



Children Act 1989

1989 CHAPTER 41

PART II

ORDERS WITH RESPECT TO CHILDREN IN FAMILY PROCEEDINGS

Family assistance orders

16 Family assistance orders

- (1) Where, in any family proceedings, the court has power to make an order under this Part with respect to any child, it may (whether or not it makes such an order) make an order requiring—
 - (a) a probation officer to be made available; or
 - (b) a local authority to make an officer of the authority available, to advise, assist and (where appropriate) befriend any person named in the order.
- (2) The persons who may be named in an order under this section (“a family assistance order”) are—
 - (a) any parent or guardian of the child;
 - (b) any person with whom the child is living or in whose favour a contact order is in force with respect to the child;
 - (c) the child himself.
- (3) No court may make a family assistance order unless—
 - (a) it is satisfied that the circumstances of the case are exceptional; and
 - (b) it has obtained the consent of every person to be named in the order other than the child.
- (4) A family assistance order may direct—
 - (a) the person named in the order; or
 - (b) such of the persons named in the order as may be specified in the order,

Status: This is the original version (as it was originally enacted).

to take such steps as may be so specified with a view to enabling the officer concerned to be kept informed of the address of any person named in the order and to be allowed to visit any such person.

- (5) Unless it specifies a shorter period, a family assistance order shall have effect for a period of six months beginning with the day on which it is made.
- (6) Where—
- (a) a family assistance order is in force with respect to a child; and
 - (b) a section 8 order is also in force with respect to the child,
- the officer concerned may refer to the court the question whether the section 8 order should be varied or discharged.
- (7) A family assistance order shall not be made so as to require a local authority to make an officer of theirs available unless—
- (a) the authority agree; or
 - (b) the child concerned lives or will live within their area.
- (8) Where a family assistance order requires a probation officer to be made available, the officer shall be selected in accordance with arrangements made by the probation committee for the area in which the child lives or will live.
- (9) If the selected probation officer is unable to carry out his duties, or dies, another probation officer shall be selected in the same manner.