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STATUTORY INSTRUMENTS

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**1991 No. 1395 (L.17)**

**MAGISTRATES' COURTS**

**The Family Proceedings Courts (Children Act 1989) Rules 1991**

*Made* - - - - - *25th May 1991*  
*Laid before Parliament* *12th July 1991*  
*Coming into force* - - - *14th October 1991*

The Lord Chancellor, in exercise of the powers conferred on him by section 144 of the Magistrates' Courts Act 1980(1), after consultation with the Rule Committee appointed under that section, hereby makes the following Rules:—

**PART I**  
**INTRODUCTORY**

**Citation, commencement and interpretation**

1.—(1) These Rules may be cited as the Family Proceedings Courts (Children Act 1989) Rules 1991 and shall come into force on 14th October 1991.

(2) Unless a contrary intention appears—

a section or schedule referred to means the section or schedule in the Act of 1989,

“application” means an application made under or by virtue of the Act of 1989 or under these Rules, and “applicant” shall be construed accordingly,

“business day” means any day other than—

(a) a Saturday, Sunday, Christmas Day or Good Friday; or

(b) a bank holiday, that is to say, a day which is, or is to be observed as, a bank holiday, or a holiday, under the Banking and Financial Dealings Act 1971(2), in England and Wales,

“child”

(a) means, in relation to any relevant proceedings, subject to sub-paragraph (b), a person under the age of 18 with respect to whom the proceedings are brought, and

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(1) 1980 c. 43, as extended by sections 74 and 145 of that Act; by section 28 of the Justices of the Peace Act 1979 (c. 55); and by sections 11(2), 32(2), 41(2), (5), (6)(i) and (10), 38(8)(b), 43(12), 44(9)(b), 48(12), 52(1) and (2), 93, 95(2), 97(1) and 102(4) of the Children Act 1989 (c. 41).

(2) 1971 c. 80.

- (b) where paragraph 16(1) of Schedule 1 applies, also includes a person who has reached the age of 18;
- “contribution order” has the meaning assigned to it by paragraph 23(2) of Schedule 2,
- “court” means a family proceedings court constituted in accordance with sections 66 and 67(3) of the Magistrates' Courts Act 1980 or, in respect of those proceedings prescribed in rule 2(5), a single justice who is a member of a family panel,
- “directions appointment” means a hearing for directions under rule 14(2),
- “emergency protection order” means an order under section 44,
- “file” means deposit with the justices' clerk,
- “form” means a form in Schedule 1 to these Rules with such variation as the circumstances of the particular case may require,
- “guardian ad litem” means a guardian ad litem, appointed under section 41, of the child with respect to whom the proceedings are brought,
- “justices' clerk” has the meaning assigned to it by section 70 of the Justices of the Peace Act 1979 and includes any person who performs a justices' clerk's functions by virtue of rule 32,
- “leave” includes approval,
- “note” includes a record made by mechanical means,
- “parental responsibility” has the meaning assigned to it by section 3,
- “parties” in relation to any relevant proceedings means the respondents specified for those proceedings in the third column of Schedule 2 to these Rules, and the applicant,
- “recovery order” means an order under section 50,
- “relevant proceedings” has the meaning assigned to it by section 93(3),
- “section 8 order” has the meaning assigned to it by section 8(2),
- “specified proceedings” has the meaning assigned to it by section 41(6) and rule 2(2),
- “the 1981 rules” means the Magistrates' Courts Rules 1981(4),
- “the Act of 1989” means the Children Act 1989(5),
- “welfare officer” means a person who has been asked to prepare a welfare report under section 7.

### **Matters prescribed for the purposes of the Act of 1989**

2.—(1) The parties to proceedings in which directions are given under section 38(6), and any person named in such a direction, form the prescribed class for the purposes of section 38(8)(b) (application to vary directions made with interim care or interim supervision order).

(2) The following proceedings are specified for the purposes of section 41 in accordance with subsection (6)(i) thereof—

- (a) proceedings under section 25;
- (b) applications under section 33(7);
- (c) proceedings under paragraph 19(1) of Schedule 2;
- (d) applications under paragraph 6(3) of Schedule 3.

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(3) Sections 66 and 67 were amended by paragraph 11 of Schedule 8 to the Children Act 1989.

(4) S.I.1981/552, amended by 1982/245, 1983/523, 1984/1552, 1985/1695 and 1944, 1986/1332, 1988/2132, 1989/300 and 384, 1990/336, 1190 and 2260.

(5) 1989 c. 41.



(3) The applicant for an order that has been made under section 43(1) and the persons referred to in section 43(11) may, in any circumstances, apply under section 43(12) for a child assessment order to be varied or discharged.

(4) The following persons form the prescribed class for the purposes of section 44(9)(b) (application to vary directions)–

- (a) the parties to the application for the order in respect of which it is sought to vary the directions;
- (b) the guardian ad litem;
- (c) the local authority in whose area the child concerned is ordinarily resident;
- (d) any person who is named in the directions.

(5) The following proceedings are prescribed for the purposes of section 93(2)(i) as being proceedings with respect to which a single justice may discharge the functions of a family proceedings court, that is to say, proceedings–

- (a) where an ex parte application is made, under sections 10, 44(1), 48(9), 50(1), 75(1) or 102(1),
- (b) subject to rule 28, under sections 11(3) or 38(1),
- (c) under sections 4(3)(b), 7, 14, 34(3)(b), 37, 41, 44(9)(b) and (11)(b)(iii), 48(4), 91(15) or (17), or paragraph 11(4) of Schedule 14,
- (d) in accordance with any Order made by the Lord Chancellor under Part I of Schedule 11, and
- (e) in accordance with rules 3 to 8, 10 to 19, 21, 22, or 27.

## PART II

### GENERAL

#### **Application for leave to commence proceedings**

3.—(1) Where the leave of the court is required to bring any relevant proceedings, the person seeking leave shall file–

- (a) a written request for leave setting out the reasons for the application; and
- (b) a draft of the application for the making of which leave is sought in the appropriate form in Schedule 1 to these Rules or, where there is no such form, in writing, together with sufficient copies for one to be served on each respondent.

(2) On considering a request for leave filed under paragraph (1), the court shall–

- (a) grant the request, whereupon the justices' clerk shall inform the person making the request of the decision, or
- (b) direct that a date be fixed for a hearing of the request, whereupon the justices' clerk shall fix such a date and give such notice as the court directs to the person making the request and to such other persons as the court requires to be notified, of the date so fixed.

(3) Where leave is granted to bring any relevant proceedings, the application shall proceed in accordance with rule 4; but paragraph (1)(a) of that rule shall not apply.

#### **Application**

4.—(1) Subject to paragraph (4), an applicant shall–

- (a) file the application in respect of each child in the appropriate form in Schedule 1 to these Rules or where there is no such form, in writing, together with sufficient copies for one to be served on each respondent, and
  - (b) serve a copy of the application, endorsed in accordance with paragraph (2)(b), on each respondent such minimum number of days prior to the date fixed under paragraph (2)(a) as is specified in relation to that application in column (ii) of Schedule 2 to these Rules.
- (2) On receipt of the documents filed under paragraph (1)(a), the justices' clerk shall—
- (a) fix the date, time and place for a hearing or a directions appointment, allowing sufficient time for the applicant to comply with paragraph (1)(b),
  - (b) endorse the date, time and place so fixed upon the copies of the application filed by the applicant, and
  - (c) return the copies to the applicant forthwith.
- (3) The applicant shall, at the same time as complying with paragraph (1)(b), give written notice of the proceedings, and of the date, time and place of the hearing or appointment fixed under paragraph (2)(a) to the persons set out in relation to the relevant class of proceedings in column (iv) of Schedule 2 to these Rules.
- (4) An application for—
- (a) a prohibited steps order, or a specific issue order, under section 8,
  - (b) an emergency protection order,
  - (c) a warrant under section 48(9),
  - (d) a recovery order, or
  - (e) a warrant under section 102(1),
- may, with leave of the justices' clerk, be made ex parte in which case the applicant shall—
- (i) file with the justices' clerk or the court the application in respect of each child in the appropriate form in Schedule 1 to these Rules at the time when the application is made or as directed by the justices' clerk, and
  - (ii) in the case of an application for a prohibited steps order, or a specific issue order, under section 8 or an emergency protection order, and also in the case of an application for an order under section 75(1) where the application is ex parte, serve a copy of the application on each respondent within 48 hours after the making of the order.
- (5) Where the court refuses to make an order on an ex parte application it may direct that the application be made inter partes.
- (6) In the case of proceedings under Schedule 1, the application under paragraph (1) shall be accompanied by a statement setting out the financial details which the applicant believes to be relevant to the application and containing a declaration that it is true to the maker's best knowledge and belief, together with sufficient copies for one to be served on each respondent.

### **Withdrawal of application**

- 5.—(1) An application may be withdrawn only with leave of the court.
- (2) Subject to paragraph (3), a person seeking leave to withdraw an application shall file and serve on the parties a written request for leave setting out the reasons for the request.
- (3) The request under paragraph (2) may be made orally to the court if the parties and, if appointed, the guardian ad litem or the welfare officer are present.
- (4) Upon receipt of a written request under paragraph (2), the court shall—
- (a) if—

- (i) the parties consent in writing,
  - (ii) any guardian ad litem has had an opportunity to make representations, and
  - (iii) the court thinks fit,
- grant the request; in which case the justices' clerk shall notify the parties, the guardian ad litem and the welfare officer of the granting of the request; or
- (b) the justices' clerk shall fix a date for the hearing of the request and give at least 7 days' notice to the parties, the guardian ad litem and the welfare officer of the date fixed.

### **Transfer of proceedings**

6.—(1) Where, in any relevant proceedings, the justices' clerk or the court receives a request in writing from a party that the proceedings be transferred to another family proceedings court or to a county court, the justices' clerk or court shall issue a certificate in the appropriate form in Schedule 1 to these Rules, granting or refusing the request in accordance with any Order made by the Lord Chancellor under Part I of Schedule 11.

(2) Where a request is granted under paragraph (1), the justices' clerk shall send a copy of the certificate—

- (a) to the parties,
- (b) to any guardian ad litem, and
- (c) to the family proceedings court or to the county court to which the proceedings are to be transferred.

(3) Any consent given or refused by a justices' clerk in accordance with any Order made by the Lord Chancellor under Part I of Schedule 11 shall be recorded in writing by the justices' clerk at the time it is given or refused or as soon as practicable thereafter.

(4) Where a request to transfer proceedings to a county court is refused under paragraph (1), the person who made the request may apply in accordance with rule 4.6 of the Family Proceedings Rules 1991(6) for an order under any Order made by the Lord Chancellor under Part I of Schedule 11.

### **Parties**

7.—(1) The respondents to relevant proceedings shall be those persons set out in the relevant entry in column (iii) of Schedule 2 to these Rules.

(2) In any relevant proceedings a person may file a request in writing that he or another person—

- (a) be joined as a party, or
- (b) cease to be a party.

(3) On considering a request under paragraph (2) the court shall, subject to paragraph (4)—

- (a) grant it without a hearing or representations, save that this shall be done only in the case of a request under paragraph (2)(a), whereupon the justices' clerk shall inform the parties and the person making the request of that decision, or
- (b) order that a date be fixed for the consideration of the request, whereupon the justices' clerk shall give notice of the date so fixed, together with a copy of the request—
  - (i) in the case of a request under paragraph (2)(a), to the applicant, and
  - (ii) in the case of a request under paragraph (2)(b), to the parties, or

- (c) invite the parties or any of them to make written representations, within a specified period, as to whether the request should be granted; and upon the expiry of the period the court shall act in accordance with sub-paragraph (a) or (b).
- (4) Where a person with parental responsibility requests that he be joined under paragraph (2) (a), the court shall grant his request.
- (5) In any relevant proceedings the court may direct—
  - (a) that a person who would not otherwise be a respondent under these Rules be joined as a party to the proceedings, or
  - (b) that a party to the proceedings cease to be a party.

### **Service**

**8.—(1)** Where service of a document is required by these Rules (and not by a provision to which section 105(8) (service of notice or other document under the Act) applies) it may be effected—

- (a) if the person to be served is not known by the person serving to be acting by solicitor—
  - (i) by delivering it to him personally, or
  - (ii) by delivering it at, or by sending it by first-class post to, his residence or his last known residence, or
- (b) if the person to be served is known by the person serving to be acting by solicitor—
  - (i) by delivering the document at, or sending it by first-class post to, the solicitor's address for service,
  - (ii) where the solicitor's address for service includes a numbered box at a document exchange, by leaving the document at that document exchange or at a document exchange which transmits documents on every business day to that document exchange, or
  - (iii) by sending a legible copy of the document by facsimile transmission to the solicitor's office.

(2) In this rule, "first-class post" means first-class post which has been pre-paid or in respect of which pre-payment is not required.

(3) Where a child who is a party to any relevant proceedings is required by these Rules to serve a document, service shall be effected by—

- (a) the solicitor acting for the child,
- (b) where there is no such solicitor, the guardian ad litem, or
- (c) where there is neither such a solicitor nor a guardian ad litem, the justices' clerk.

(4) Service of any document on a child shall, subject to any direction of the justices' clerk or the court, be effected by service on—

- (a) the solicitor acting for the child,
- (b) where there is no such solicitor, the guardian ad litem, or
- (c) where there is neither such a solicitor nor a guardian ad litem, with leave of the justices' clerk or the court, the child.

(5) Where the justices' clerk or the court refuses leave under paragraph (4)(c), a direction shall be given under paragraph (8).

(6) A document shall, unless the contrary is proved, be deemed to have been served—

- (a) in the case of service by first-class post, on the second business day after posting, and

(b) in the case of service in accordance with paragraph (1)(b)(ii), on the second business day after the day on which it is left at the document exchange.

(7) At or before the first directions appointment in, or hearing of, relevant proceedings, whichever occurs first, the applicant shall file a statement that service of—

- (a) a copy of the application has been effected on each respondent, and
- (b) notice of the proceedings has been effected under rule 4(3);

and the statement shall indicate—

- (i) the manner, date, time and place of service, or
- (ii) where service was effected by post, the date, time and place of posting.

(8) In any relevant proceedings, the justices' clerk or the court may direct that a requirement of these Rules to serve a document shall not apply or shall be effected in such manner as the justices' clerk or court directs.

### **Answer to application**

9.—(1) Within 14 days of service of an application for a section 8 order, each respondent shall file and serve on the parties an answer to the application in the appropriate form in Schedule 1 to these Rules.

(2) Within 14 days of service of an application under Schedule 1, each respondent shall file and serve on the parties an answer to the application in the appropriate form in Schedule 1 to these Rules.

### **Appointment of guardian ad litem**

10.—(1) As soon as practicable after the commencement of specified proceedings or the transfer of such proceedings to the court, the justices' clerk or the court shall appoint a guardian ad litem unless—

- (a) such an appointment has already been made by the court which made the transfer and is subsisting, or
- (b) the justices' clerk or the court considers that such an appointment is not necessary to safeguard the interests of the child.

(2) At any stage in specified proceedings a party may apply, without notice to the other parties unless the justices' clerk or the court otherwise directs, for the appointment of a guardian ad litem.

(3) The justices' clerk or the court shall grant an application under paragraph (2) unless it is considered that such an appointment is not necessary to safeguard the interests of the child, in which case reasons shall be given; and a note of such reasons shall be taken by the justices' clerk.

(4) At any stage in specified proceedings the justices' clerk or the court may appoint a guardian ad litem even though no application is made for such an appointment.

(5) The justices' clerk shall, as soon as practicable, notify the parties and any welfare officer of an appointment under this rule or, as the case may be, of a decision not to make such an appointment.

(6) Upon the appointment of a guardian ad litem the justices' clerk shall, as soon as practicable, notify him of the appointment and serve on him copies of the application and of documents filed under rule 17(1).

(7) A guardian ad litem appointed from a panel established by regulations made under section 41(7) shall not—

- (a) be a member, officer or servant of a local authority which, or an authorised person (within the meaning of section 31(9)) who, is a party to the proceedings unless he is employed

by such an authority solely as a member of a panel of guardians ad litem and reporting officers;

- (b) be, or have been, a member, officer or servant of a local authority or voluntary organisation (within the meaning of section 105(1)) who has been directly concerned in that capacity in arrangements relating to the care, accommodation or welfare of the child during the five years prior to the commencement of the proceedings;
- (c) be a serving probation officer (except that a probation officer who has not in that capacity been previously concerned with the child or his family and who is employed part-time may, when not engaged in his duties as a probation officer, act as a guardian ad litem).

(8) When appointing a guardian ad litem, the justices' clerk or the court shall consider the appointment of anyone who has previously acted as guardian ad litem of the same child.

(9) The appointment of a guardian ad litem under this rule shall continue for such time as is specified in the appointment or until terminated by the court.

(10) When terminating an appointment in accordance with paragraph (9), the court shall give reasons in writing for so doing, a note of which shall be taken by the justices' clerk.

(11) Where the justices' clerk or the court appoints a guardian ad litem in accordance with this rule or refuses to make such an appointment, the justices' clerk shall record the appointment or refusal in the appropriate form in Schedule 1 to these Rules.

### **Powers and duties of guardian ad litem**

**11.**—(1) In carrying out his duty under section 41(2), the guardian ad litem shall have regard to the principle set out in section 1(2) and the matters set out in section 1(3)(a) to (f) as if for the word “court” in that section there were substituted the words “guardian ad litem”.

(2) The guardian ad litem shall—

- (a) appoint a solicitor to represent the child, unless such a solicitor has already been appointed, and
- (b) give such advice to the child as is appropriate having regard to his understanding and, subject to rule 12(1)(a), instruct the solicitor representing the child on all matters relevant to the interests of the child, including possibilities for appeal, arising in the course of the proceedings.

(3) Where it appears to the guardian ad litem that the child—

- (a) is instructing his solicitor direct, or
- (b) intends to, and is capable of, conducting the proceedings on his own behalf,

he shall so inform the court through the justices' clerk and thereafter—

- (i) shall perform all of his duties set out in this rule, other than duties under paragraph (2)(a) and such other duties as the justices' clerk or the court may direct,
- (ii) shall take such part in the proceedings as the justices' clerk or the court may direct, and
- (iii) may, with leave of the justices' clerk or the court, have legal representation in his conduct of those duties.

