



/guide



Your questions answered

HOW TO: **APPLY FOR AND OBTAIN A** **S91(14) BARRING ORDER**

[Watch the supporting 'Obtain a S91\(14\) Order' video](#)

This Stowe talks: How to guide explains how you apply for and obtain a Section 91(14), also known as a barring order.

What is a barring order?

A barring order is an order made by the court that prevents an individual from making an application to the court about their children without first seeking permission from the judge.

What does a barring order cover?

A barring order covers applications made under the Children Act for things such as child arrangements, orders for contact or variations of contact. Its purpose is to prevent unwarranted, unnecessary, and disruptive applications, often without merit.

In what situations would you apply for a barring order?

You would apply for a barring order when there have been continual, unjust and unreasonable applications made by an individual over arrangements for children, and it is believed that further applications would place the child or other person at risk of harm, or it is in the children's best interests to make this order.

Sometimes the order is required when there needs to be a period of rest after lengthy proceedings, or time is needed for actions to be taken to ensure the safety of children or other party. They should only be used as a last resort.

How do you apply for a barring order?

You apply for a barring order by filling out a [form C2](#).

On the form, you will be asked to provide details about yourself and the children, people who should be given notice of the application, and a statement including what you are applying for and why you are making the application.

It is a complex form, and it is highly recommended you seek legal advice to help you complete it correctly.

What evidence do you need for a barring order?

The evidence you need for a barring order application is: full details of the harm experienced to date by the continual and unreasonable applications; evidence of abuse already suffered; and evidence of threats to continue court applications.

The court may also request expert evidence on the risk of harm caused by continual applications.

Do you have to go to court?

You do have to go to court to get a barring order, and more often than not these circumstances arise during current children proceedings.

What factors does the court consider before approving a barring order?

The factors the court considers before approving a barring order are the risk of harm of continuing court applications to the carer/parent and child. It is usually ordered where those continuing applications are causing or deemed to cause harm.

The court will weigh up the welfare of the child, the risk of harm, and the restriction of an individual's ability to make an application to court.

How long can a barring order last?

A barring order can last for the time the court deems necessary. However, the duration must be proportionate to the harm it seeks to avoid.

What happens next?

Once your barring order is granted, it will specify what applications are not permitted without the permission of the court.

If the individual named in the order wishes to make a prohibited application before the barring order expires, they

will need to seek the court's permission for the application. If the court does not grant permission, the application will not continue.

The importance of legal advice

It is important to speak to a family lawyer, because barring orders can be complex and tricky to obtain.

A lawyer can help you with your application and supporting statement, and ensure you have enough evidence and detail to convince the court the order should be made.

Having to endure repeated court applications and hearings over arrangements for your children is extremely stressful for the parent and children involved. A family lawyer can give your case the best chance to save further coercive court proceedings being started.

Useful links:

Form C2: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1093209/C2_0722_save.pdf

CB1: Guide to making an application that involves children to the family court
<https://www.gov.uk/government/publications/family-court-applications-that-involve-children-cb1>

C8: Apply to keep your details private in the family court
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/993551/c8-eng.pdf

Help with court fees

Find out more about help paying court fees here: <https://www.gov.uk/get-help-with-court-fees>

You can apply for help with court fees online here: https://helpwithcourtfees.service.gov.uk/checklist?_ga=2.49897317.291397894.1693818360-2023738386.1683294732

Or download and complete Form EX160, for help with court fees here:
https://assets.publishing.service.gov.uk/media/65cc8b5f39a8a7000f60d502/EX160_1123.pdf

Search for your local family court
<https://www.gov.uk/find-court-tribunal>

Support

If you are in immediate danger, please call the police.

Help and support can also be accessed from the National Domestic Abuse Helpline on 0808 2000 247 or visit: www.nationaldahelpline.org.uk.

You can also access support from the different organisations and charities below.

Women's Aid directory of local support up to date information about domestic abuse support services across the UK.

Galop LGBT+ support. Helpline: 0800 999 5428

Mankind Initiative support for male victims. Helpline: 01823 334244

Respect information for people worried their own behaviour is abusive. Helpline: 0808 8024040

NSPCC confidential advice if you are worried about a child. Helpline: 0808 800 5000

Refuge National Domestic Abuse Helpline: 0808 2000 247

Forced Marriage Unit national advice and support for victims and potential victims of forced marriage, and professionals dealing with cases. Helpline: 020 7008 0151

Karma Nirvana specifically for victims of Forced Marriage/ Honour Based Abuse, especially victims whose first language is not English. Helpline: 0800 5999 247

Samaritans Helpline: 116 123

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Need more information?

Call our Client Care Team on **0330 838 7456** to speak with one of our specialist family lawyers or visit www.stowefamilylaw.co.uk