



Forced Marriage (Civil Protection Act 2007) Court Rules

Introduction

The Institute of Legal Executives (ILEX) is the professional and regulatory body for Legal Executives and currently has a membership of 22,000 students and Legal Executives.

Legal Executive lawyers are employed within solicitors' firms to conduct specialist legal work. Amongst other things, legal executives undertake the following work:

- Advice and representation to clients accused of serious or petty crime.
- Advice and representation to families with matrimonial problems.
- Handling various legal aspects of a property transfer.
- Assist in the formation of a company.
- Be involved in actions in the High Court and county courts.
- Draft wills.
- Undertake the administration of oaths.

Terms of Reference of Consultation Paper

The consultation seeks views on the draft Court Rules relating to applications for Forced Marriage Protection Orders (FMPOs) . This response is submitted following consultation from ILEX members.

Introduction

1. ILEX welcomes the opportunity to comment on the proposed draft Court Rules in relation to applications for Forced Marriage Protection Orders (FMPOs).
2. Generally, subject to specific comments below, the draft Court Rules appear to be effective in meeting the provisions of the *Forced Marriage (Civil Protection) Act 2007* (the 2007 Act) and ILEX has no comments on any other issues.
3. *Section 63C (6) of the Family Law Act 1996* (as amended by the 2007 Act) allows a court of its own motion to make a Forced Marriage Protection Order in any other family proceedings without an application being to it. The drafts Court Rules do not expressly mention this important provision.
4. Rule 3.27 (1) of The Draft Rules clarifies how an application is made and the required contents of such an application. Presumably, a Court contemplating a forced marriage protection order of its own initiative need not comply with Rule 3.27 (1) of the Draft Rules.
5. ILEX has no other comment on any other issues.

ILE/GG

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