(4) The guardian ad litem shall, unless excused by the justices' clerk or the court, attend all directions appointments in, and hearings of, the proceedings and shall advise the justices' clerk or the court on the following matters—

- (a) whether the child is of sufficient understanding for any purpose including the child's refusal to submit to a medical or psychiatric examination or other assessment that the court has power to require, direct or order;

- (b) the wishes of the child in respect of any matter relevant to the proceedings, including his attendance at court;
  - (c) the appropriate forum for the proceedings;
  - (d) the appropriate timing of the proceedings or any part of them;
  - (e) the options available to it in respect of the child and the suitability of each such option including what order should be made in determining the application;
  - (f) any other matter concerning which the justices' clerk or the court seeks his advice or concerning which he considers that the justices' clerk or the court should be informed.
- (5) The advice given under paragraph (4) may, subject to any order of the court, be given orally or in writing; and if the advice be given orally, a note of it shall be taken by the justices' clerk or the court.
- (6) The guardian ad litem shall, where practicable, notify any person whose joinder as a party to those proceedings would be likely, in the guardian ad litem's opinion, to safeguard the interests of the child, of that person's right to apply to be joined under rule 7(2) and shall inform the justices' clerk or the court—
- (a) of any such notification given,
  - (b) of anyone whom he attempted to notify under this paragraph but was unable to contact, and
  - (c) of anyone whom he believes may wish to be joined to the proceedings.
- (7) The guardian ad litem shall, unless the justices' clerk or the court otherwise directs, not less than 7 days before the date fixed for the final hearing of the proceedings, file a written report advising on the interests of the child; and the justices' clerk shall, as soon as practicable, serve a copy of the report on the parties.
- (8) The guardian ad litem shall serve and accept service of documents on behalf of the child in accordance with rule 8(3)(b) and (4)(b) and, where the child has not himself been served, and has sufficient understanding, advise the child of the contents of any documents so served.
- (9) The guardian ad litem shall make such investigations as may be necessary for him to carry out his duties and shall, in particular—
- (a) contact or seek to interview such persons as he thinks appropriate or as the court directs,
  - (b) if he inspects records of the kinds referred to in section 42, bring to the attention of the court, through the justices' clerk, and such other persons as the justices' clerk or the court may direct, all such records and documents which may, in his opinion, assist in the proper determination of the proceedings, and
  - (c) obtain such professional assistance as is available to him which he thinks appropriate or which the justices' clerk or the court directs him to obtain.
- (10) In addition to his duties under other paragraphs of this rule, the guardian ad litem shall provide to the justices' clerk and the court such other assistance as may be required.
- (11) A party may question the guardian ad litem about oral or written advice tendered by him to the justices' clerk or the court under this rule.

### **Solicitor for child**

- 12.—**(1) A solicitor appointed under section 41(3) or in accordance with rule 11(2)(a) shall represent the child—
- (a) in accordance with instructions received from the guardian ad litem (unless the solicitor considers, having taken into account the views of the guardian ad litem and any direction of the court under rule 11(3), that the child wishes to give instructions which conflict with those of the guardian ad litem and that he is able, having regard to his understanding, to

give such instructions on his own behalf in which case he shall conduct the proceedings in accordance with instructions received from the child), or

- (b) where no guardian ad litem has been appointed for the child and the condition in section 41(4)(b) is satisfied, in accordance with instructions received from the child, or
- (c) in default of instructions under (a) or (b), in furtherance of the best interests of the child.

(2) A solicitor appointed under section 41(3) or in accordance with rule 11(2)(a) shall serve and accept service of documents on behalf of the child in accordance with rule 8(3)(a) and (4)(a) and, where the child has not himself been served and has sufficient understanding, advise the child of the contents of any document so served.

(3) Where the child wishes an appointment of a solicitor under section 41(3) or in accordance with rule 11(2)(a) to be terminated, he may apply to the court for an order terminating the appointment; and the solicitor and the guardian ad litem shall be given an opportunity to make representations.

(4) Where the guardian ad litem wishes an appointment of a solicitor under section 41(3) to be terminated, he may apply to the court for an order terminating the appointment; and the solicitor and, if he is of sufficient understanding, the child, shall be given an opportunity to make representations.

(5) When terminating an appointment in accordance with paragraph (3) or (4), the court shall give reasons for so doing, a note of which shall be taken by the justices' clerk.

(6) Where the justices' clerk or the court appoints a solicitor under section 41(3) or refuses to make such an appointment, the justices' clerk shall record the appointment or refusal in the appropriate form in Schedule 1 to these Rules and serve a copy on the parties and, where he is appointed, on the solicitor.

### **Welfare officer**

**13.**—(1) The welfare officer shall, unless excused by the court or the justices' clerk, attend a hearing if the justices' clerk gives him notice that his report will be given or considered at that hearing; and any party may question the welfare officer about his report at such a hearing.

(2) A welfare officer shall file a copy of any written report at or by such time as the justices' clerk or the court directs or, in the absence of a direction, at least 5 days before a hearing of which he is given notice under paragraph (1); and the justices' clerk shall, as soon as practicable, serve a copy of the report on the parties and any guardian ad litem.

### **Directions**

**14.**—(1) In this rule, “party” includes the guardian ad litem and, where a request or direction concerns a report under section 7, the welfare officer.

(2) In any relevant proceedings the justices' clerk or the court may, subject to paragraph (5), give, vary or revoke directions for the conduct of the proceedings, including—

- (a) the timetable for the proceedings;
- (b) varying the time within which or by which an act is required, by these Rules, to be done;
- (c) the attendance of the child;
- (d) the appointment of a guardian ad litem whether under section 41 or otherwise, or of a solicitor under section 41(3);
- (e) the service of documents;
- (f) the submission of evidence including experts' reports;
- (g) the preparation of welfare reports under section 7;



- (h) the transfer of the proceedings to another court in accordance with any Order made by the Lord Chancellor under Part I of Schedule 11;
- (i) consolidation with other proceedings;

and the justices' clerk shall, on receipt of an application, or where proceedings have been transferred to his court, consider whether such directions need to be given.

(3) Where the justices' clerk or a single justice who is holding a directions appointment considers, for whatever reason, that it is inappropriate to give a direction on a particular matter, he shall refer the matter to the court which may give any appropriate direction.

(4) Where a direction is given under paragraph (2)(h), a certificate shall be issued in the appropriate form in Schedule 1 to these Rules and the justices' clerk shall follow the procedure set out in rule 6(2).

(5) Directions under paragraph (2) may be given, varied or revoked either—

- (a) of the justices' clerk or the court's own motion having given the parties notice of the intention to do so and an opportunity to attend and be heard or to make written representations,
- (b) on the written request of a party specifying the direction which is sought, filed and served on the other parties, or
- (c) on the written request of a party specifying the direction which is sought, to which the other parties consent and which they or their representatives have signed.

(6) In an urgent case, the request under paragraph (5)(b) may, with the leave of the justices' clerk or the court, be made—

- (a) orally,
- (b) without notice to the parties, or
- (c) both as in sub-paragraph (a) and as in sub-paragraph (b).

(7) On receipt of a request under paragraph (5)(b) the justices' clerk shall fix a date for the hearing of the request and give not less than 2 days' notice to the parties of the date so fixed.

(8) On considering a request under paragraph (5)(c) the justices' clerk or the court shall either—

- (a) grant the request, whereupon the justices' clerk shall inform the parties of the decision, or
- (b) direct that a date be fixed for the hearing of the request, whereupon the justices' clerk shall fix such a date and give not less than 2 days' notice to the parties of the date so fixed.

(9) Subject to rule 28, a party may request, in accordance with paragraph 5(b) or (c), that an order be made under section 11(3) or, if he is entitled to apply for such an order, under section 38(1), and paragraphs (6), (7) and (8) shall apply accordingly.

(10) Where, in any relevant proceedings, the court has power to make an order of its own motion, the power to give directions under paragraph (2) shall apply.

(11) Directions of the justices' clerk or a court which are still in force immediately prior to the transfer of relevant proceedings to another court shall continue to apply following the transfer, subject to any changes of terminology which are required to apply those directions to the court to which the proceedings are transferred, unless varied or discharged by directions under paragraph (2).

(12) The justices' clerk or the court shall take a note of the giving, variation or revocation of a direction under this rule and serve, as soon as practicable, a copy of the note on any party who was not present at the giving, variation or revocation.

### **Timing of proceedings**

**15.**—(1) Any period of time fixed by these Rules, or by any order or direction, for doing any act shall be reckoned in accordance with this rule.

(2) Where the period, being a period of 7 days or less, would include a day which is not a business day, that day shall be excluded.

(3) Where the time fixed for filing a document with the justices' clerk expires on a day on which the justices' clerk's office is closed, and for that reason the document cannot be filed on that day, the document shall be filed in time if it is filed on the next day on which the justices' clerk's office is open.

(4) Where these Rules provide a period of time within which or by which a certain act is to be performed in the course of relevant proceedings, that period may not be extended otherwise than by a direction of the justices' clerk or the court under rule 14.

(5) At the—

- (a) transfer to a court of relevant proceedings,
- (b) postponement or adjournment of any hearing or directions appointment in the course of relevant proceedings, or
- (c) conclusion of any such hearing or directions appointment other than one at which the proceedings are determined, or so soon thereafter as is practicable,

the justices' clerk or the court shall—

- (i) fix a date upon which the proceedings shall come before the justices' clerk or the court again for such purposes as the justices' clerk or the court directs, which date shall, where paragraph (a) applies, be as soon as possible after the transfer, and
- (ii) give notice to the parties and to the guardian ad litem or the welfare officer of the date so fixed.

### **Attendance at directions appointment and hearing**

**16.**—(1) Subject to paragraph (2), a party shall attend a directions appointment of which he has been given notice in accordance with rule 14(5) unless the justices' clerk or the court otherwise directs.

(2) Relevant proceedings shall take place in the absence of any party including the child if—

- (a) the court considers it in the interests of the child, having regard to the matters to be discussed or the evidence likely to be given, and
- (b) the party is represented by a guardian ad litem or solicitor;

and when considering the interests of the child under sub-paragraph (a) the court shall give the guardian ad litem, solicitor for the child and, if he is of sufficient understanding, the child, an opportunity to make representations.

(3) Subject to paragraph (4) below, where at the time and place appointed for a hearing or directions appointment the applicant appears but one or more of the respondents do not, the justices' clerk or the court may proceed with the hearing or appointment.

(4) The court shall not begin to hear an application in the absence of a respondent unless—

- (a) it is proved to the satisfaction of the court that he received reasonable notice of the date of the hearing; or
- (b) the court is satisfied that the circumstances of the case justify proceeding with the hearing.

(5) Where, at the time and place appointed for a hearing or directions appointment, one or more respondents appear but the applicant does not, the court may refuse the application or, if sufficient evidence has previously been received, proceed in the absence of the applicant.

(6) Where at the time and place appointed for a hearing or directions appointment neither the applicant nor any respondent appears, the court may refuse the application.

(7) If the court considers it expedient in the interests of the child, it shall hear any relevant proceedings in private when only the officers of the court, the parties, their legal representatives and such other persons as specified by the court may attend.

### **Documentary Evidence**

**17.**—(1) Subject to paragraphs (4) and (5), in any relevant proceedings a party shall file and serve on the parties, any welfare officer and any guardian ad litem of whose appointment he has been given notice under rule 10(5)–

- (a) written statements of the substance of the oral evidence which the party intends to adduce at a hearing of, or a directions appointment in, those proceedings, which shall–
  - (i) be dated,
  - (ii) be signed by the person making the statement, and
  - (iii) contain a declaration that the maker of the statement believes it to be true and understands that it may be placed before the court, and

(b) copies of any documents, including, subject to rule 18(3), experts' reports, upon which the party intends to rely, at a hearing of, or a directions appointment in, those proceedings, at or by such time as the justices' clerk or the court directs or, in the absence of a direction, before the hearing or appointment.

(2) A party may, subject to any direction of the justices' clerk or the court about the timing of statements under this rule, file and serve on the parties a statement which is supplementary to a statement served under paragraph (1).

(3) At a hearing or directions appointment a party may not, without the leave of the justices' clerk, in the case of a directions appointment, or the court–

- (a) adduce evidence, or
- (b) seek to rely on a document,

in respect of which he has failed to comply with the requirements of paragraph (1).

(4) In proceedings for a section 8 order a party shall–

- (a) neither file nor serve any document other than as required or authorised by these Rules, and
- (b) in completing a form prescribed by these Rules, neither give information, nor make a statement, which is not required or authorised by that form,

without the leave of the justices' clerk or the court.

(5) In proceedings for a section 8 order, no statement or copy may be filed under paragraph (1) until such time as the justices' clerk or the court directs.

### **Expert evidence – examination of child**

**18.**—(1) No person may, without the leave of the justices' clerk or the court, cause the child to be medically or psychiatrically examined, or otherwise assessed, for the purpose of the preparation of expert evidence for use in the proceedings.

(2) An application for leave under paragraph (1) shall, unless the justices' clerk or the court otherwise directs, be served on all the parties to the proceedings and on the guardian ad litem.

(3) Where the leave of the justices' clerk or the court has not been given under paragraph (1), no evidence arising out of an examination or assessment to which that paragraph applies may be adduced without the leave of the court.

### **Amendment**

**19.**—(1) Subject to rule 17(2), a document which has been filed or served in any relevant proceedings may not be amended without the leave of the justices' clerk or the court which shall, unless the justices' clerk or the court otherwise directs, be requested in writing.

(2) On considering a request for leave to amend a document the justices' clerk or the court shall either—

- (a) grant the request, whereupon the justices' clerk shall inform the person making the request of that decision, or
- (b) invite the parties or any of them to make representations, within a specified period, as to whether such an order should be made.

(3) A person amending a document shall file it with the justices' clerk and serve it on those persons on whom it was served prior to amendment; and the amendments shall be identified.

### **Oral Evidence**

**20.** The justices' clerk or the court shall keep a note of the substance of the oral evidence given at a hearing of, or directions appointment in, relevant proceedings.

### **Hearing**

**21.**—(1) Before the hearing, the justice or justices who will be dealing with the case shall read any documents which have been filed under rule 17 in respect of the hearing.

(2) The justices' clerk at a directions appointment, or the court at a hearing or directions appointment, may give directions as to the order of speeches and evidence.

(3) Subject to directions under paragraph (2), at a hearing of, or directions appointment in, relevant proceedings, the parties and the guardian ad litem shall adduce their evidence in the following order—

- (a) the applicant,
- (b) any party with parental responsibility for the child,
- (c) other respondents,
- (d) the guardian ad litem,
- (e) the child if he is a party to the proceedings and there is no guardian ad litem.

(4) After the final hearing of relevant proceedings, the court shall make its decision as soon as is practicable.

(5) Before the court makes an order or refuses an application or request, the justices' clerk shall record in writing—

- (a) the names of the justice or justices constituting the court by which the decision is made, and
- (b) in consultation with the justice or justices, the reasons for the court's decision and any findings of fact.

(6) When making an order or when refusing an application, the court, or one of the justices constituting the court by which the decision is made, shall state any findings of fact and the reasons for the court's decision.

(7) After the court announces its decision, the justices' clerk shall as soon as practicable—

- (a) make a record of any order made in the appropriate form in Schedule 1 to these Rules or, where there is no such form, in writing; and

- (b) subject to paragraph (8), serve a copy of any order made on the parties to the proceedings and on any person with whom the child is living.
- (8) Within 48 hours after the making of an order under section 48(4) or the making, ex parte, of—
  - (a) a prohibited steps order, or a specific issue order, under section 8, or
  - (b) an order under section 44, 48(9), 50, 75(1) or 102(1),the applicant shall serve a copy of the order in the appropriate form in Schedule 1 to these Rules on—
  - (i) each party,
  - (ii) any person who has actual care of the child, or who had such care immediately prior to the making of the order, and
  - (iii) in the case of an order referred to in sub-paragraph (b), the local authority in whose area the child lives or is found.

## PART III

### MISCELLANEOUS

#### **Costs**

**22.**—(1) In any relevant proceedings, the court may, at any time during the proceedings in that court, make an order that a party pay the whole or any part of the costs of any other party.

(2) A party against whom the court is considering making a costs order shall have an opportunity to make representations as to why the order should not be made.

#### **Confidentiality of documents**

**23.**—(1) No document, other than a record of an order, held by the court and relating to relevant proceedings shall be disclosed, other than to—

- (a) a party,
- (b) the legal representative of a party,
- (c) the guardian ad litem,
- (d) the Legal Aid Board, or
- (e) a welfare officer,

without leave of the justices' clerk or the court.

(2) Nothing in this rule shall prevent the notification by the court or the justices' clerk of a direction under section 37(1) to the authority concerned.

#### **Enforcement of residence order**

**24.** Where a person in whose favour a residence order is in force wishes to enforce it he shall file a written statement describing the alleged breach of the arrangements settled by the order, whereupon the justices' clerk shall fix a date, time and place for a hearing of the proceedings and give notice, as soon as practicable, to the person wishing to enforce the residence order and to any person whom it is alleged is in breach of the arrangements settled by that order, of the date fixed.

#### **Notification of consent**

**25.** Consent for the purposes of—

- (a) section 16(3),
- (b) section 33(7), or
- (c) paragraph 19(1) of Schedule 2,

shall be given either–

- (i) orally in court, or
- (ii) in writing to the justices' clerk or the court and signed by the person giving his consent.

### **Secure accommodation**

**26.** In proceedings under section 25, the justices' clerk shall, if practicable, arrange for copies of all written reports before the court to be made available before the hearing to–

- (a) the applicant,
- (b) the parent or guardian of the child,
- (c) any legal representative of the child,
- (d) the guardian ad litem, and
- (e) the child, unless the justices' clerk or the court otherwise directs;

and copies of such reports may, if the court considers it desirable, be shown to any person who is entitled to notice of the proceedings in accordance with these Rules.

### **Investigation under section 37**

**27.**—(1) This rule applies where a direction is given to an appropriate authority by a family proceedings court under section 37(1).

(2) On giving a direction the court shall adjourn the proceedings and the justices' clerk or the court shall record the direction in writing.

(3) A copy of the direction recorded under paragraph (2) shall, as soon as practicable after the direction is given, be served by the justices' clerk on the parties to the proceedings in which the direction is given and, where the appropriate authority is not a party, on that authority.

(4) When serving the copy of the direction on the appropriate authority the justices' clerk shall also serve copies of such of the documentary evidence which has been, or is to be, adduced in the proceedings as the court may direct.

(5) Where a local authority informs the court of any of the matters set out in section 37(3)(a) to (c) it shall do so in writing.

### **Limits on the power of a justices' clerk or a single justice to make an order under section 11(3) or section 38(1)**

**28.** A justices' clerk or single justice shall not make an order under section 11(3) or section 38(1) unless–

- (a) a written request for such an order has been made to which the other parties and any guardian ad litem consent and which they or their representatives have signed,
- (b) a previous such order has been made in the same proceedings, and
- (c) the terms of the order sought are the same as those of the last such order made.

### **Appeals to a family proceedings court under section 77(6) and paragraph 8(1) of Schedule 8**

**29.**—(1) An appeal under section 77(6) or paragraph 8(1) of Schedule 8 shall be by application in accordance with rule 4.

(2) An appeal under section 77(6) shall be brought within 21 days from the date of the step to which the appeal relates.

### **Contribution orders**

**30.**—(1) An application for a contribution order under paragraph 23(1) of Schedule 2 shall be accompanied by a copy of the contribution notice served in accordance with paragraph 22(1) of that Schedule and a copy of any notice served by the contributor under paragraph 22(8) of that Schedule.

