on an application for enforcement of an incoming protection measure.

(The Civil Jurisdiction and Judgments (Protection Measures) Regulations 2014(1) make provision in relation to the powers of the family court and the High Court to enforce incoming protection measures under the Protection Measures Regulation.)]

(2) The court before which a person is brought following arrest may—

- (a) determine whether the facts, and the circumstances which led to the arrest, amounted to disobedience of the order; or
- (b) adjourn the proceedings.

(3) Where the proceedings are adjourned and the arrested person is released—

- (a) unless the court directs otherwise, the matter must be dealt with within 14 days beginning with the date of arrest; and
- (b) the arrested person must be given not less than 2 days' notice of the hearing.

(4) An application notice seeking the committal for contempt of court of the arrested person may be issued if the arrested person is not dealt with within the period mentioned in paragraph (3)(a).

(The powers of [<sup>F5</sup>the court] to remand in custody or on bail are contained in section 47 of and Schedule 5 to the Family Law Act 1996 <sup>M2</sup>.)

<sup>F6</sup>...

**Textual Amendments**

- F1** Words in rule 10.11 heading omitted (22.4.2014) by virtue of [The Family Procedure \(Amendment No.3\) Rules 2013 \(S.I. 2013/3204\)](#), rules 1, **38(a)** (with rule 137); S.I. 2014/954, **art. 2**
- F2** Word in rule 10.11(1)(a) omitted (11.1.2015) by virtue of [The Family Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/3296\)](#), rules 1(2), **9(a)** (with rule 15)
- F3** Word in rule 10.11(1)(b) substituted (11.1.2015) by [The Family Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/3296\)](#), rules 1(2), **9(b)** (with rule 15)

---

**Changes to legislation:** There are currently no known outstanding effects for the  
The Family Procedure Rules 2010, Section 10. (See end of Document for details)

---

- F4** Rule 10.11(1)(c) inserted (11.1.2015) by The Family Procedure (Amendment No. 4) Rules 2014 (S.I. 2014/3296), rules 1(2), **9(c)** (with rule 15)
- F5** Words in rule 10.11 substituted (22.4.2014) by The Family Procedure (Amendment No.3) Rules 2013 (S.I. 2013/3204), rules 1, **38(b)** (with rule 137); S.I. 2014/954, **art. 2**
- F6** Words in rule 10.11 omitted (22.4.2014) by virtue of The Family Procedure (Amendment No.3) Rules 2013 (S.I. 2013/3204), rules 1, **38(c)** (with rule 137); S.I. 2014/954, **art. 2**

---

**Marginal Citations**

- M1** Section 47(8) was amended by section 58(1) to and paragraphs 38(1) and (5) of Schedule 10 to the Domestic Violence, Crime and Victims Act 2004.
- M2** Section 47 was amended by section 58(1) and (2) of and paragraphs 38(1) to (5) of Schedule 10 to and Schedule 11 to the Domestic Violence, Crime and Victims Act 2004.

**Changes to legislation:**

There are currently no known outstanding effects for the The Family Procedure Rules 2010, Section 10.