



Adoption and Children Act 2002

2002 CHAPTER 38

PART 2

AMENDMENTS OF THE CHILDREN ACT 1989

118 Review of cases of looked after children

(1) In section 26 of the 1989 Act (review of cases of looked after children, etc.), in subsection (2) (regulations as to reviews)—

(a) in paragraph (e), “to consider” is omitted and after “their care” there is inserted—

“(i) to keep the section 31A plan for the child under review and, if they are of the opinion that some change is required, to revise the plan, or make a new plan, accordingly,

(ii) to consider”,

(b) in paragraph (f), “to consider” is omitted and after the second mention of “the authority” there is inserted—

“(i) if there is no plan for the future care of the child, to prepare one,

(ii) if there is such a plan for the child, to keep it under review and, if they are of the opinion that some change is required, to revise the plan or make a new plan, accordingly,

(iii) to consider”,

(c) [F1 after paragraph (j) there is inserted—

“(k) for the authority to appoint a person in respect of each case to carry out in the prescribed manner the functions mentioned in subsection (2A) and any prescribed function”.]

(2) [F2 After that subsection there is inserted—

“(2A) The functions referred to in subsection (2)(k) are—

Changes to legislation: *Adoption and Children Act 2002, Section 118 is up to date with all changes known to be in force on or before 28 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (a) participating in the review of the case in question,
 - (b) monitoring the performance of the authority's functions in respect of the review,
 - (c) referring the case to an officer of the Children and Family Court Advisory and Support Service, if the person appointed under subsection (2)(k) considers it appropriate to do so.
- (2B) A person appointed under subsection (2)(k) must be a person of a prescribed description.
- (2C) In relation to children whose cases are referred to officers under subsection (2A)(c), the Lord Chancellor may by regulations—
- (a) extend any functions of the officers in respect of family proceedings (within the meaning of section 12 of the Criminal Justice and Court Services Act 2000) to other proceedings,
 - (b) require any functions of the officers to be performed in the manner prescribed by the regulations.”]

Textual Amendments

- F1** S. 118(1)(c) repealed (1.4.2011 for E.) by [Children and Young Persons Act 2008 \(c. 23\)](#), s. 44(4), [Sch. 4](#); [S.I. 2010/2981](#), art. 4(l)
- F2** S. 118(2) repealed (1.4.2011 for E.) by [Children and Young Persons Act 2008 \(c. 23\)](#), s. 44(4), [Sch. 4](#); [S.I. 2010/2981](#), art. 4(l)
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Commencement Information

- I1** S. 118 in force at 21.5.2004 by [S.I. 2004/1403](#), art. 2

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 4A inserted by [2014 c. 6 s. 5](#)
- s. 141(7) inserted by [2010 c. 26 Sch. 3 para. 13](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 3 Pt. 2 repealed (4.9.2013) without ever being in force by [2013 c. 22](#), s. 17(4) ; S.I. 2013/2200 art. 2(a))