(2) Where a local authority notifies the court of an agreement reached under paragraph 23(6) of Schedule 2, it shall do so in writing through the justices' clerk.

(3) An application for the variation or revocation of a contribution order under paragraph 23(8) of Schedule 2 shall be accompanied by a copy of the contribution order which it is sought to vary or revoke.

### **Direction to local education authority to apply for education supervision order**

**31.**—(1) For the purposes of section 40(3) and (4) of the Education Act 1944(7), a direction by a magistrates' court to a local education authority to apply for an education supervision order shall be given in writing.

(2) Where, following such a direction, a local education authority informs the court that they have decided not to apply for an education supervision order, they shall do so in writing.

### **Delegation by justices' clerk**

**32.**—(1) In this rule, “employed as a clerk in court” has the same meaning as in rule 2(1) of the Justices' Clerks (Qualifications of Assistants) Rules 1979(8).

(2) Anything authorised to be done by, to or before a justices' clerk under these Rules, or under paragraphs 13 to 15C of the Schedule to the Justices' Clerks Rules 1970(9) as amended by Schedule 3 to these Rules, may be done instead by, to or before a person employed as a clerk in court where that person is appointed by the magistrates' courts committee to assist him and where that person has been specifically authorised by the justices' clerk for that purpose.

(3) Any authorisation by the justices' clerk under paragraph (2) shall be recorded in writing at the time the authority is given or as soon as practicable thereafter.

### **Application of section 97 of the Magistrates' Courts Act 1980**

**33.** Section 97 of the Magistrates' Courts Act 1980 shall apply to relevant proceedings in a family proceedings court as it applies to a hearing of a complaint under that section.

### **Consequential and minor amendments, savings and transitionals**

**34.**—(1) Subject to paragraph (3) the consequential and minor amendments in Schedule 3 to these Rules shall have effect.

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(7) 1944 c. 31 (7 and 8 Geo.6); relevant amendments are made by paragraphs 8 to 10 of Schedule 13 to the Children Act 1989.

(8) S.I. 1979/570, amended by 1980/1897.

(9) S.I. 1970/231, amended by 1975/300, 1976/1767, 1978/754 and 1983/527.

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(2) Subject to paragraph (3), the provisions of the 1981 rules shall have effect subject to these Rules.

(3) Nothing in these Rules shall affect any proceedings which are pending (within the meaning of paragraph 1 of Schedule 14 to the Act of 1989) immediately before these Rules come into force.

25th May 1991

*Mackay of Clashfern, C.*



## SCHEDULE 1

### FORMS

#### CHA 1

Application for a Parental Responsibility Order.

2

Parental Responsibility Order.

3

Application for the appointment of a guardian.

4

Order for the appointment of a guardian.

5

Application for the termination of an appointment of a guardian.

6

Order terminating the appointment of a guardian.

7

Contact/Residence Order.

8

Prohibited Steps Order.

9

Specific Issue Order.

10

Application for a Contact Order, Prohibited Steps Order, Residence Order or Specific Issue Order.

10A

Respondent's Answer to Section 10 Application.

11

Application to change child's surname.

11A

Application to remove child from the jurisdiction of the UK.

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12

Order authorising change of child's surname/removal of child from the jurisdiction of the UK.

13

Application for Financial Provision.

13A

Respondent's Answer to Application for Financial Provision.

14

Statement of Means.

15

Application for variation/discharge of an order for financial provision.

16

Family Assistance Order.

17

Application for authority to hold a child in secure accommodation.

18

Order authorising child to be held in secure accommodation.

19

Application for a Care/Supervision Order.

20

Order for the care/supervision of a child.

21

Application for contact with a child in care.

22

Order allowing contact with a child in care.

23

Application for permission to refuse contact with a child in care.

24

Order refusing contact with a child in care.

25

Application for an Education Supervision Order.

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26

Education Supervision Order.

27

Interim Care/Supervision Order.

28

Application to discharge Care/Supervision Order, vary Supervision Order or substitute Supervision Order for a Care Order.

29

Order discharging Care/Supervision Order, varying Supervision Order or substituting Supervision Order for a Care Order.

30

Order making or refusing the appointment of a guardian ad litem.

31

Order making or refusing the appointment of solicitor.

32

Application for a Child Assessment Order.

33

Child Assessment Order.

34

Application for an Emergency Protection Order.

35

Emergency Protection Order.

36

Application to vary Emergency Protection Order directions.

37

Order varying Emergency Protection Order directions.

38

Application to extend Emergency Protection Order.

39

Order extending an Emergency Protection Order.

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40

Application to discharge an Emergency Protection Order.

41

Order discharging an Emergency Protection Order.

42

Order authorising search for another child.

43

Application for a Warrant under Section 48.

44

Warrant under Section 48.

45

Application for Recovery Order.

46

Recovery Order.

47

Order that a child attend proceedings.

47A

Order to a person to bring a child to court.

48

Order to a person to disclose whereabouts of a child.

49

Application to further extend a Supervision Order.

50

Order further extending a Supervision Order.

51

Application to extend an Education Supervision Order.

52

Order extending an Education Supervision Order.

53

Application to discharge an Education Supervision Order.

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54

Order discharging an Education Supervision Order.

55

Application to vary or discharge an order or direction.

56

General Order Form.

57

Refusal of Order.

59

Form for the disclosure of address.

60

Application concerning registration of child minders or providers of day care.

61

Order concerning registration of child minders or providers of day care.

62

Application for a Warrant under Section 102.

63

Warrant under Section 102.

64

Certificate of Transfer.

65

Refusal to Transfer Proceedings.

Signature

Explanatory Note

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# Application for a Parental Responsibility Order

Section 4 (1) (a) The Children Act 1989

Date received by court

- ▶ Please use black ink. The notes on page 3 tell you what to do when you have completed the form.
  - ▶ If there is more than one child you must fill in a separate form for each child.
  - ▶ Only the father of the the child can make this application.
  - ▶ If you have any concerns about giving your address or that of the child or any other address requested in this form, you may give an alternative address where papers can be served. However you must notify the court of the actual address on a separate form available from the court.
- ▶ You should seek legal advice on the implications of acquiring parental responsibility before completing this form.

THE CHILDREN ACT

I apply to The  
for a Parental Responsibility Order

[High] [County] [Magistrates'] Court

Case No.

THE CHILDREN ACT

## 1 About the child

- (a) The name of the child is  
*Put the surname last*
- (b) The child is a  boy  girl
- (c) The child was born on the  day  month  year  Age now
- (d) The child is at  
*See note on addresses at the top of this form*
- (e) The child lives with  
*If the child does not live with a parent please give the name of the person who is responsible for the child*
- the child's mother  the child's father

THE CHILDREN ACT

## 2 About the applicant

- (a) My full name is  
*Put the surname last*
- (b) My title is  Mr  Other (*say here*)
- (c) My full address is  
*See note on addresses at the top of this form*
- (d) My telephone number is  
Tel.
- (e) My solicitor is
- Name  
Address  
Tel. Fax Ref

THE CHILDREN ACT

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**3 Parental responsibility**

Some other people may have "parental responsibility" for a child. The law says what "parental responsibility" is and which people have it. These people include:

- A** the mother
- B** the father  
*if he was married to the child's mother when the child was born*
- C** the father  
*if he was not married to the child's mother when the child was born but he now has a residence order or he now has a court order which gives him parental responsibility or he now has a formal "parental responsibility agreement" with the mother or he has since married the mother*
- D** a guardian of the child
- E** someone who holds a custody or residence order
- F** a local authority which has a care order
- G** someone who holds an emergency protection order
- H** any man or woman who has adopted the child

I believe the people who have parental responsibility for this child are

*See note on addresses at the top of page 1.*

Name	Address

THE CHILDREN ACT

**4 About this application**

(a) I am making this application because

continue on next page if necessary

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**4 About this application (continued)**

(a) I am making this application because (continued)

- (b) The respondents will be
- all those with parental responsibility, see part 3 above
  - other people allowed by Rules of Court

- (i) You need not repeat the details of those respondents whose names and addresses have been given in part 3.  
(ii) Please put the address where the respondent usually lives or where papers can be served. See note on addresses at the top of page 1.  
(iii) You will have to serve a copy of this application on each of the respondents.

The name of the respondent(s)	The respondent's address

THE CHILDREN ACT

**5 Declaration**

I declare that the information I have given is correct and complete to the best of my knowledge

Signed

Date

THE CHILDREN ACT

**What you (the person applying) must do next**

- ▶ There is a Notice of Hearing on page 4. Fill in the boxes on the Notice.
- ▶ Take or send this form, Notice of Hearing and any supporting documentation to the court with enough copies for each respondent to be served. The top copy will be kept by the court and the other copies given or sent back to you for service.
- ▶ You must then serve the copies of the Application, the Notice of Hearing and any supporting documentation according to the Rules. You may also be required under the Rules to give notice of the proceedings to other people.

THE CHILDREN ACT



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In the  
at

[High] [County] [Magistrates'] Court

(When writing to the court please state the Case No.)

Case No. [Redacted]

Tel.

Fax

THE CHILDREN ACT

## Notice of a [Hearing] [Directions Appointment]

You are named as a Respondent in these proceedings

about the child

[Redacted]

a boy  a girl

born on the

[Redacted]

You must read this Notice now

THE CHILDREN ACT

### About the [Hearing] [Directions Appointment]

name of applicant

[Redacted]

has made an application to the Court.

The Court has been asked to make a parental responsibility order

THE CHILDREN ACT

### To be completed by the court

The Court will hear this at

[Redacted]

on

[Redacted]

at

[Redacted] o' clock

the time allowed is

[Redacted]

THE CHILDREN ACT

### What you must do

- ▶ There is a copy of the application with this Notice of Hearing. Read the application now. You do not have to fill in any part.
- ▶ You should obtain legal advice from a solicitor or, alternatively, from an advice agency. The Law Society administers a national panel of solicitors to represent children and other parties involved in proceedings relating to children. Addresses of solicitors (including panel members) and advice agencies can be obtained from the Yellow Pages and the Solicitors Regional Directory which can be found at Citizens Advice Bureaux, Law Centres and any local library. A solicitor or advice agency will also be able to advise you as to whether you will be eligible for legal aid.

date

[Redacted]

THE CHILDREN ACT

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In the

at

[High Court of Justice]

[County Court]

[Magistrates' Court]

THE CHILDREN ACT

**Parental Responsibility Order**

Section 4 (1) The Children Act 1989

Case No.

THE CHILDREN ACT

**1** The child is

a [boy] [girl]

born on

aged

**2** The court orders that

shall have parental responsibility for the child.

**3** This order expires on

THE CHILDREN ACT

*A parental responsibility order can only end*

a) *When the child reaches 18 years*

b) *By order of the court made:*

- *on the application of any person who has parental responsibility.*
- *with leave of the court on application of the child.*

THE CHILDREN ACT

This order was made on

[Mr / Mrs Justice]

[His / Her Honour Judge]

[District Judge (of the Family Division)]

[Clerk of the Court]

THE CHILDREN ACT

CHA 2

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# Application for the Appointment of a Guardian

## Section 5 The Children Act 1989

Date received by court

- ▶ Please use black ink. The notes on page 6 tell you what to do when you have completed the form.
- ▶ Please answer every part. If a part does not apply or you do not know what to say please say so. If there is not enough room continue on another sheet (put the child's name and the number of the part on the sheet).

- ▶ If you have any concerns about giving your address or that of the child or any other address requested in this form, you may give an alternative address where papers can be served. However, you must notify the court of the actual address on a separate form which you can get from the court office.
- ▶ If there is more than one child you must fill in a separate form for each child.

THE CHILDREN ACT

I apply to The

[High] [County] [Magistrates] Court

to be appointed as guardian of

Case No.

THE CHILDREN ACT

### 1 Duties of Guardian

- Some people have 'parental responsibility' for a child (see part 4). If you are appointed as the guardian of a child you will gain parental responsibility for him/her. The Children Act 1989 Section 3(1) - (3) says that 'parental responsibility' means all the rights, duties, powers, responsibilities and authority which by law a parent of a child has in relation to the child and his property.
- If you are in any doubt as to the responsibilities by law which you are undertaking by this appointment, please seek legal advice.

THE CHILDREN ACT

### 2 About the child

(a) The full name of the child is  
*Put the surname last*

(b) The child is a

boy  girl

(c) The child was born on the

day	month	year	Age now
-----	-------	------	---------

(d) The child usually lives at  
*See note on addresses at top of this page*

(e) The child

- has a living parent with parental responsibility  
 does not have a living parent with parental responsibility

(f) The child lives with  
*Put the surname last*

the child's father  other

(g) The child is also cared for by

(h) The carer is the child's  
*Put the relationship of the carer to the child*

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**2 About the child (continued)**

- (i) The child is at present  staying in a refuge (please give the address to the court separately)  is not staying in a refuge

(j) If the child is temporarily living away from home please say where he/she is living at present

*See the note on addresses at the top of page 1*

THE CHILDREN ACT

**3 About myself (the person applying)**

(a) My title is  Mr  Mrs  Miss  Ms  Other (say here)

(b) My full name is   
*Put the surname last*

(c) My address is   
*See the note on addresses at the top of page 1*

(d) My telephone number is

(e) My solicitor for these proceedings is

<i>Name</i>		
<i>Address</i>		

(f) The solicitor's telephone, fax numbers and reference are

<i>Tel</i>	<i>Fax</i>	<i>Ref</i>
------------	------------	------------

(g) I do  not have parental responsibility for the child  have parental responsibility for the child. State why below.

(h) If you are related to the child but do not hold parental responsibility please state relationship to child

THE CHILDREN ACT

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

**4 Parental responsibility**

Some other people may have "parental responsibility" for a child.  
 These people include:

**A** the mother

**B** the father  
 if he was married to the child's mother  
 when the child was born

**C** the father  
 if he was not married to the child's mother  
 when the child was born  
 but he now has a residence order  
 or he now has a court order  
 which gives him parental responsibility  
 or he now has a formal "parental responsibility  
 agreement" with the mother  
 or he has since married the mother

**D** a guardian of the child

**E** someone who holds a custody or residence order

**F** a local authority which has a care order

**G** someone who holds an emergency protection order

**H** any man or woman who has adopted the child

I believe the other people who have parental responsibility for this child are

(i) If parental responsibility has been acquired under D, please put a \* beside that name.

(ii) See the note on addresses at the top of page 1.

Name	Address

THE CHILDREN ACT

**5 About other applications and orders which affect the child**

(a) An Emergency Protection Order  is not in force  
 is in force. The Court which made the order was

Case no.

The order ends on

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

**5** About other applications and orders which affect the child (continued)

(b) A residence order  has not been made  
 has been made. The Court which made the order was   
 Case no.   
 The order [ends] [ended] on   
 The residence order was made in favour of   
*Put the surname last*

(c) Other applications have  not been made  
 been made or will be made

What the application was for or will be for	When an application was made or will be made	The court which heard the application or which will hear the application and the case number if known	The result

(d) Other orders  have not been made  
 have been made. The orders are  
 (i) *Please include orders that have been made but are no longer in force.*  
 (ii) *Do not include adoption orders*

The type of order	When was the order made	The court which made the order and the case number if known	if the order	
			has expired (say when)	is in force

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**6** About this application

(a) My reasons for making this application are

--

(b) My plans for the child are

--

**7** The Respondents

(a) The respondents to this application will be

- all those with parental responsibility
- other people allowed by Rules of Court

(i) You need not give the details of those respondents whose names and addresses are given in part 4.

(ii) Please put the address where the respondent usually lives or where papers can be served. See the note on addresses at the top of page 1.

(iii) You will have to serve a copy of the application on each of the respondents.

Name	Address

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**7** The Respondents (continued)

(b) If the father does not have parental responsibility, please give the following details

(i) The full name of the child's father

*Put the surname last*

(ii) The father usually lives at

*Give an address where papers can be sent. See the note on addresses at the top of page 1.*

THE CHILDREN ACT

**8** Declaration

Once you have been appointed as a guardian under section 5 of the Children Act this appointment cannot be ended without a court order. If you are in any doubt please seek legal advice before signing the declaration below.

I declare that the information I have given is correct and complete to the best of my knowledge

Signed

Date

THE CHILDREN ACT

**What you (the person applying) must do next**

- ▶ There is a Notice of Hearing on page 7. Fill in the boxes on the Notice
- ▶ Take or send this form and any supporting documentation to the court with enough copies for each respondent to be served. The top copy will be kept by the court and the other copies given or sent back to you for service.
- ▶ You must then serve the copies of the Application, the Notice of Hearing and any supporting documentation according to the Rules. You may also be required under the Rules to give notice of the proceedings to other people.

THE CHILDREN ACT



Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.



In the  
at

[High] [County] [Magistrates'] Court

(When writing to the court please state the Case No.)

Case No. [Redacted]

Tel.

Fax

THE CHILDREN ACT

## Notice of a [Hearing] [Directions Appointment]

You are named as a Respondent in these proceedings

about the child

[Redacted]

a boy  a girl

born on the

[Redacted]

You must read this Notice now

THE CHILDREN ACT

## About the [Hearing] [Directions Appointment]

name of applicant

[Redacted]

has made an application to the Court.

The Court has been asked to make an order appointing a guardian

THE CHILDREN ACT

### To be completed by the court

The Court will hear this at

[Redacted]

on

[Redacted]

at

[Redacted] o'clock

The time allowed is

[Redacted]

THE CHILDREN ACT

## What you must do

- ▶ There is a copy of the application with this Notice. Read the application now. You do not have to fill in any part.
- ▶ You should obtain legal advice from a solicitor or, alternatively, from an advice agency. The Law Society administers a national panel of solicitors to represent children and other parties involved in proceedings relating to children. Addresses of solicitors (including panel members) and advice agencies can be obtained from the Yellow Pages and the Solicitors Regional Directory which can be found at Citizens Advice Bureaux, Law Centres and any local library. A solicitor or advice agency will also be able to advise you as to whether you will be eligible for legal aid.

date

[Redacted]

THE CHILDREN ACT

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.



In the

at

[High Court of Justice]  
[County Court]  
[Magistrates' Court]

THE CHILDREN ACT

**Order for the Appointment of a Guardian**

Section 5(1) The Children Act 1989

Case No.

THE CHILDREN ACT

1

The child is

a [boy] [girl]

born on

2

The Court orders that

as guardian for the above child commencing on

be appointed

THE CHILDREN ACT

This order was made on

[Mr / Mrs Justice]

[His / Her Honour Judge]

[District Judge (of the Family Division)]

[Clerk of the Court]

THE CHILDREN ACT

CHA 4

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

### Application for the Termination of the Appointment of a Guardian

#### Section 6 (7) The Children Act 1989

Date received by court

- ▶ Please use black ink. The notes on page 5 tell you what to do when you have completed the form.
- ▶ If you have any concerns about giving your address or that of the child or any other address requested in this form, you may give an alternative address where papers can be served. However, you must notify the court of the actual address on a separate form available from the court.
- ▶ Please answer every part. If a part does not apply or you do not know what to say please say so. If there is not enough room continue on another sheet (put the child's name and the number of the part on the sheet).
- ▶ If there is more than one child you must fill in a separate form for each child.

