

Notes for Guidance

About these Notes:

- They explain some of the terms used in form C1AA that may be unfamiliar to you and will help you to complete the form.
- You should read all these notes before beginning to complete the form.
- Please do not enclose any original or copy documents unless you have been asked for something specifically.
- These notes are only a guide to help you complete form C1AA. If you need further help you should speak to a solicitor, Citizen's Advice Bureau or law centre. Public funding of your legal costs may be available from the Northern Ireland Legal Services Commission – a solicitor will be able to tell you more about this.

Please note that while court staff will help on procedural matters, they cannot offer any legal advice.

Section 1

1. About you

If you do not wish your address to be made known to the respondent, leave the space on the form blank and complete the Confidential Address Form (Form C5). The court can give you this form. It should be filed at the court at the same time as your application is submitted.

2. Your solicitor's details

You should complete this section if you have a solicitor acting for you. He or she may be able to help you complete this form and will give you the information necessary to complete these details. If you do not have a solicitor simply insert the words "solicitor not instructed".

Section 2

Do not complete this section if you are the applicant. Go straight to Section 3 (Further Information). Complete this section only if:

- a) you are the respondent
- b) the applicant has completed Form C1AA and,
- c) you wish to comment on the allegations made by the applicant.

You must only comment on the allegations made by the applicant in his or her Form C1AA and not on any other information elsewhere in the application. Put your comments as briefly as you can. You may be asked to provide more detailed information later in the proceedings.

If you do not wish to comment at this stage, this section may be left blank or you may insert the words "No comment at this stage".

Section 3

1. Involvement with outside agencies and organisations

"Harm" means ill-treatment or the impairment of health and development. If following an incident of domestic abuse or harm, the police, social services, mental health services or other support services have been or are still involved with:

- a) any of all of the children listed at the top of the Form C1AA
- b) a full, half or step brother or sister of a child(ren) listed at the top of the form
- c) or a person who is or has been involved with caring for the children or has had contact with the children you should provide:

- the name and address of any agency or service that has been involved but do not give any further details. You can comment on these later in this form
- the name of the person you have as a contact within that agency or service.
- the dates on which you had involvement. (If you cannot remember the precise dates, please provide the month or a date as near as possible).

If any of the agencies mentioned above continue to be involved you should say so in simple terms e.g. "the police are continuing their investigations" or "the social services are still involved". This list is not exhaustive so you should include all those that are still involved. If you have any documents, reports or correspondence, appointment cards or other relevant paperwork please say so here.

Do not enclose any of this paperwork with this form. The court may ask you to produce this later in the proceedings if it considers that it may be relevant to the case.

2. Incidents of abuse, violence or harm

For each alleged incident of violence, domestic abuse or harm, please give short answers to the following questions:

- What was the date of each incident? (If you cannot remember the precise date, please provide the month or a date as near as possible).
- Who was the victim of this behaviour? You should consider whether any child saw or heard anything and name him or her but do not give details here.

- Who was responsible for this behaviour?
- What was the nature of this behaviour e.g. was it physical, mental or sexual (and what form did it take)?
- How often did this kind of behaviour happen and give the date (as far as you can remember) of the most recent incident?
- Did you go to your GP or to a hospital to get treatment in respect of any injuries sustained for any of the children named in this form or the applicant or other person involved in the incident(s)?
- Do you believe that the harm, violence or abuse is likely to happen again in the future?
- a summary of the treatment recommended or the result of the assessment.
- information about whether you know that there was an assessment and the whereabouts of any reports or correspondence relating to it.

If any of this information is in your possession please say so:

- information about whether or not this treatment continues.

You should not include any documents, copies of appointment cards etc at this stage. You may be asked to provide this information later in the proceedings.

You shall have an opportunity later in the proceedings to provide a more substantial statement.

3. Involvement of the children

If you believe that any of the child(ren) named at the top of the form CIAA have either seen, heard or were aware of any of the alleged incidents of abuse, you should say so here and say briefly how these alleged incidents affected the family and the children. You will have an opportunity to give full details later in the proceedings.

4. Witnesses

If your answer to this question is “yes” you should ask whether he or she is willing, and able, to provide supporting evidence. This evidence could be any paperwork supplied by the police, hospital or any agency to which the incident was reported. You should also say whether or not this person is prepared to give evidence in court. **Do not** attach any of the evidence to this form. The court may ask you to provide it later in the proceedings.

5. Medical treatment or other assessment of the child(ren)

If any of the children named at the top of Form CIAA have been referred by a doctor, psychiatrist or psychologist for treatment or assessment relating to his or her emotional, social or behavioural development you should provide:

- the name and address of the psychiatrist or psychologist.
- the date when the referral was made (this may not be the date of the appointment). If you cannot remember the precise date, please provide the month or a date as near as possible.

6. Steps or orders required to protect you and the children

You are completing this form because there are allegations that the child(ren) may have suffered or be at risk of suffering domestic abuse, violence or harm or seeing another person suffering such domestic abuse, violence or harm and you are asking the court to make an order for Residence, Contact, Prohibited Steps or Specific Issue.

These terms mean:

- a) Residence: this decides who the child or children are going to live with in the future.
- b) Contact: this decides how often and for how long the person with whom the child(ren) are living must let the child(ren) visit, stay or otherwise have contact with the person asking for the order.
- c) Prohibited Steps: this prevents a parent from taking a particular action as set out in the order without the permission of the court. This also applies to actions by any other person named in the order.
- d) Specific issue: this decides specific questions e.g. about education, medical treatment or a foreign holiday or visit where parents or those with parental responsibility cannot agree.

Please say what steps or order you think the court should make to protect the interests of yourself and the child(ren) named in this form so that you and they may be protected.

7. Attending the Court

If you feel that you are vulnerable or likely to be intimidated when you attend court and would like the court to make special arrangements, please say so on this form. The court will try to supply you and your witnesses with a separate waiting area. For this or any other measures to be considered please will you explain why you feel you need them.