THE CHILDREN ACT

I apply to **The** **[High] [County] [Magistrates] Court**  
 for the termination of the appointment of **as guardian**

Case No.

THE CHILDREN ACT

#### 1 About the child

- (a) The full name of the child is   
*Put the surname last*
- (b) The child is a  boy  girl
- (c) The child was born on the  *day*  *month*  *year*  *Age now*
- (d) The child usually lives at   
*See note on addresses at top of this form*
- (e) The child  has a living parent with parental responsibility  
 does not have a living parent with parental responsibility
- (f) The child lives with  the child's father  the guardian  other
- (g) The child is also cared for by   
*Put the surname last*
- (h) The child is at present  staying in a refuge (please give the address to the court separately)  
 is not staying in a refuge
- (i) If the child is temporarily living away from home please say where he / she is living at present   
*See note on addresses at top of this page*

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

**2 About myself (the person applying)**

(a) My title is  Mr  Mrs  Miss  Ms  Other (say here)

(b) My full name is   
*Put the surname last*

(c) I am  the child  
 a person with parental responsibility

(d) My address is   
*See note on addresses at the top of page one*

(e) My telephone number is

(f) My solicitor for these proceedings is

<i>Name</i>		
<i>Address</i>		
<i>Tel</i>	<i>Fax</i>	<i>Ref</i>

(g) Leave to make this application  is being sought  
*This section should only be completed if the child is making the application*  
 has been granted

Name of Court

Case No.

Date leave was granted

THE CHILDREN ACT

**3 About the guardian**

(a) The guardian's title is  Mr  Mrs  Miss  Ms  Other (say here)

(b) The guardian's full name is   
*Put the surname last*

(c) The guardian's full address is   
*See note on addresses at the top of page one*

(d) The guardian's telephone number is

THE CHILDREN ACT

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

**4 Parental responsibility**

Some other people may have "parental responsibility" for a child.  
These people include:

- A the mother
- B the father  
*if he was married to the child's mother  
when the child was born*
- C the father  
*if he was not married to the child's mother  
when the child was born  
but he now has a residence order  
or he now has a court order  
which gives him parental responsibility  
or he now has a formal "parental responsibility  
agreement" with the mother  
or he has since married the mother*
- D a guardian of the child
- E someone who holds a custody or residence order
- F a local authority which has a care order
- G someone who holds an emergency protection order
- H any man or woman who has adopted the child

I believe the other people who have parental responsibility for this child are

*See note on addresses at the top of page 1*

Name	Address

THE CHILDREN ACT

**5 About other applications and orders which affect the child**

- (a) An Emergency Protection Order  is not in force  
 is in force. The Court which made the order was

Case no.

The Order ends on

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

**5 About other applications and orders which affect the child (continued)**

(b) A residence order  has not been made  
 has been made. The Court which made the order was   
 Case no.

The residence order was made in favour of *Put the surname last*   
 The Order [ends] [ended] on

(c) Other applications have  not been made  
 been made or will be made

What the application was for or will be for	When an application was made or will be made	The court which heard the application or which will hear the application and the case number if known	The result

(d) Other orders  have not been made  
 have been made. The orders are *Do not include adoption orders*  
*Please include orders that have been made but are no longer in force*

The type of order	When was the order made	The court which made the order and the case number if known	✓ if the order	
			has expired (say when)	is in force

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**6 About this application**

(a) I am making this application because

(b) The plans for the child are

(c) The respondents will be

- all those with parental responsibility
- other people allowed by Rules of Court

(i) Only give details of those respondents, whose names and addresses have not been given in part 4.  
 (ii) Please put the address where the respondent usually lives or where papers can be served. See note on addresses at the top of page 1.  
 (iii) You will have to serve a copy of this application on each of the respondents.

The name of the respondent	The respondent's address

THE CHILDREN ACT

**7 Declaration**

I declare that the information I have given is correct and complete to the best of my knowledge.

Signed

Date

THE CHILDREN ACT

**What you (the person applying) must do next**

- ▶ There is a Notice of Hearing on page 6. Fill in the boxes on the Notice
- ▶ Take or send this form and any supporting documentation to the court with enough copies for each respondent to be served. The top copy will be kept by the court and the other copies given or sent back to you for service.
- ▶ You must then serve the copies of the Application, the Notice of Hearing and any supporting documentation according to the rules. You may also be required under the Rules to give notice of the proceedings to other people.

THE CHILDREN ACT

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.



In the  
at

[High] [County] [Magistrates'] Court

(When writing to the court please state the Case No.)

Case No. [Redacted]

Tel. [Redacted]

Fax [Redacted]

THE CHILDREN ACT

## Notice of a [Hearing] [Directions Appointment]

You are named as a Respondent in these proceedings

about the child

[Redacted]

a boy  a girl

born on the

[Redacted]

You must read this Notice now

THE CHILDREN ACT

### About the [Hearing] [Directions Appointment]

name of applicant

[Redacted]

has made an application to the Court.

The Court has been asked to terminate the appointment of a Guardian

THE CHILDREN ACT

#### To be completed by the court

The Court will hear this at

[Redacted]

on

[Redacted]

at

[Redacted] o'clock

the time allowed is

[Redacted]

THE CHILDREN ACT

### What you must do

- ▶ There is a copy of the application with this Notice. Read the application now. You do not have to fill in any part.
- ▶ You should obtain legal advice from a solicitor or, alternatively, from an advice agency. The Law Society administers a national panel of solicitors to represent children and other parties involved in proceedings relating to children. Addresses of solicitors (including panel members) and advice agencies can be obtained from the Yellow Pages and the Solicitors Regional Directory which can be found at Citizens Advice Bureaux, Law Centres and any local library. A solicitor or advice agency will also be able to advise you as to whether you will be eligible for legal aid.

date

[Redacted]

THE CHILDREN ACT





In the  
at

[High Court of Justice]  
[County Court]  
[Magistrates' Court]

THE CHILDREN ACT

## Order terminating the appointment of a guardian

Section 6 (7) The Children Act 1989

Case No. [REDACTED]

THE CHILDREN ACT

1 The child is  
a [boy] [girl]  
born on

2 The court orders that the appointment of  
as guardian for the above child be terminated.

THE CHILDREN ACT

This order was made on

[Mr / Mrs Justice]  
[His / Her Honour Judge]  
[District Judge (of the Family Division)]  
[Clerk of the Court]

THE CHILDREN ACT

CHA 6

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.



In the  
at

[High Court of Justice]  
[County Court]  
[Magistrates' Court]

THE CHILDREN ACT

[Contact] [Residence] Order

Section 8 The Children Act 1989

Case No.

THE CHILDREN ACT

1

The child is

a [boy] [girl]

born on

2

The Court orders that the child shall

- [visit ]
- [stay with ]
- [otherwise have contact with ]
- [live with ]

3

The court also orders that

Where a residence order is in force with respect to a child, no person may -

- cause the child to be known by a new surname ; or
- remove the child from the jurisdiction of the UK for a period of one month or more without the written consent of every person with parental responsibility or the leave of the court

Note: Any person with parental responsibility may ask the United Kingdom Passport Agency, Clive House , Petty France, LONDON SW1H 9HD not to issue a passport allowing the child to go abroad without the knowledge of that person

THE CHILDREN ACT

This order was made on

[Mr / Mrs Justice]  
[His / Her Honour Judge]  
[District Judge [of the Family Division]]  
[Clerk of the Court]

THE CHILDREN ACT

CHA 7



In the

at

[High Court of Justice]  
[County Court]  
[Magistrates' Court]

THE CHILDREN ACT

## Prohibited Steps Order

Section 8 The Children Act 1989

Case No.

THE CHILDREN ACT

1

The child is

a [boy] [girl]

born on

2

The Court orders that the steps described below shall not be taken by

without the consent of the court.

Those steps are

3

This order has [not] been made ex parte

4

The court also orders that

THE CHILDREN ACT

This order was made on

[Mr / Mrs Justice]

[His / Her Honour Judge]

[District Judge [of the Family Division]]

[Justice of the Peace]

[Clerk of the Court]

THE CHILDREN ACT

CHA 8

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.



In the

at

[High Court of Justice]  
[County Court]  
[Magistrates' Court]

THE CHILDREN ACT

**Specific Issue Order**

Section 8 The Children Act 1989

Case No.

THE CHILDREN ACT

1

The child is

a [boy] [girl]

born on

2

The Court orders, in determining the specific question of

that

3

This order has [not] been made ex parte.

4

The court also orders that

THE CHILDREN ACT

This order was made on

[Mr / Mrs Justice]

[His / Her Honour Judge]

[District Judge [of the Family Division]]

[Justice of the Peace]

[Clerk of the Court]

THE CHILDREN ACT

CHA 9

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

# Application for a Contact Order, Prohibited Steps Order, Residence Order or Specific Issue Order

## Section 10 The Children Act 1989

Date received by court

- ▶ Please use black ink. The notes on page 7 tell you what to do when you have completed the form.
- ▶ Please answer every part. If a part does not apply or you do not know what to say, please say so. If there is not enough room continue on another sheet (put the child's name and the number of the part on the sheet).
- ▶ If there is more than one child you must fill in a separate form for each child.
- ▶ If you have any concerns about giving your address or that of the child or any other address requested in this form, you may give an alternative address where papers can be served. However, you must notify the court of the actual address on a separate form available from the court.

Please speak to the court official immediately if you wish an application for a specific issue or prohibited steps order to be heard without giving Notice of the application to any other party.

THE CHILDREN ACT

I apply to The [High] [County] [Magistrates'] Court

for a \* contact order \* prohibited steps order Case No. [ ]

(\* delete which does not apply)

\* residence order \* specific issue order

▶ Do not use this form if you are the petitioner or respondent to divorce proceedings. Use form CHA 10 (D)

▶ If you are making this application within any other family proceedings, please state case number of those related proceedings. [ ]

THE CHILDREN ACT

**1 About the child**

(a) The full name of the child is [ ]  
*Put the surname last*

(b) The child is a  boy  girl

(c) The child was born on the [ ] day [ ] month [ ] year Age now [ ]

(d) The child usually lives at [ ]  
*See note on addresses at top of this page*

(e) The child lives with  the child's mother  the child's father [ ]  
*If the child is not with a parent give the name of the person who is responsible for the child*

(f) The child is also cared for by [ ]  
*Put the surname last*

(g) The carer is the child's [ ]  
*Put the relationship of the carer to the child*

(h) The child is at present-  staying in a refuge (Please give the address to the Court separately)  not staying in a refuge

(i) If the child is temporarily living away from the usual address please say where he/she is living at present [ ]  
*See note on addresses at top of this page*

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**2 About myself (the person applying)**

- (a) I am
  - the child
  - the child's mother or father
  - a guardian of the child
  - a person with parental responsibility (see part 4 of form)
  - none of the above. I am

- (b) Leave to make this application (complete only if leave is required)
  - is being sought
  - has been given. The court which gave leave was 

*Case No.*
  - Leave was given on  *day*  *month*  *year*

- (c) My title is
  - Mr  Mrs  Miss  Ms  Other (say here)

- (d) My full name is   
*Put the surname last*

- (e) My address is   
*See note on addresses at top of page 1*

- (f) My telephone number is

- (g) My solicitor for these proceedings is
 

<i>Name</i>		
<i>Address</i>		
<i>Tel</i>	<i>Fax</i>	<i>Ref</i>

THE CHILDREN ACT

**3 About the child's family**

- (a) The name of the child's mother is   
*Put the surname last*

- (b) The mother usually lives at   
*See note on addresses at top of page 1*

- (c) The full name of the child's father is   
*Put the surname last*

- (d) The father usually lives at   
*See note on addresses at top of page 1*

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

**3 About the child's family (continued)**

- (e) The child's mother and father  are living together  are living apart
- (f) The father is  married to the child's mother  married to someone else  
 single  divorced
- (g) The mother is  married to the child's father  married to someone else  
 single  divorced
- (h) The child has  no brothers and sisters under 18  
 brothers and sisters under 18. They are

*See note on addresses at the top of page 1  
 Put the names, addresses and ages of all full brothers and sisters.*

*If the child has halfbrothers or halfsisters, stepbrothers or stepsisters say who they are in (i) below*

*If there are other children, who are treated as children of the family say who they are in (i) below*

The name(s) of the brother(s) and sister(s)	Age (years)	The address(es) of the brother(s) and sister(s)

*Do not include adoption orders*

- No order has been made for any brother or sister  
 No order for a brother or sister has been applied for  
 An order has been made for a brother or sister  
 An order for a brother or sister has been applied for

The name(s) of the child(ren)	The type of order	The court which made the order and when or which will hear the application and the case number if known	if the order	
			has been applied for	is in force

- (i) There are other children  under 18 who do not live with the family  
 under 18 who live with the family.

They are :

*See note on addresses at top of page 1*

The name of the child	The age of the child	Please give reasons why the child lives / does not live with the family	Address of child not living with the family

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

**3 About the child's family (continued)**

*Do not include adoption orders*

- An order has been made for a child who lives with the family or  
 An order for a child who lives with the family has been applied for

The name(s) of the child(ren)	The type of order	The court which made the order and when or which will hear the application and the case number if known	✓ if the order has been applied for	is in force

THE CHILDREN ACT

**4 Parental responsibility**

Some people have "parental responsibility" for a child. The law says what "parental responsibility" is and which people have it. These people include:

- A the mother
- B the father *if he was married to the child's mother when the child was born*
- C the father *if he was not married to the child's mother when the child was born but he now has a residence order or he now has a court order which gives him parental responsibility or he now has a formal "parental responsibility agreement" with the mother or he has since married the mother*
- D a guardian of the child
- E someone who holds a custody or residence order
- F a local authority which has a care order
- G someone who holds an emergency protection order
- H any man or woman who has adopted the child

I believe the people who have parental responsibility for this child are

*See note on addresses at the top of page 1*

Name	Address

THE CHILDREN ACT



*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

**5 About court proceedings and the parents**

Please give details of any relevant proceedings involving the parents and/or those with parental responsibility. Include the name of the court and the case number.

- Proceedings are not pending or in progress
- Proceedings are pending or in progress.

THE CHILDREN ACT

**6 About other applications and orders which affect the child**

- (a) An Emergency Protection Order  is not in force  
 is in force. The court which made the order was

Case no.

The Order ends on

- (b) Other applications have  not been made  
 been made or will be made

When an application was made or will be made	What the application was for or will be for	The court which heard the application or which will hear the application and the case number if known	The result

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

**6 About other applications and orders which affect the child (continued)**

- (c) Other orders  have not been made  
 have been made. (Do not include adoption orders.)

The orders are

The type of order	When the order was made	The court which made the order and the case number if known	✓ if the order	
			has expired say when	is in force

THE CHILDREN ACT

**7 About this application**

- (a) I wish the Court to order that

*Give details of the order and of any other directions you would like the court to make*

- (b) I am making this application because

*(i) You should only put your reasons for applying in this section.  
(ii) You should put your plans for the future care of the child in Part 7 (c) where relevant*

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

**7 About this application (continued)**

**(c) My plans for the child are**

*Where relevant give your plans for the future care of the child. Please say where the child should live and who the child should see or should not see.*

THE CHILDREN ACT

**8 The respondents**

The respondent(s) will be

- all those with parental responsibility [see part 4]
- If the child is the subject of a care order, all those who had parental responsibility for the child immediately before the care order was made
- other persons allowed by the Rules of Court

*(i) You need not give details of those respondents whose names and addresses have been given in part 4.*

*(ii) Please put the address where the respondent usually lives or can be served with papers. See note on addresses at the top of page 1.*

*(iii) You will have to serve a copy of this application on each of the respondents.*

The name of the respondent	The respondent's address

THE CHILDREN ACT

**9 Declaration**

I declare that the information I have given is correct and complete to the best of my knowledge.

Signed

Date

THE CHILDREN ACT

**What you (the person applying) must do next**

- ▶ There is a Notice of Hearing on page 8. Fill in the boxes on the Notice.
- ▶ Take or send this form to the court with enough copies for each respondent to be served. The top copy will be kept by the court and the other copies given or sent back to you for service.
- ▶ You must then serve the copies of the Application and the Notice of Hearing according to the Rules. You may also be required under the Rules to give notice of the proceedings to other people.

THE CHILDREN ACT

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.



In the

[High] [County] [Magistrates'] Court

at

(When writing to the court please state the Case No.)

Case No.

Tel.

Fax

THE CHILDREN ACT

## Notice of a [Hearing] [Directions Appointment]

You are named as a Respondent in these proceedings

name of the child

put the surname last

a boy  a girl

born on the

You must read this Notice now

THE CHILDREN ACT

## About the [Hearing] [Directions Appointment]

name of applicant

has made an application to the Court.

The Court has been asked to make

a contact order  a residence order

a prohibited steps order  a specific issue order

THE CHILDREN ACT

### To be completed by the court

The Court will hear this at

on

at

 o' clock

the time allowed is

THE CHILDREN ACT

## What you must do

- ▶ There is a copy of the application with this Notice. Read the application now. You do not have to fill in any part.
- ▶ You must complete the form of Answer enclosed and follow the instructions on the first page of the Answer regarding service.
- ▶ You should obtain legal advice from a solicitor or, alternatively, from an advice agency. The Law Society administers a national panel of solicitors to represent children and other parties involved in proceedings relating to children. Addresses of solicitors (including panel members) and advice agencies can be obtained from the Yellow Pages and the Solicitors Regional Directory which can be found at Citizens Advice Bureaux, Law Centres and any local library. A solicitor or advice agency will also be able to advise you as to whether you will be eligible for legal aid.

date

THE CHILDREN ACT

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*



In the  
at

[High] [County] [Magistrates'] Court

(When writing to the court please state the Case No.)

Case No.

Tel.

Fax

THE CHILDREN ACT

To the applicant : before you send this form you must insert the name and address of the Respondent and the name of the child in the relevant boxes below

Respondent's name and address

THE CHILDREN ACT

### Respondent's Answer

The full name of the child is  
Put the surname last

You will get with this form a copy of

- ▶ a Notice of Hearing or Directions appointment
- ▶ an application that has been made to the court

Please

- ▶ read the Notice first
- ▶ then read the application
- ▶ answer the questions on this form

**You must return only this Answer to the court and serve a copy on the applicant and each respondent (see parts 4 and 8 of the application form) within 14 days from the date of service**

THE CHILDREN ACT

To the court : insert name and address of court

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

### Respondent's Answer

Case No. [Redacted]

Full name of child is [Redacted]  
*Put the surname last*

#### 1 About the application

- Please
- read parts 1 - 8 of the application form before you answer the questions
  - continue on another sheet if there is not enough room. Please put the case number, the name of the child and the number of the question on the sheet.

My full name is [Redacted]  
*Put the surname last*

My full address for service is [Redacted]

Do you have legal representation

No

Yes  *Please say who your solicitor is*

Name

Address

Tel No. Fax Ref

Do you accept that you should be a respondent in this application?

*If you answer no, you need not answer a - d below*

Yes

No  *Please give reason then sign below*

2 a. Is everything in the application true to the best of your knowledge?

Yes

No  *Please explain*

b. Is there anything else the court should know about this application?

No

Yes  *Please give details*

c. Do you agree with the applicant's plans for the child's future?

Yes

No  *Please explain*

d. Do you intend to make an application?

No

Yes  *Please give details*

#### 3 I declare that the information I have given is true and correct to the best of my knowledge

Signed [Redacted]

Dated [Redacted]

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

# Application to change surname of child

Section 13 or Section 33 (7) The Children Act 1989

Date received by court

- ▶ Please use black ink. The notes on page 4 tell you what to do when you have completed the form.
- ▶ If there is more than one child you must fill in a separate form for each child.

- ▶ Please answer every part. If a part does not apply or you do not know what to say please say so. If there is not enough room continue on another sheet (put the child's name and the number of the part on the sheet).
- ▶ If you have any concerns about giving your address or that of the child or any other address requested in this form, you may give an alternative address where papers can be served. However, you must notify the court of the actual address on a separate form available from the court.

Application to **The** **[High] [County] [Magistrates'] Court**  
 to change the surname of child  
 under [s13] [s33(7)] *(1) delete as appropriate*

Case No.

THE CHILDREN ACT

## 1 About the child

(a) The name of the child is  
*Put the present surname last*

(b) The child is a  boy  girl

(c) The child was born on the  day  month  year  Age now

(d) The child usually lives at  
*See note on addresses at top of this form*

(e) The child lives with  
*If the child does not live with a parent please give the name of the person who is responsible for the child*

the child's mother  the child's father

(f) The child is also cared for by  
*Put the surname last*

(g) The child is at present  staying in a refuge (Please give the address to the Court separately)  not staying in a refuge

(h) If the child is temporarily living away from the usual address, please say where he / she is living at present  
*See note on addresses at top of this form*

(i) A Guardian ad litem  has not been appointed  has been appointed. The Guardian ad litem is

Name  
Address  
Tel. Ref

(j) A solicitor  has not been appointed to act for the child  has been appointed to act for the child. The solicitor is

Name  
Address  
Tel. Fax Ref

THE CHILDREN ACT

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

**2 About the applicant**

(a) The applicant's full name is   
*Put the surname last*

(b) The applicant's title is  Mr  Mrs  Miss  Ms  Other (*say here*)

(c) The applicant is  the child  
 a parent  
 a guardian  
 a person with parental responsibility  
 an officer of the  *local authority*  
 other (give details)

(d) The applicant's address is   
*See note on addresses at the top of page 1*

(e) The applicant's telephone number is   
*Tel.*

(f) The applicant's solicitor is   
*Name*  
*Address*  
*Tel.* *Fax* *Ref*

THE CHILDREN ACT

**3 Parental responsibility**

Some people have "parental responsibility" for a child. The law says what "parental responsibility" is and which people have it. These people include:

- A the mother
- B the father *if he was married to the child's mother when the child was born*
- C the father *if he was not married to the child's mother when the child was born but he now has a residence order or he now has a court order which gives him parental responsibility or he now has a formal "parental responsibility agreement" with the mother or he has since married the mother*
- D a guardian of the child
- E someone who holds a custody or residence order
- F a local authority which has a care order
- G someone who holds an emergency protection order
- H any man or woman who has adopted the child

The people who have parental responsibility for this child are believed to be

*See note on addresses at the top of page 1*

Name	Address



**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**4 About other applications and orders which affect the child**

- (a) The child is  not in care  
 is in care
- (b) The care order was made at   
 on  Case No.
- (c) A residence order  is not in force  
 is in force
- (d) The residence order was made at   
 on  Case No   
 in favour of
- (e) Other applications have  not been made  
 been made or will be made

What the application was for or will be for	When an application was made or will be made	The court which heard the application or which will hear the application and the case number(s) if known	The result

- (f) Other orders  have not been made  
 have been made. The orders are

*Do not include adoption orders  
 Please include orders that have been made but are no longer in force*

The type of order	When was the order made	The court which made the order and the case number if known	✓ if the order	
			has expired (say when)	is in force

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**5 Change of name**

(a) The child's proposed new surname

(b) State your reason(s) for applying to change the child's surname

THE CHILDREN ACT

**6 Respondents**

- (a) The respondents will be
- all those with parental responsibility (see part 3)
  - if the application is made under s33 (7), the child
  - other people allowed by Rules of Court

- (i) Only give the details of those people whose names and addresses have not been given in part 3  
(ii) Please put the address where the respondent usually lives or where papers can be served. See note on addresses at the top of page 1  
(iii) You will have to serve a copy of this application on each of the respondents.

The name of the respondent(s)	The respondent's address

THE CHILDREN ACT

**7 Declaration**

I declare that the information I have given is correct and complete to the best of my knowledge

Signed

Date

THE CHILDREN ACT

**What you (the person applying) must do next**

- ▶ There is a Notice of Hearing on page 5. Fill in the boxes on the Notice.
- ▶ Take or send this form and any supporting documentation to the court with enough copies for each respondent to be served. The top copy will be kept by the court and the other copies given or sent back to you for service.
- ▶ You must then serve the copies of the Application, the Notice of Hearing and any supporting documentation according to the Rules. You may also be required under the Rules to give notice of the proceedings to other people.

THE CHILDREN ACT

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.



In the

[High] [County] [Magistrates'] Court

at  
(When writing in to the court please state the Case No.)

Case No. [REDACTED]

Tel.

Fax

THE CHILDREN ACT

## Notice of a [Hearing] [Directions Appointment]

You are named as Respondent in these proceedings

about the child

[REDACTED]

a boy  a girl

born on the

[REDACTED]

You must read this Notice now

THE CHILDREN ACT

## About the [Hearing] [Directions Appointment]

name of applicant

[REDACTED]

has made an application to the Court.

The Court has been asked to change the surname of a child

THE CHILDREN ACT

### To be completed by the court

The Court will hear this at

[REDACTED]

on

[REDACTED]

at

[REDACTED] o'clock

the time allowed is

[REDACTED]

THE CHILDREN ACT

### What you must do

- ▶ There is a copy of the application with this Notice. Read the application now. You do not have to fill in any part.
- ▶ You should obtain legal advice from a solicitor or, alternatively, from an advice agency. The Law Society administers a national panel of solicitors to represent children and other parties involved in proceedings relating to children. Addresses of solicitors (including panel members) and advice agencies can be obtained from the Yellow Pages and the Solicitors Regional Directory which can be found at Citizens Advice Bureaux, Law Centres and any local library. A solicitor or advice agency will also be able to advise you as to whether you will be eligible for legal aid.

date [REDACTED]

THE CHILDREN ACT

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

### Application for leave to remove child from jurisdiction of the United Kingdom

#### Section 13 or Section 33 (7) The Children Act 1989

Date received by court

- ▶ Please use black ink. The notes on page 5 tell you what to do when you have completed the form.
- ▶ If there is more than one child you must fill in a separate form for each child.
- ▶ If the child is in care and is to live outside the UK an application should be made under para 19(2), Schedule 2 of the Children Act
- ▶ Please answer every part. If a part does not apply or you do not know what to say please say so. If there is not enough room continue on another sheet (put the child's name and the number of the part on the sheet).

▶ If you have any concerns about giving your address or that of the child or any other address requested in this form you may give an alternative address where papers can be served. However, you must notify the court of the actual address on a separate form available from the court.

THE CHILDREN ACT

Application to The [High] [County] [Magistrates] Court

for leave to remove child from jurisdiction of the United Kingdom under [s13] [s33(7)] ([ ] delete as appropriate)

Case No.

THE CHILDREN ACT

### 1 About the child

(a) The name of the child is  
*Put the surname last*

(b) The child is a

boy  girl

(c) The child was born on the

day month year Age now

(d) The child usually lives at  
*See note on addresses at top of this form*

(e) The child lives with  
*If the child does not live with a parent please give the name of the person who is responsible for the child*

the child's mother  the child's father

(f) The child is also cared for by  
*Put the surname last*

(g) The child is at present

staying in a refuge (Please give the address to the Court separately)  
 not staying in a refuge

(h) If the child is temporarily living away from the usual address, please say where he / she is living at present  
*See note on addresses at top of this form*

(i) A Guardian ad litem

has not been appointed  
 has been appointed. The Guardian ad litem is

Name  
Address  
Tel. Ref

(j) A solicitor

has not been appointed to act for the child  
 has been appointed to act for the child. The solicitor is

Name  
Address  
Tel. Fax Ref

THE CHILDREN ACT

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**2 About myself (the person applying)**

(a) The applicant's title is  Mr  Mrs  Miss  Ms  Other (*say here*)

(b) The applicant's full name is   
*Put the surname last*

(c) The applicant is  a parent  
 a guardian  
 a person with parental responsibility  
 an officer of the  *local authority*  
 other, please give details

(d) The applicant's full address is   
*See the note on addresses at the top of page 1*

(e) The applicant's telephone number is  *Tel.*

(f) The applicant's solicitor is  *Name*  
 *Address.*  
 *Tel.*  *Fax*  *Ref*

THE CHILDREN ACT

**3 Parental responsibility**

Some people have "parental responsibility" for a child. The law says what "parental responsibility" is and which people have it. These people include:

- |  |  |
|--|--|
| <b>A</b> the mother  | <b>D</b> a guardian of the child                         |
| <b>B</b> the father<br><i>if he was married to the child's mother when the child was born</i>  | <b>E</b> someone who holds a custody or residence order  |
| <b>C</b> the father<br><i>if he was not married to the child's mother when the child was born but he now has a residence order or he now has a court order which gives him parental responsibility or he now has a formal "parental responsibility agreement" with the mother or he has since married the mother</i> | <b>F</b> a local authority which has a care order        |
|  | <b>G</b> someone who holds an emergency protection order |
|  | <b>H</b> any man or woman who has adopted the child      |

The people who have parental responsibility for this child are believed to be *See the note on addresses at the top of page 1*

Name	Address

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

**4 About other applications and orders which affect the child**

(a) The child is

- not in care
- in care. Give details

Date of order	Name of court	Case No

(b) A residence order in respect of the child

- has not been made
- has been made. Give details

Date of order	Name of court	Case No

The residence order was made in favour of

--

(c) Other applications have

- not been made
- been made or will be made

What the application was for or will be for	When an application was made or will be made	The court which heard the application or which will hear the application. Give the case no. if known.	The result

(d) Other orders

- have not been made
- have been made. The orders are

*Please include orders that have been made but are no longer in force but do not include adoption orders*

The type of order	When was the order made	The court which made the order and the case number if known	if the order	
			✓ has expired (say when)	is in force

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**5** Removal of child from jurisdiction of the United Kingdom

(a) Where child will be removed to

--

(b) Give reasons why you want to remove the child from the jurisdiction of the United Kingdom

--

THE CHILDREN ACT

**6** Respondents

The respondents will be

- all those with parental responsibility (see part 3)
- if the application is made under S33 (7), the child
- other people allowed by Rules of Court

(i) You need not repeat the names and addresses of those respondents whose details have been given in Part 3

(ii) Please put the address where the respondent usually lives or where papers can be served.  
See the note on addresses at the top of this form.

(iii) You will have to serve a copy of this application on each of the respondents.

The name of the respondent(s)	The respondent's address

THE CHILDREN ACT

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**7 Declaration**

I declare that the information I have given is correct and complete to the best of my knowledge

Signed

Date

---

THE CHILDREN ACT

**What you (the person applying) must do next**

- ▶ There is a Notice of Hearing on page 6. Fill in the boxes on the Notice.
- ▶ Take or send this form, the Notice of Hearing and any supporting documentation to the court with enough copies for each respondent to be served. The top copy will be kept by the court and the other copies given or sent back to you for service.
- ▶ You **must** then serve the copies of the Application, the Notice of Hearing and any supporting documentation according to the Rules. You may also be required under the Rules to give notice of the proceedings to other people.

---

THE CHILDREN ACT



Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.



In the  
at

[High][County][Magistrates'] Court

(When writing to the court please state the Case No.)

Case No. [redacted]

Tel.

Fax

THE CHILDREN ACT

## Notice of a [Hearing] [Directions Appointment]

You are named as a Respondent in these proceedings

about the child

[redacted]

a boy  a girl

born on the

[redacted]

You must read this Notice now

THE CHILDREN ACT

### About the [Hearing] [Directions Appointment]

name of applicant

[redacted]

has made an application to the Court.

The Court has been asked to give leave to remove child from jurisdiction of the United Kingdom.

THE CHILDREN ACT

#### To be completed by the court

The Court will hear this at

[redacted]

on

[redacted]

at

[redacted] o'clock

the time allowed is

[redacted]

THE CHILDREN ACT

#### What you must do

- ▶ There is a copy of the application with this Notice. Read the application now. You do not have to fill in any part.
- ▶ You should obtain legal advice from a solicitor or, alternatively, from an advice agency. The Law Society administers a national panel of solicitors to represent children and other parties involved in proceedings relating to children. Addresses of solicitors (including panel members) and advice agencies can be obtained from the Yellow Pages and the Solicitors Regional Directory which can be found at Citizens Advice Bureaux, Law Centres and any local library. A solicitor or advice agency will also be able to advise you as to whether you are entitled to legal aid.

date

[redacted]

THE CHILDREN ACT

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.



In the

at

[High Court of Justice]

[County Court]

[Magistrates' Court]

THE CHILDREN ACT

[Order giving leave for the change of a child's surname ]

[Order giving leave for for the removal of a child from the jurisdiction of the United Kingdom]

Case No. [REDACTED]

Section 13 or Section 33(7) The Children Act 1989

THE CHILDREN ACT

1 The child is

a [boy] [girl]

born on

The child is at

2 The Court orders that

[the surname of this child may be changed to ]

[this child may be removed from the jurisdiction of the United Kingdom]

3 The Court also orders and directs that

THE CHILDREN ACT

This order was made on

[Mr / Mrs Justice]

[His / Her Honour Judge]

[District Judge [of the Family Division]]

[Clerk of the Court]

THE CHILDREN ACT

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

# Application for Financial Provision for Children

## Schedule 1 The Children Act 1989

Date received by court

- ▶ Please use black ink. The notes on page 6 tell you what to do when you have completed the form.
- ▶ If there is more than one child you must fill in a separate form for each child.
- ▶ Please answer every part. If a part does not apply or you do not know what to say please say so. If there is not enough room continue on another sheet (put the child's name and the number of the part on the sheet).
- ▶ If you have any concerns about giving your address or that of the child or any other address requested in this form, you may give an alternative address where papers can be served. However, you must notify the court of the actual address on a separate form available from the court.

THE CHILDREN ACT

I apply to The

[High] [County] [Magistrates'] Court

Case No.

for an order for

- periodical payments
- secured periodical payments\*
- lump sum
- settlement of property\*
- transfer of property\*

\*these orders can only be made in the High Court or a county court

THE CHILDREN ACT

### 1 About the child

(a) The name of the child is  
*Put the surname last*

(b) The child is a

- boy
- girl

(c) The child was born on the

day	month	year	Age now
-----	-------	------	---------

(d) The child usually lives at  
*See note on addresses at top of this form*

(e) The child lives with  
*If the child does not live with a parent please give the name of the person who is responsible for the child*

- the child's mother
- the child's father

(f) The child is also cared for by  
*Put the surname last*

(g) The child is at present

- staying in a refuge  
(Please give the address to the Court separately)
- not staying in a refuge

(h) The child usually lives at  
*If the child is temporarily living away from usual address please say where he/she is living at present*  
*See note on addresses at top of this form*

THE CHILDREN ACT

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**2 About myself (the person applying)**

(a) I am  the child (if 18 or over)  
 the child's mother or father  
 a guardian of the child  
 a person with a residence order  
 none of the above. I am

(b) Leave to make this application  is being sought  
 has been given. The court which gave leave was   
*Only complete if leave is required*  
 Leave was given on  day  month  year

(c) My title is  Mr  Mrs  Miss  Ms  Other (say here)

(d) My full name is   
*Put the surname last*

(e) My full address is   
*See note on addresses at top of page 1*

(f) My telephone number is

(g) My solicitor is   
 Name   
 Address   
 Tel.  Fax  Ref

THE CHILDREN ACT

**3 About the child's family**

(a) The name of the child's mother is   
*Put the surname last*

(b) The mother usually lives at   
*See note on addresses at top of page 1*

(c) The name of the child's father is   
*Put the surname last*

(d) The father usually lives at   
*See note on addresses at top of page 1*

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**3 About the child's family (continued)**

- (e) The child's mother and father  are living together  are living apart
- (f) The father is  married to the child's mother  married to someone else  
 single  divorced
- (g) The mother is  married to the child's father  married to someone else  
 single  divorced

THE CHILDREN ACT

**4 Parental responsibility**

Some people have "parental responsibility" for a child. The law says what "parental responsibility" is and which people have it. These people include:

- A** the mother
- B** the father  
*if he was married to the child's mother when the child was born*
- C** the father  
*if he was not married to the child's mother when the child was born but he now has a residence order or he now has a court order which gives him parental responsibility or he now has a formal "parental responsibility agreement" with the mother or he has since married the mother*
- D** a guardian of the child
- E** someone who holds a custody or residence order
- F** a local authority which has a care order
- G** someone who holds an emergency protection order
- H** any man or woman who has adopted the child

The people who are believed to have parental responsibility for this child are

*See note on addresses at the top of page 1*

Name	Address

THE CHILDREN ACT

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

**5 About court proceedings and the parents**

Please give details of any relevant court proceedings between the parents and / or those who have parental responsibility.  Proceedings are not pending or in progress  Proceedings are pending or in progress.

Please give details below

Include the name of the court and the case number of the proceedings if known

..... THE CHILDREN ACT .....

**6 About this application**

(a) I wish the Court to order that

*Give details of the financial provision you wish the court to make, including the amounts requested*

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(b) The financial needs of the child are

(c) The income, earnings capacity (if any), property and other financial resources of the child are

(d) State if the child has any physical or mental disability. If yes, please give details

- no
- yes

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**6 About this application (continued)**

(e) The manner in which the child is being, or is expected to be, educated or trained

(f) You should now complete the statement of means form (CHA 14)

THE CHILDREN ACT

**7 The Respondents**

The respondent(s) will be all those who ● have parental responsibility  
● are interested in or affected by the proceedings  
● are allowed by Rules of Court

(i) Only give the names and addresses of those people whose details are not given in part 4 of this form.

(ii) Please put the address where the respondent usually lives or where papers can be served. See note on addresses at the top of page 1.

(iii) You will have to serve a copy of this application on each of the respondents.

The name of the respondent	The respondent's address

THE CHILDREN ACT

**8 Declaration**

I declare that the information I have given is correct and complete to the best of my knowledge.

Signed

Date

THE CHILDREN ACT

**What you (the person applying) must do next**

- ▶ There is a Notice of Hearing on page 7. Fill in the boxes on the Notice.
- ▶ Take or send this form and statement of means to the court with enough copies for each respondent to be served. The top copy will be kept by the court and the other copies given or sent back to you for service.
- ▶ You must then serve the copies of the Application, the Notice of Hearing, the statement of means and the Respondent's Answer according to the rules. You may also be required under the Rules to give notice of the proceedings to other people.



Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.



In the  
at

[High][County][Magistrates'] Court

(When writing to the court please state the Case No.)

Case No.

Tel.

Fax

THE CHILDREN ACT

## Notice of a [Hearing] [Directions Appointment]

You are named as a Respondent in these proceedings

about the child

a boy  a girl

born on the

You must read this Notice now

THE CHILDREN ACT

### About the [Hearing] [Directions Appointment]

name of applicant

has made an application to the Court.

The Court has been asked to make an order for financial provision for the child

THE CHILDREN ACT

#### To be completed by the court

The Court will hear this at

on

at

 o'clock

the time allowed is

THE CHILDREN ACT

#### What you must do

- ▶ There is a copy of the application and statement of means with this Notice. Read the application now. You do not have to fill in any part. You must complete the form of Answer enclosed and follow the instructions on the first page of the Answer regarding service.
- ▶ You should obtain legal advice from a solicitor or, alternatively, from an advice agency. The Law Society administers a national panel of solicitors to represent children and other parties involved in proceedings relating to children. Addresses of solicitors (including panel members) and advice agencies can be obtained from the Yellow Pages and the Solicitors Regional Directory which can be found at Citizens Advice Bureaux, Law Centres and any local library. A solicitor or advice agency will also be able to advise you as to whether you will be eligible for legal aid.

date

THE CHILDREN ACT

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.



In the  
at

[High] [County] [Magistrates'] Court

(When writing to the court please state the Case No.)

Case No.

Tel.

Fax

THE CHILDREN ACT

To the applicant : before you send this form you must insert the name and address of the Respondent and the name of the child in the relevant boxes below

Respondent's name and address

THE CHILDREN ACT

### Respondent's Answer

The full name of the child is  
Put the surname last

You will get with this form a copy of

- a Notice of Hearing or Directions Appointment
- an application that has been made to the court
- the applicant's statement of means

Please

- read the Notice first
- then read the application and the applicant's statement of means
- answer the questions on this form and complete a statement of means (form CHA 14) if you are being asked to make any payment for the child.

**You must return this Answer and any statement of means to the court and serve copies on the applicant and each respondent (see parts 4 and 7 of the application form) within 14 days from the date of service.**

**A copy of form CHA 14 is available from the court.**

THE CHILDREN ACT

To the court : insert name and address of court

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

### The Respondent's Answer

Case No. [REDACTED]

Full name of child is   
*Put the surname last*

**1 About the application**

- Please
- read the application form before you answer the questions
  - continue on another sheet if there is not enough room.
- Please put the number of the question on the sheet.

My full name is   
*Put the surname last*

My full address for service is

Do you have legal representation No   
Yes  *Please say who your solicitor is*

Name   
Address   
Tel No.  Fax  Ref

Do you accept that you should be a respondent in this application? Yes

*If no, you do not need to complete 2a - 2d*  
No  *Please give reason then sign below*

**2 a.** Is everything in the application true to the best of your knowledge? Yes   
No  *Please explain*

**b.** Is there anything else the Court should know about this application? No   
Yes  *Please give details*

**c.** Do you agree with the applicant's plans for the child's future? Yes   
No  *Please explain*

**d.** Do you intend to make an application? No   
Yes  *Please give details*

**e.** Please complete a statement of means (form CHA 14) if you are being asked to make any payment for the child

**3 I declare** that the information I have given is true and correct to the best of my knowledge

Date

Signed

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

# Statement of Means

Schedule 1 The Children Act 1989

Date received by court

- Please use black ink
- Please complete all parts of the form which apply to you
- Continue on a separate sheet if necessary, stating the name of the child, case number and number of the part on each sheet.

In the [High] [County] [Magistrates'] Court

Case No:

## 1 Personal details

Surname

Forename(s)

Mr  Mrs  Miss  Ms  other

Married  Single  Other (specify)

Age

Address

Postcode

I am  the applicant in these proceedings  
 the respondent in these proceedings

## 2 Dependants (people you support financially)

Children living with you

Name(s)	Age
<input type="text"/>	<input type="text"/>

Children not living with you (excluding those in respect of whom these proceedings are being brought)

Name(s)	Age
<input type="text"/>	<input type="text"/>

Amount of any maintenance being paid

Other dependants (give details - including whether you have these responsibilities on a part-time basis)

## 3 Employment

I am  employed as a

self employed as a

unemployed

a pensioner

My employer is

(State name and address)

Jobs other than main job

Self employment annual turnover £

I am not in arrears with my national insurance contributions, income tax and VAT

I am in arrears and I owe £

Give details of contracts and other work in hand

Give details of any sums due in respect of work done

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**4 Bank accounts and savings**

a) I have  bank or building society account(s)

Name of account	Average balance in a /c over last 6 months

b) I have  savings account(s)

Name of account	Amount in account

When filling in sections 6, 7, and 9. Please give amounts on a weekly OR monthly basis. Do NOT put some weekly and some monthly figures.

**5 Property**

- b) I live in  my own property
- lodgings
  - jointly owned property
  - council property
  - privately rented property
  - other. Please state

Value of (jointly) owned property £

**6 Income** Amounts are per week / month\*  
\*Delete as appropriate

My usual take home pay (including overtime, commission, bonuses etc)	£
Income support	£
Child benefit(s)	£
Other state benefit(s)	£
My pension(s)	£
Others living in my home give me	£
Other income (give details below)	£
<input type="text"/>	£
<input type="text"/>	£
<input type="text"/>	£
<b>Total income</b>	£

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**7 Expenses** (do not include any payments made by other members of the household out of their own income)

I have regular expenses as follows: (do not include payments on any arrears). Amounts are per week / month. \* Delete as appropriate.

Mortgage (including second mortgage)	£
Rent	£
Community charge	£
Gas	£
Electricity	£
Water charges	£
TV rental and licence	£
HP repayments	£
Mail order	£
Housekeeping, food, school meals	£
Travelling expenses	£
Children's clothing & pocket money	£
Maintenance payments	£
Others (but not credit debt payments or court orders)	£
	£
	£
	£
<b>Total expenses</b>	£

**9 Money you owe on essential bills**

Please state the amount of any arrears owing and the amount of any payments you make towards these arrears.

Payments are per week / month\* Delete as appropriate\*

	Total amount outstanding	Amount of payments
Rent	£	
Mortgage	£	
Community charge	£	
Water Rates	£	
Fuel debts: Gas	£	
Electricity	£	
Other	£	
Maintenance arrears	£	
<b>Total priority debts</b>	£	

**10 Other commitments**

Give details of payments on any credit cards, other loans, storecards, loans from family etc

	Total amount outstanding	Payment per month
	£	
	£	
	£	
	£	
	£	
	£	
<b>Total</b>	£	

**8 Court orders**

Court	Case No.	Amount outstanding	Payment per month

**11 Declaration**

I declare that the details I have given above are true to the best of my knowledge

Signed

Dated

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

# Application for the [Variation] [Discharge] of an order for Financial Provision for Children

Date received by court

## Schedule 1 Para 1 (4) The Children Act 1989

- ▶ Please use black ink. The notes on page 3 tell you what to do when you have completed the form.
- ▶ If there is more than one child you must fill in a separate form for each child.
- ▶ Please answer every part. If a part does not apply or you do not know what to say please say so. If there is not enough room continue on another sheet (put the child's name and the number of the part on the sheet).
- ▶ If you have any concerns about giving your address or that of the child or any other address requested in this form, you may give an alternative address where papers can be served. However, you must notify the court of the actual address on a separate form available from the court.

I apply to The

[High] [County] [Magistrates'] Court

Case No.

- for the [variation] [discharge] of an order for
- periodical payments
  - secured periodical payments\*
  - lump sum
  - settlement of property\*
  - transfer of property\*

\*these orders can only be made in the High Court or a County Court

### 1 About the order for financial Provision

- (a) The order for Financial Provision was made on
- day month year
- (b) The order was made at
- [High] [County] [Magistrates'] Court
- Case No.
- (c) It is helpful to the court if a copy of the order is attached. Please tick the box if you are enclosing a copy.

### 2 About the child

- (a) The name of the child is
- Put the surname last*
- (b) The child is a
- boy  girl
- (c) The child was born on the
- day month year
- Age now
- (d) The child usually lives at
- See note on addresses at top of this form*
- (e) The child lives with
- If the child does not live with a parent please give the name of the person who is responsible for the child*
- the child's mother  the child's father

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**3 About myself (the person applying)**

(a) I am a person  to whom payments are made under the existing order  
 ordered to make payments under the existing order

(b) My title is  Mr  Mrs  Miss  Ms  Other (say here)

(c) My full name is   
*Put the surname last*

(d) My full address is   
*See note on addresses at top of page 1*

(e) My telephone number is

(f) My solicitor is

<i>Name</i>		
<i>Address</i>		
<i>Tel.</i>	<i>Fax</i>	<i>Ref</i>

THE CHILDREN ACT

**4 About this application**

(a) My reasons for making this application are

(b) I would like the court to order that   
*If you are asking for a variation of the order, please give details of the revised payments requested*

(c) Please complete the statement of means form if you are seeking a variation or discharge of the order on the grounds of a change in your financial circumstances

THE CHILDREN ACT



**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

## 5 The Respondents

- The respondent(s) will be
- all those with parental responsibility
  - all those who were parties to the original application for financial provision
  - other people allowed by Rules of Court

(i) Please put the address where the respondent usually lives or where papers can be served. See note on addresses at the top of page 1.

(ii) You will have to serve a copy of this application on each of the respondents.

The name of the respondent	The respondent's address

THE CHILDREN ACT

## 6 Declaration

I declare that the information I have given is correct and complete to the best of my knowledge.

Signed

Date

THE CHILDREN ACT

### What you (the person applying) must do next

- ▶ There is a Notice of Hearing on page 4. Fill in the boxes on the Notice.
- ▶ Take or send this form and statement of means to the court with enough copies for each respondent to be served. The top copy will be kept by the court and the other copies given or sent back to you for service.
- ▶ You must then serve the copies of the Application, the Notice of Hearing, the statement of means and the Respondent's Answer according to the Rules. You may also be required under the Rules to give notice of the proceedings to other people.

THE CHILDREN ACT

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.



In the  
at

[High] [County] [Magistrates'] Court

(When writing to the court please state the Case No.)

Case No. [REDACTED]

Tel. [REDACTED]

Fax [REDACTED]

THE CHILDREN ACT

## Notice of a [Hearing] [Directions Appointment]

You are named as a Respondent in these proceedings

about the child

[REDACTED]

a boy  a girl

born on the

[REDACTED]

You must read this Notice now

THE CHILDREN ACT

### About the [Hearing] [Directions Appointment]

name of applicant

[REDACTED]

has made an application to the Court.

The Court has been asked to make an order for the [Variation] [Discharge] for an order for financial provision of the child

THE CHILDREN ACT

### To be completed by the court

The Court will hear this at

[REDACTED]

on

[REDACTED]

at

[REDACTED] o'clock

the time allowed is

[REDACTED]

THE CHILDREN ACT

### What you must do

- ▶ There is a copy of the application with this Notice. Read the application now. You do not have to fill in any part. You must complete the form of Answer enclosed and follow the instructions on the first page of the Answer regarding service.
- ▶ You should obtain legal advice from a solicitor or, alternatively, from an advice agency. The Law Society administers a national panel of solicitors to represent children and other parties involved in proceedings relating to children. Addresses of solicitors (including panel members) and advice agencies can be obtained from the Yellow Pages and the Solicitors Regional Directory which can be found at Citizens Advice Bureaux, Law Centres and any local library. A solicitor or advice agency will also be able to advise you as to whether you will be eligible for legal aid.

date

[REDACTED]

THE CHILDREN ACT



In the

at

[High Court of Justice]  
[County Court]  
[Magistrates' Court]

THE CHILDREN ACT

**Family Assistance Order**

Section 16 The Children Act 1989

Case No. [REDACTED]

THE CHILDREN ACT

1 The child is

a [boy] [girl]

born on

2 The Court orders that a [probation officer] [ a local authority officer] be made available to advise, assist and where appropriate, befriend the person(s) named below

3 The person(s) named are :-

4 This order shall have effect until  
(If no date is specified above, this order will have effect for 6 months from the date below)

5 The court also orders that

THE CHILDREN ACT

This order was made on

[Mr/Mrs Justice]

[His/Her Honour Judge]

[District Judge [of the Family Division]]

[Clerk of the Court]

THE CHILDREN ACT

CHA 16

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

# Application for authority to hold child in secure accommodation

Section 25 The Children Act 1989

Date received by court

Please use black ink. The notes on page 4 tell you what to do when you have completed the form.

Please answer every part. If a part does not apply or you do not know what to say please say so. If there is not enough room continue on another sheet (put the child's name and the number of the part on the sheet).

If there is more than one child you must fill in a separate form for each child.

If you have any concerns about giving your address or that of the child or any other address requested in this form, you may give an alternative address where papers can be served. However, you must notify the court of the actual address on a separate form available from the court.

Application to The [High] [County] [Magistrates] Court

for authority to hold child in secure accommodation

Case No.

THE CHILDREN ACT

## 1 About the child

(a) The name of the child is  
*Put the surname last*

(b) The child is a

boy  girl

(c) The child was born on the

day month year

Age now

(d) The child is at

*Say where the child is now.*

*See note on addresses at top of this page*

(e) The child is being cared for by

- a local authority
- a health authority
- a local education authority
- a residential care home
- a nursing home
- a mental nursing home
- other (*say here*)

(f) The child

- has been informed of his / her rights to legal advice
- has not been informed of his / her rights to legal advice

(g) The child's solicitor is

Name  
Address

Tel. Fax Ref

THE CHILDREN ACT

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**2 About the applicant**

(a) The applicant's title is  Mr  Mrs  Miss  Ms  Other (*say here*)

(b) The applicant's full name is  
*Put the surname last*

(c) The applicant is`  a local authority officer  
 a health authority officer  
 an education authority officer  
 other (*say here*)

(d) The address for service is

(e) The applicant's telephone number and reference are  
*Tel.*  *Ref*

(f) The applicant's solicitor is  
*Name*   
*Address*   
*Tel.*  *Fax*  *Ref*

THE CHILDREN ACT

**3 About this application**

(a) My grounds for making this application are  the child has a history of absconding and is likely to abscond from any other description of accommodation; and if he/she absconds, he/she is likely to suffer significant harm  
*Please tick the box which applies*  
**or**  
 if the child is kept in any other description of accommodation, he/she is likely to injure him/herself or other persons.

(b) I believe these grounds exist because   
*continue on next page if necessary*

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

**3 About the application (continued)**

(b) I believe these grounds exist because  
*continued*

(c) Give details where relevant of any  
legal status the child has eg. whether  
child is in care

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**4 The respondents**

- The respondents to this application will be
- all those with parental responsibility
  - other people allowed by Rules of Court

Some people have "parental responsibility" for a child. The law says what "parental responsibility" is and which people have it. These people include:

<p><b>A</b> the mother</p> <p><b>B</b> the father <i>if he was married to the child's mother when the child was born</i></p> <p><b>C</b> the father <i>if he was not married to the child's mother when the child was born but he now has a residence order or he now has a court order which gives him parental responsibility or he now has a formal "parental responsibility agreement" with the mother or he has since married the mother</i></p>	<p><b>D</b> a guardian of the child</p> <p><b>E</b> someone who holds a custody or residence order</p> <p><b>F</b> a local authority which has a care order</p> <p><b>G</b> someone who holds an emergency protection order</p> <p><b>H</b> any man or woman who has adopted the child</p>
---	--

The respondents will be

- (i) Please put the address where the respondent usually lives or can be served with papers. See note on addresses at the top of page 1.
- (ii) You will have to serve a copy of this application on each of the respondents.

Respondent's Name	Address

THE CHILDREN ACT

**5 Declaration**

I declare that the information I have given is correct and complete to the best of my knowledge

Signed

Date

THE CHILDREN ACT

**What you (the person applying) must do next**

- ▶ There is a Notice of Hearing on page 5. Fill in the boxes on the Notice.
- ▶ Take or send this form and any supporting documentation to the court with enough copies for each respondent to be served. The top copy will be kept by the court and the other copies given or sent back to you for service.
- ▶ You must then serve the copies of the Application, the Notice of Hearing and any supporting documentation according to the Rules. You may also be required under the Rules to give notice of the proceedings to other people.

THE CHILDREN ACT

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In the  
at

[High][County][Magistrates'] Court

(When writing to the court please state the Case No.)

Case No.

Tel.

Fax

THE CHILDREN ACT

## Notice of a [Hearing] [Directions Appointment]

You are named as a respondent in these proceedings

about the child

a boy  a girl

born on the

You must read this Notice now

THE CHILDREN ACT

### About the [Hearing] [Directions Appointment]

name of applicant

has made an application to the Court.

The Court has been asked to make an order authorising the child to be held in secure accommodation

THE CHILDREN ACT

### To be completed by the court

The Court will hear this at

on

at

 o'clock

the time allowed is

THE CHILDREN ACT

### What you must do

- ▶ There is a copy of the application with this Notice. Read the application now. You do not have to fill in any part.
- ▶ You should obtain legal advice from a solicitor or, alternatively, from an advice agency. The Law Society administers a national panel of solicitors to represent children and other parties involved in proceedings relating to children. Addresses of solicitors (including panel members) and advice agencies can be obtained from the Yellow Pages and the Solicitors Regional Directory which can be found at Citizens Advice Bureaux, Law Centres and any local library. A solicitor or advice agency will also be able to advise you as to whether you will be eligible for legal aid.

date

THE CHILDREN ACT





In the  
at

[High Court of Justice]  
[County Court]  
[Magistrates' Court]

THE CHILDREN ACT

## Order authorising child to be held in secure accommodation

Section 25 The Children Act 1989

Case No. [REDACTED]

THE CHILDREN ACT

1 The child is

a [boy] [girl]

born on

2 The Court orders that this child may be kept in secure accommodation

[by

]

for

[specify maximum period]

3 The ground under which this order is made is that

[the child has a history of absconding and is likely to abscond from any other description of accommodation and if he/she absconds, he/she is likely to suffer significant harm]

[if the child is kept in any other description of accommodation he/she is likely to injure him/herself or other persons]

THE CHILDREN ACT

This order was made on

[Mr / Mrs Justice]

[His / Her Honour Judge]

[District Judge [of the Family Division]]

[Clerk of the Court]

THE CHILDREN ACT

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.



In the  
at

[High][County][Magistrates'] Court

(When writing to the court please state the Case No.)

Case No.

Tel.

Fax

THE CHILDREN ACT

## Notice of a [Hearing] [Directions Appointment]

You are named as a respondent in these proceedings

about the child

a boy  a girl

born on the

You must read this Notice now

THE CHILDREN ACT

### About the [Hearing] [Directions Appointment]

name of applicant

has made an application to the Court.

The Court has been asked to make an order authorising the child to be held in secure accommodation

THE CHILDREN ACT

### To be completed by the court

The Court will hear this at

on

at

 o'clock

the time allowed is

THE CHILDREN ACT

### What you must do

- ▶ There is a copy of the application with this Notice. Read the application now. You do not have to fill in any part.
- ▶ You should obtain legal advice from a solicitor or, alternatively, from an advice agency. The Law Society administers a national panel of solicitors to represent children and other parties involved in proceedings relating to children. Addresses of solicitors (including panel members) and advice agencies can be obtained from the Yellow Pages and the Solicitors Regional Directory which can be found at Citizens Advice Bureaux, Law Centres and any local library. A solicitor or advice agency will also be able to advise you as to whether you will be eligible for legal aid.

date

THE CHILDREN ACT

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**2 About the applicant**

(a) The applicant's full name is   
*Put the surname last*

(b) The applicant's title is  Mr  Mrs  Miss  Ms  Other (*say here*)

(c) The applicant is  *local authority*

an officer of the National Society for the Prevention of Cruelty to Children

authorised by the Secretary of State to apply for this order.

(d) The applicant's official address is

(e) The applicant's telephone number and reference are  
 *Tel.*  *Ref*

(f) The applicant's solicitor is  
 *Name*  
 *Address.*

*Tel.*  *Fax.*  *Ref*

(g) The social worker is  
 *Name*  
 *Address.*

*Tel.*  *Fax.*  *Ref*

THE CHILDREN ACT

**3 About the child's family**

(a) The full name of the child's mother is   
*Put the surname last*

(b) The mother usually lives at   
*See note on addresses at top of page 1*

(c) The full name of the child's father is   
*Put the surname last*

(d) The father usually lives at   
*See note on addresses at top of page 1*

(e) The child's mother and father  are living together  are living apart

(f) The father is  married to the child's mother  married to someone else  
 single  divorced

(g) The mother is  married to the child's father  married to someone else  
 single  divorced

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

**3 About the child's family  
(continued)**

(h) The child has

- no brothers and sisters under 18
- brothers and sisters under 18. They are

*See notes on addresses at top of page 1*

*Put the names, addresses and ages of all full brothers and sisters.*

*If the child has halfbrothers or halfsisters, stepbrothers or stepsisters say who they are in (i) below*

*If there are other children who are treated as children of the family say who they are in (i) below*

The name(s) of the brother(s) and sister(s)	Age (years)	The address(es) of the brother(s) and sister(s)

*Do not include adoption orders*

- No order has been made for any brother or sister
- No order for a brother or sister has been applied for
- An order has been made for a brother or sister
- An order for a brother or sister has been applied for

The name(s) of the child(ren)	The type of order	The court which made the order and when or which will hear the application and the case number if known	if the order	
			has been applied for	is in force

(i) There are other children

- under 18 who do not live with the family
- under 18 who live with the family.

They are:

*See notes on addresses at top of page 1*

The name of the child	The age of the child	Please give reasons why the child lives / does not live with the family	Address of child not living with the family

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

**4 Section 37(1) directions**

(a) A section 37(1) direction for the child's circumstances to be investigated

- has not been made by a court
- has been made by a court

The court was	
The direction was made on	Case no.

THE CHILDREN ACT

**5 Parental responsibility**

Some people have "parental responsibility" for a child. The law says what "parental responsibility" is and which people have it. These people include:

- |   |  |
|---|--|
| <p><b>A</b> the mother</p> <p><b>B</b> the father<br/><i>if he was married to the child's mother when the child was born</i></p> <p><b>C</b> the father<br/><i>if he was not married to the child's mother when the child was born but he now has a residence order or he now has a court order which gives him parental responsibility or he now has a formal "parental responsibility agreement" with the mother or he has since married the mother</i></p> | <p><b>D</b> a guardian of the child</p> <p><b>E</b> someone who holds a custody or residence order</p> <p><b>F</b> a local authority which has a care order</p> <p><b>G</b> someone who holds an emergency protection order</p> <p><b>H</b> any man or woman who has adopted the child</p> |
|---|--|

The people who have parental responsibility for this child are believed to be

*See note on addresses at the top of page 1*

Name	Address

THE CHILDREN ACT

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

**6 About other applications and orders which affect the child**

(a) An Emergency Protection Order  is not in force  
 is in force. The Court which made the order was   
 Case no.   
 The Order ends on

(b) Other applications have  not been made  
 been made or will be made

What the application was for or will be for	When an application was made or will be made	The court which heard the application or will hear the application and the case number if known	The result

(c) Other orders  have not been made  
 have been made. The orders are

*Please include orders that have been made but are no longer in force  
 Do not include adoption orders*

The type of order	When was the order made	The court which made the order and the case number if known	if the order	
			has expired (say when)	is in force

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**7 About this application**

(a) The grounds for applying for a care / supervision order are

*Delete one of\* if appropriate*

that the child concerned is suffering,  
or is likely to suffer,  
significant harm;

**and** that the harm, or likelihood of harm, is attributable to

\*the care given to the child, or likely to be given to the child if the order were not made, not being what it would be reasonable to expect a parent to give to the child

\*the child's being beyond parental control

(b) These grounds exist because

(c) If, as part of application for a supervision order directions are requested, please give details and full supporting reasons

*Please say in part 8 what your plans are for the child and the terms of the order you are asking for*

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

**7 About this application (continued)**

- (d) If you are also requesting an interim order tick the box and delete one of \*
- that there are reasonable grounds for believing that the circumstances with respect to the child are that the child concerned is suffering, or is likely to suffer, significant harm; and that the harm, or likelihood of harm, is attributable to
- \*the care given to the child, or likely to be given to the child if the order were not made, not being what it would be reasonable to expect a parent to give to the child
  - \*the child's being beyond parental control

(e) These grounds exist because

(f) The following directions are requested for the interim order.  
Please give full supporting reasons

(g) The respondents will be

- people with parental responsibility (see part 5)
- the child
- other people allowed by the Rules of court.

Please give details below

The name of the respondent	The respondent's address

*(i) Only give details of those respondents, whose names and addresses have not been given in part 5*

*(ii) Please put the address where the respondent usually lives or where papers can be served. See note on addresses at the top of this page.*

*(iii) You will have to serve a copy of this application on the respondents.*



**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**8 The plans for the child if a final order is made**

The plans for the child are

*Please include the terms of the order you are asking for with supporting reasons.*

*Please make specific reference to arrangements for contact with the child.*

THE CHILDREN ACT

**9 Declaration**

I declare that the information I have given is correct and complete to the best of my knowledge

Signed

Date

THE CHILDREN ACT

**What you (the person applying) must do next**

- ▶ There is a Notice of Hearing on page 9. Fill in the boxes on the Notice.
- ▶ Take or send this form and any supporting documentation to the court with enough copies for each respondent to be served. The top copy will be kept by the court and the other copies given or sent back to you for service.
- ▶ You must then serve the copies of the Application, the Notice of Hearing and any supporting documentation according to the rules. You may also be required under the Rules to give notice of the proceedings to other people.

THE CHILDREN ACT

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.



In the  
at

[High] [County] [Magistrates'] Court

(When writing to the court please state the Case No.)

Case No. [Redacted]

Tel.

Fax

THE CHILDREN ACT

## Notice of a [Hearing] [Directions Appointment]

You are named as a Respondent in these proceedings

about the child

[Redacted]

a boy  a girl

born on the

[Redacted]

You must read this Notice now

THE CHILDREN ACT

### About the [Hearing] [Directions Appointment]

name of applicant

[Redacted]

has made an application to the Court.

The Court has been asked to make

a care order  a supervision order

THE CHILDREN ACT

#### To be completed by the court

The Court will hear this at

[Redacted]

on

[Redacted]

at

[Redacted] o'clock

the time allowed is

[Redacted]

THE CHILDREN ACT

#### What you must do

- ▶ There is a copy of the application with this Notice. Read the application now. You do not have to fill in any part.
- ▶ You should obtain legal advice from a solicitor or, alternatively, from an advice agency. The Law Society administers a national panel of solicitors to represent children and other parties involved in proceedings related to the children. Addresses of solicitors (including panel members) and advice agencies can be obtained from the Yellow Pages and the Solicitors Regional Directory which can be found at Citizens Advice Bureaux, Law Centres and any local library.
- ▶ You may be entitled to legal aid. For certain Children Act proceedings, children, parents and those with parental responsibility will usually be eligible for legal aid automatically.

date

[Redacted]

THE CHILDREN ACT



In the  
at

[High Court of Justice]  
[County Court]  
[Magistrates' Court]

THE CHILDREN ACT

**Order for the [care] [supervision] of a child**

Section 31 The Children Act 1989

Case No.

THE CHILDREN ACT

1 The child is

a [boy] [girl]

born on

2 The Court orders that this child shall be

[placed in the care of the

local authority]

[supervised by

for a period of 12 months from today or until further order]

3 The Court also orders that

While a care order is in force, no person may

- cause the child to be known by a new surname, or
- remove him / her from the jurisdiction of the UK for a period of one month or more, without either the written consent of every person with parental responsibility or the leave of court

*Note: Any person with parental responsibility may ask the United Kingdom Passport Agency, Clive House, Petty France, LONDON SW1H 9HD not to issue a passport allowing the child to go abroad without the knowledge of that person*

THE CHILDREN ACT

This order was made on

[Mr / Mrs Justice]

[His / Her Honour Judge]

[District Judge [of the Family Division]]

[Clerk of the Court]

THE CHILDREN ACT

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

# Application for contact with a child in care

## Section 34 (2) & (3) The Children Act 1989

Date received by court

- ▶ Please use black ink. The notes on page 4 tell you what to do when you have completed the form.
- ▶ If there is more than one child you must fill in a separate form for each child.

- ▶ Please answer every part. If a part does not apply or you do not know what to say please say so. If there is not enough room continue on another sheet (put the child's name and the number of the part on the sheet).
- ▶ If you have any concerns about giving your address or that of the child or any other address requested in this form, you may give an alternative address where papers can be served. However, you must notify the court of the actual address on a separate form available from the court.

Application to **The** [High] [County] [Magistrates'] Court  
 for an order in respect of contact with a child in care

THE CHILDREN ACT

Case No.

THE CHILDREN ACT

### 1 About the child

(a) The full name of the child is

*Put the surname last*

(b) The child is a

boy  girl

(c) The child was born on the

day month year

Age now

(d) The child usually lives at

*See note on addresses at top of this form*

(e) The child lives with

*If the child does not live with a parent please give the name of the person who is responsible for the child*

the child's mother  the child's father

(f) The child is also cared for by

*Put the surname last*

(g) If the child is temporarily living away from usual address, please say where he / she is living at present

*See note on addresses at top of this form*

(h) A Guardian ad litem

- has not been appointed
- has been appointed. The Guardian ad litem is

Name  
Address  
Tel.

Ref

(i) A solicitor

- has not been appointed to act for the child
- has been appointed to act for the child. The solicitor is

Name  
Address  
Tel.

Fax

Ref

THE CHILDREN ACT

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**2 About myself (the person applying)**

(a) I am  the child  
 a parent  
 a guardian  
 an officer of the  local authority  
 other (say here)

(b) My title is  Mr  Mrs  Miss  Ms  Other (say here)

(c) My full name is   
*Put the surname last*

(d) Leave to make this application  is being sought  
*Complete only if leave is required*  has been given. The court which gave leave was   
 Date  Case no.

(e) My address is   
*See note on addresses at top of page 1*

(f) My telephone number is   
*Tel.*

(g) My solicitor is   
*Name*  
*Address*  
*Tel.*  *Fax*  *Ref*

THE CHILDREN ACT

**3 Details of any other applications / orders**

(a) Details of any applications pending concerning the child or orders made *(Do not include adoption orders)*

Name of court	Date of application or date of order made and case number(s) where known	Details of application / order

THE CHILDREN ACT

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**4 About this application**

(a) My reasons for making this application are

(b) I would like the Court to order that

*Give here details of the names, addresses and relationship to the child of the person(s) who are to have contact and the type and frequency of contact sought.  
(However, if any of the addresses have been given elsewhere on this form, do not repeat but please state where given.)*

*See note on addresses at top of page 1*

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

## 5 Respondents

- The respondents will be
- the child
  - those with parental responsibility
  - other people allowed by Rules of Court
  - those people listed in part 4b

(i) Please put the address where the respondent usually lives or can be served with papers. See note on addresses at the top of this form.

(ii) You will have to serve a copy of this application on each of the respondents.

The name of the respondent	The respondent's address

THE CHILDREN ACT

## 6 Declaration

I declare that the information I have given is correct and complete to the best of my knowledge

Signed

Date

THE CHILDREN ACT

### What you (the person applying) must do next

- ▶ There is a Notice of Hearing on page 5. Fill in the boxes on the Notice.
- ▶ Take or send this form and any supporting documentation to the court with enough copies for each respondent to be served. The top copy will be kept by the court and the other copies given or sent back to you for service.
- ▶ You must then serve the copies of the Application, the Notice of Hearing and any supporting documentation according to the Rules. You may also be required under the Rules to give notice of the proceedings to other people.

THE CHILDREN ACT

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.



In the  
at

[High] [County] [Magistrates'] Court

(When writing to the court please state the Case No.)

Case No.

Tel.

Fax

THE CHILDREN ACT

## Notice of a [Hearing] [Directions Appointment ]

You are named as a respondent in these proceedings

about the child

a boy  a girl

born on the

You must read this Notice now

THE CHILDREN ACT

### About the [Hearing] [Directions Appointment]

name of applicant

has made an application to the Court.

The Court has been asked to make a contact order in respect of a child in care

THE CHILDREN ACT

### To be completed by the court

The Court will hear this at

on

at

 o'clock

the time allowed is

THE CHILDREN ACT

### What you must do

- ▶ There is a copy of the application with this Notice of Hearing. Read the application now. You do not have to fill in any part.
- ▶ You should obtain legal advice from a solicitor or, alternatively, from an advice agency. The Law Society administers a national panel of solicitors to represent children and other parties involved in proceedings relating to children. Addresses of solicitors (including panel members) and advice agencies can be obtained from the Yellow Pages and the Solicitors Regional Directory which can be found at Citizens Advice Bureaux, Law Centres and any local library. A solicitor or advice agency will also be able to advise you as to whether you will be eligible for legal aid.

date

THE CHILDREN ACT





In the  
at

[High Court of Justice]  
[County Court]  
[Magistrates' Court]

THE CHILDREN ACT

## Order permitting contact with a child in care

Section 34 (2) & (3) The Children Act 1989

Case No. [REDACTED]

THE CHILDREN ACT

1 The child is

a [boy] [girl]

born on

The child is in the care of the

local authority and is at

2 The court orders that the authority shall permit contact between the child and

3 The court also orders and directs that

THE CHILDREN ACT

This order was made on

[Mr / Mrs Justice]

[His / Her Honour Judge]

[District Judge [of the Family Division]]

[Clerk of the Court]

THE CHILDREN ACT

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

# Application for permission to refuse contact with child in care

Section 34(4) The Children Act 1989

Date received by court

- ▶ Please use black ink. The notes on page 5 tell you what to do when you have completed the form.
- ▶ If there is more than one child you must fill in a separate form for each child.
- ▶ Please answer every part. If a part does not apply or you do not know what to say please say so. If there is not enough room continue on another sheet (put the child's name and the number of the part on the sheet).
- ▶ If you have any concerns about giving your address or that of the child or any other address requested in this form, you may give an alternative address where papers can be served. However, you must notify the court of the actual address on a separate form available from the court.

Application to The [High] [County] [Magistrates'] Court  
 for permission to refuse contact with a child in care

Case No.

THE CHILDREN ACT

## 1 About the child

- (a) The full name of the child is   
*Put the surname last*
- (b) The child is a  boy  girl
- (c) The child was born on the  day  month  year  Age now
- (d) The child usually lives at   
*See note on addresses at top of this form*
- (e) The child lives with  the child's mother  the child's father   
*If the child does not live with a parent please give the name of the person who is responsible for the child*
- (f) The child is also cared for by   
*Put the surname last*
- (g) If the child is temporarily living away from the usual address please say where he /she is living at present   
*See note on addresses at top of this form*
- (h) A Guardian ad litem  has not been appointed  
 has been appointed. The Guardian ad litem is   
 Name   
 Address   
 Tel.  Ref
- (i) A solicitor  has not been appointed to act for the child  
 has been appointed to act for the child. The solicitor is   
 Name   
 Address   
 Tel.  Fax  Ref

THE CHILDREN ACT

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**2 About myself (the person applying)**

(a) I am  a child  
 an officer of the  *local authority*

(b) My title is  Mr  Mrs  Miss  Ms  Other (*say here*)

(c) My full name is   
*Put the surname last*

(d) My address is   
*See note on addresses at the top of page 1*

(e) My telephone number is   
*Tel*

(f) My solicitor is   
*Name*  
*Address.*

<i>Tel</i>	<i>Fax.</i>	<i>Ref</i>
------------	-------------	------------

THE CHILDREN ACT

**3 About other applications and orders which affect the child**

Details of any applications pending concerning the child or orders made *(Do not include adoption orders)*

Name of court	Date of application or date of order made and case number(s) where known	Details of application / order

THE CHILDREN ACT

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**4 The current arrangements for child in respect of residence and contact**

(a) The current arrangements for residence are

(b) The current arrangements for contact are that the child has contact with

- the child's parents  
(for names and addresses not previously given, see (c) below)
- any guardian of the child  
(for names and addresses not previously given see (c) below)
- the person in whose favour a residence order was made  
(for names and addresses not previously given, see (c) below)

(c) Enter here the details not previously given of the names, addresses and relationship to the child of any other person who has contact

*See note on addresses at the top of page 1*

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**5 About this application**

(a) A refusal of contact for 7 days by a local authority

- is in force
- is not in force

(b) Contact should be refused between the child and

- a parent
- a guardian
- a person with a residence order, obtained before a care order was made (*as laid out in Children Act section 34 (1)(c)*)
- a person who had care of the child through an order immediately before the care order was made (*as laid out in Children Act section 34 (1)(d)*)

Please give further details

The name of the person who should not contact the child	The person's relationship to the child

(c) The grounds for this application are

(d) These grounds exist because

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

**5 About this application (continued)**

(e) The court should impose the following conditions

(f) The respondents will be

- people with parental responsibility
- those people whom you have listed in part 5(b)
- the child (if application is made by a local authority)
- other people allowed by the Rules of Court.

*(i) Please put the address where the respondent usually lives or where papers can be served. See note on addresses at the top of page 1.*

*(ii) You will have to serve a copy of this application on the respondents.*

The name of the respondent	The respondent's address

THE CHILDREN ACT

**Declaration**

**6**

I declare that the information I have given is correct and complete to the best of my knowledge

Signed

Date

THE CHILDREN ACT

**What you (the person applying) must do next**

- ▶ There is a Notice of Hearing on page 6. Fill in the boxes on the Notice.
- ▶ Take or send this form and any supporting documentation to the court with enough copies for each respondent to be served. The top copy will be kept by the court and the other copies given or sent back to you for service.
- ▶ You **must** then serve the copies of the Application, the Notice of Hearing and any supporting documentation according to the Rules. You may also be required under the Rules to give notice of the proceedings to other people.

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*



In the  
at

[High] [County] [Magistrates'] Court

(When writing to the court please state the Case No.)

Case No.

Tel.

Fax

THE CHILDREN ACT

## Notice of a [Hearing] [Directions Appointment]

**You are named as a Respondent in these proceedings**

about the child

a boy  a girl

born on the

**You must read this Notice now**

THE CHILDREN ACT

### About the [Hearing] [Directions Appointment]

name of applicant

has made an application to the Court.

The Court has been asked to make an order for refusal of contact with child in care

THE CHILDREN ACT

#### To be completed by the court

The Court will hear this at

on

at

 o'clock

the time allowed is

THE CHILDREN ACT

#### What you must do

- ▶ There is a copy of the application with this Notice. Read the application now. You do not have to fill in any part.
- ▶ You should obtain legal advice from a solicitor or, alternatively, from an advice agency. The Law Society administers a national panel of solicitors to represent children and other parties involved in proceedings relating to children. Addresses of solicitors (including panel members) and advice agencies can be obtained from the Yellow Pages and the Solicitors Regional Directory which can be found at Citizens Advice Bureaux, Law Centres and any local library. A solicitor or advice agency will also be able to advise you as to whether you are entitled to legal aid.

date

THE CHILDREN ACT

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.



In the

at

[High Court]

[County Court]

[Magistrates' Court]

THE CHILDREN ACT

**Order refusing contact with a child in care**

Section 34(4) The Children Act 1989

Case No.

THE CHILDREN ACT

1

The child is

a [boy] [girl]

born on

The child is in the care of the

local authority

2

The Court orders that the local authority may refuse contact between the child and

3

The Court has also orders and directs that

THE CHILDREN ACT

This order was made on

[Mr / Mrs Justice]

[His / Her Honour Judge]

[District Judge [of the Family Division]]

[Clerk of the Court]

THE CHILDREN ACT

CHA 24



Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

# Application for an Education Supervision Order

Section 36 The Children Act 1989

Date received by court

- ▶ Please use black ink. The notes on page 6 tell you what to do when you have completed the form.
- ▶ If there is more than one child you must fill in a separate form for each child.
- ▶ An education supervision order cannot be made if the child is the subject of a care order.
- ▶ Please answer every part. If a part does not apply or you do not know what to say please say so. If there is not enough room continue on another sheet (put the child's name and the number of the part on the sheet).
- ▶ If you have any concerns about giving your address or that of the child or any other address requested in this form, you may give an alternative address where papers can be served. However, you must notify the court of the actual address on a separate form available from the court.

Application to The  
for an Education Supervision Order

[High] [County] [Magistrates'] Court

Case No.

## 1 About the child

(a) The name of the child is  
*Put the surname last*

(b) The child is a

boy  girl

(c) The child was born on the

day	month	year	Age now
-----	-------	------	---------

(d) The child usually lives at

*See note on addresses at top of this form*

(e) The child lives with

*If the child does not live with a parent please give the name of the person who is responsible for the child*

the child's mother  the child's father

(f) The child is also cared for by  
*Put the surname last*

(g) The child is at present

staying in a refuge (Please give the address to the Court separately)  
 not staying in a refuge

(h) If the child is temporarily living away from the usual address, please say where he / she is living at present

*See note on addresses at top of this form*

(i) A solicitor

has not been appointed to act for the child  
 has been appointed to act for the child. The solicitor is

Name
Address
Tel. Fax Ref

(j) The school at which the child is a registered pupil is

Name
Address
Tel. Fax Ref

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

**2 About the applicant**

(a) The applicant's full name is   
*Put the surname last*

(b) The applicant's title is  Mr  Mrs  Miss  Ms  Other (*say here*)

(c) The applicant is an officer of the  *local education authority*

(d) The applicant's official address is

(e) The applicant's telephone number and reference are  *Tel.*  *Ref*

(f) The applicant's solicitor is   
*Name*  
*Address*  
*Tel.*  *Fax*  *Ref*

THE CHILDREN ACT

**3 About the child's family**

(a) The full name of the child's mother is   
*Put the surname last*

(b) The mother usually lives at   
*See note on addresses at top of page 1*

(c) The full name of the child's father is   
*Put the surname last*

(d) The father usually lives at   
*See note on addresses at top of page 1*

(e) The child's mother and father  are living together  are living apart

(f) The father is  married to the child's mother  married to someone else  
 single  divorced

(g) The mother is  married to the child's father  married to someone else  
 single  divorced

(h) The child has  no brothers and sisters under 18  
 brothers and sisters under 18.

**They are**

*Put the names, addresses and ages of all full brothers and sisters. See note on addresses at top of page 1.*

*If the child has halfbrothers or halfsisters, stepbrothers or stepsisters say who they are in (i) overleaf*

*If there are other children who are treated as children of the family say who they are in (i) overleaf*

The name(s) of the brother(s) and sister(s)	Age (years)	The address(es) of the brother(s) and sister(s)

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**3 About the child's family (continued)**

(h) (continued)

- No order has been made for any brother or sister
- No order for a brother or sister has been applied for
- An order has been made for a brother or sister
- An order for a brother or sister has been applied for

*Do not include adoption orders*

The name(s) of the child(ren)	The type of order	The court which made the order and when or which will hear the application and the case number if known	if the order	
			has been applied for	is in force

(i) There are other children

- under 18 who do not live with the family
- under 18 who live with the family.

They are :

*See note on addresses at the top of page 1*

The name of the child	The age of the child	Please give reasons why the child lives / does not live with the family	Address of child not living with the family

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

**4 Parental responsibility**

Some people have "parental responsibility" for a child. The law says what "parental responsibility" is and which people have it. These people include:

- A** the mother
- B** the father  
*if he was married to the child's mother when the child was born*
- C** the father  
*if he was **not** married to the child's mother when the child was born*  
*but he now has a residence order*  
*or he now has a court order which gives him parental responsibility*  
*or he now has a formal "parental responsibility agreement" with the mother*  
*or he has since married the mother*
- D** a guardian of the child
- E** someone who holds a custody or residence order
- F** a local authority which has a care order
- G** someone who holds an emergency protection order
- H** any man or woman who has adopted the child

The people who are believed to have parental responsibility for this child are  
[See note on addresses at top of page 1.]

Name	Address

THE CHILDREN ACT

**5 About other applications and orders which affect the child**

- (a) Other applications have  not been made  
 been made or will be made

When an application was made or will be made	What the application was for or will be for	The court which heard the application or which will hear the application and the case number(s) if known	The result

THE CHILDREN ACT

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**5 About other applications and orders which affect the child (continued)**

- (b) Other orders  have not been made  
*Do not include adoption orders*  have been made. The orders are

The type of order	When was the order made	The court which made the order and the case number if known	✓ if the order	
			has expired (say when)	is in force

THE CHILDREN ACT

**6 About this application**

- (a) The Social Services Committee of has been consulted before making this application

*local authority*

- (b) The ground for making this application is that the child is of compulsory school age and is not being properly educated

- (c) This ground exists because

- (d) The local education authority to be designated in the order is

*local education authority*

- (e) This local education authority is  the authority within whose area the child is living or will live  
 the authority for the area within which the school is situated at which the child is a registered pupil.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**6 About this application (continued)**

(f) The applicant would like the Court to order that

*If you would like the Court to lay down requirements under Schedule 3 para16 put these here*

(g) A report on the child  is attached  
 is not attached

(h) The respondents will be 

- all those with parental responsibility
- the child
- other people allowed by Rules of Court

- (i) *You need not give the names and addresses of those respondents whose details have appeared in part 4.*
- (ii) *Please put the address where the respondent usually lives or where papers can be served. See note on addresses at top of this form.*
- (iii) *You will have to serve a copy of this application on each of the respondents.*

The name of the respondent	The respondent's address

THE CHILDREN ACT

**7 Declaration**

I declare that the information I have given is correct and complete to the best of my knowledge

Signed  Date

THE CHILDREN ACT

**What you (the person applying) must do next**

- ▶ There is a Notice of Hearing on page 7. Fill in the boxes on the Notice.
- ▶ Take or send this form and any supporting documentation to the court with enough copies for each respondent to be served. The top copy will be kept by the court and the other copies given or sent back to you for service.
- ▶ You must then serve the copies of the Application, the Notice of Hearing and any supporting documentation according to the Rules. You may also be required under the Rules to give notice of the proceedings to other people.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.



In the  
at

[High] [County] [Magistrates'] Court

(When writing to the court please state the Case No.)

Case No. [redacted]

Tel.

Fax

THE CHILDREN ACT

## Notice of a [Hearing] [Directions Appointment]

You are named as a Respondent in these proceedings

about the child

[redacted]

a boy  a girl

born on the

[redacted]

**You must read this Notice now**

THE CHILDREN ACT

### About the [Hearing] [Directions Appointment]

name of applicant

[redacted]

has made an application to the Court.

The Court has been asked to make an Education Supervision Order

THE CHILDREN ACT

### To be completed by the court

The Court will hear this at

[redacted]

on

[redacted]

at

[redacted] o'clock

the time allowed is

[redacted]

THE CHILDREN ACT

### What you must do

- ▶ There is a copy of the application with this Notice. Read the application now. You do not have to fill in any part.
- ▶ You should obtain legal advice from a solicitor or, alternatively, from an advice agency. The Law Society administers a national panel of solicitors to represent children and other parties involved in proceedings relating to children. Addresses of solicitors (including panel members) and advice agencies can be obtained from the Yellow Pages and the Solicitors Regional Directory which can be found at Citizens Advice Bureaux, Law Centres and any local library. A solicitor or advice agency will be able to advise you as to whether you are entitled to legal aid.

date

[redacted]

THE CHILDREN ACT

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*



In the  
at

[High Court of Justice]  
[County Court]  
[Magistrates' Court]

THE CHILDREN ACT

**Education Supervision Order**

Section 36 The Children Act 1989

Case No.

THE CHILDREN ACT

1

The child is

a [boy] [girl]

born on

2

The Court orders that the child shall be supervised by

the designated local education authority, for 12 months from today or until the child ceases to be of compulsory school age, if earlier, or until further order

3

The Court also orders that

THE CHILDREN ACT

This order was made on

[Mr / Mrs Justice]

[His / Her Honour Judge]

[District Judge [of the Family Division]]

[Clerk of the Court]

THE CHILDREN ACT





In the  
at

[High Court of Justice]  
[County Court]  
[Magistrates' Court]

THE CHILDREN ACT

**Interim [care] [supervision] order**

Section 38 The Children Act 1989

Case No.

THE CHILDREN ACT

1 The child is

a [boy] [girl]

born on the

2 The Court orders that this child shall be

[placed in the interim care of the

local authority]

[supervised for the period of this order by

]

3 This order shall take effect until

4 The Court also orders that

THE CHILDREN ACT

This order was made on

[Mr / Mrs Justice]

[His / Her Honour Judge]

[District Judge [of the Family Division]]

[Clerk of the Court]

THE CHILDREN ACT

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

# Application for Discharge of a Care or Supervision Order or Substitution of a Supervision Order for a Care Order or Variation of a Supervision Order

## Section 39 (1)(2) and (4) The Children Act 1989

Date received by court

- ▶ Please use black ink. The notes on page 5 tell you what to do when you have completed the form.
- ▶ If there is more than one child you must fill in a separate form for each child.
- ▶ Please answer every part. If a part does not apply or you do not know what to say please say so. If there is not enough room continue on another sheet (put the child's name and the number of the part on the sheet).

If you have any concerns about giving your address or that of the child or any other address requested in this form you may give an alternative address where papers can be served. However, you must notify the court of the actual address on a separate form available from the court.

THE CHILDREN ACT

Application to The [High] [County] [Magistrates] Court  
 for (Discharge of [Care] [Supervision] Order) (Substitution of a Supervision Order for a Care Order)  
 (Variation of a Supervision Order)

Case No.

THE CHILDREN ACT

### 1 About the child

(a) The full name of the child is   
*Put the surname last*

(b) The child is a  boy  girl

(c) The child was born on the  day  month  year  Age now

(d) The child usually lives at   
*See note on addresses at top of this form*

(e) The child lives with  the child's mother  the child's father   
*If the child does not live with a parent please give the name of the person who is responsible for the child*

(f) The child is also cared for by   
*Put the surname last*

(g) The child is at present  staying in a refuge (Please give the address to the Court separately)  
 not staying in a refuge

(h) If the child is temporarily living away from the usual address, please say where he / she is living at present   
*See note on addresses at top of this form*

(i) A Guardian ad litem  has not been appointed  
 has been appointed. The Guardian ad litem is   
 Name   
 Address   
 Tel.  Fax  Ref

(j) A solicitor  has not been appointed to act for the child  
 has been appointed to act for the child. The solicitor is   
 Name   
 Address   
 Tel.  Fax  Ref

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**2 About the applicant**

(a) The applicant's full name is   
*Put the surname last*

(b) The applicant's title is  Mr  Mrs  Miss  Ms  Other (say here )

(c) The applicant is  the child  
 a person with parental responsibility (see part 4)  
 an officer of the  local authority  
 the supervisor named in the supervision order

(d) The applicant's address is   
*Give an address where papers can be served*

(e) The applicant's telephone number and reference are  
 Tel.  Ref

(f) The applicant's solicitor is   
 Name   
 Address

(g) The solicitor's telephone, fax numbers and reference are  
 Tel.  Fax  Ref

THE CHILDREN ACT

**3 About other applications and orders which affect the child**

(a) An Emergency Protection Order  is not in force  
 is in force

(b) The Order was made at  [High] [County] [Magistrates'] Court  
 on  day  month  year Case No

(c) The Order ends on  day  month  year

(d) Other applications have  not been made  
 been made or will be made

When an application was made or will be made	What the application was for or will be for	The court which heard the application or which will hear the application and the case number(s) if known	The result

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

**3 About other applications and orders which affect the child (continued)**

- (e) Other orders  have not been made  
 have been made. The orders are

*Do not include adoption orders  
 Please include orders that have been made but are no longer in force*

The type of order	When was the order made	The court which made the order and the case number if known	✓ if the order	
			has expired (say when)	is in force

THE CHILDREN ACT

**4 Parental responsibility**

Some people have "parental responsibility" for a child. The law says what "parental responsibility" is and which people have it. These people include:

- A the mother
- B the father *if he was married to the child's mother when the child was born*
- C the father *if he was not married to the child's mother when the child was born but he now has a residence order or he now has a court order which gives him parental responsibility or he now has a formal "parental responsibility agreement" with the mother or he has since married the mother*
- D a guardian of the child
- E someone who holds a custody or residence order
- F a local authority which has a care order
- G someone who holds an emergency protection order
- H any man or woman who has adopted the child

The people who have parental responsibility for this child are believed to be.  
 See the note on addresses at the top of page 1.

Name	Address

THE CHILDREN ACT

**5 About this application**

(a) My reasons for making this application are

(b) I would like the court to order that

(c) My future plans for the child are

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**5 About this application (continued)**

- (d) The respondents will be
- people with parental responsibility
  - the child
  - those who were parties to the original [care] [supervision] order application
  - other people allowed by the Rules of Court

(i) Only give the details below of those people whose names and addresses do not appear elsewhere in this form.  
 (ii) Please put the address where the respondent usually lives or where papers can be served. See the note on addresses at the top of page 1.  
 (iii) You will have to serve a copy of this application on each of the respondents.

The name of the respondent	The respondent's address

THE CHILDREN ACT

**6 Declaration**

I declare that the information I have given is correct and complete to the best of my knowledge

Signed

Date

THE CHILDREN ACT

**What you (the person applying) must do next**

- ▶ There is a Notice of Hearing on page 6. Fill in the boxes on the Notice
- ▶ Take or send this form and any supporting documentation to the court with enough copies for each respondent to be served. The top copy will be kept by the court and the other copies given or sent back to you for service.
- ▶ You **must** then serve the copies of the Application, the Notice of Hearing and any supporting documentation according to the Rules. You may also be required under the Rules to give notice of the proceedings to other people.

THE CHILDREN ACT

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.



In the  
at

[High] [County] [Magistrates'] Court

(When writing to the court please state the Case No.)

Case No. [redacted]

Tel.

Fax

THE CHILDREN ACT

## Notice of a [Hearing] [Directions Appointment]

You are named as a Respondent in these proceedings

about the child

[redacted]

a boy  a girl

born on the

[redacted]

You must read this Notice now

THE CHILDREN ACT

### About the [Hearing] [Directions Appointment]

name of applicant

[redacted]

has made an application to the Court.

The Court has been asked to

- discharge a [Supervision] [Care] Order
- substitute a Supervision Order for a Care Order
- vary a Supervision Order

THE CHILDREN ACT

### To be completed by the court

The Court will hear this at

[redacted]

on

[redacted]

at

[redacted] o'clock

the time allowed is

[redacted]

THE CHILDREN ACT

### What you must do

- ▶ There is a copy of the application with this Notice. Read the application now. You do not have to fill in any part.
- ▶ You should obtain legal advice from a solicitor or, alternatively, from an advice agency. The Law Society administers a national panel of solicitors to represent children and other parties involved in proceedings relating to children. Addresses of solicitors (including panel members) and advice agencies can be obtained from the Yellow Pages and the Solicitors Regional Directory which can be found at Citizens Advice Bureaux, Law Centres and any local library
- ▶ You may be entitled to legal aid. For certain Children Act proceedings, children, parents and those with parental responsibility will be eligible for legal aid automatically.

date

[redacted]

THE CHILDREN ACT

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.



In the  
at

[High Court of Justice]  
[County Court]  
[Magistrates' Court]

THE CHILDREN ACT

**[Order discharging a [care ] [supervision] order]**  
**[Order varying a supervision order]**  
**[Order substituting a supervision order for a care order]**

Case No. [REDACTED]

Section 39(1)(2) or (4) The Children Act 1989

THE CHILDREN ACT

1

The child is

a [boy] [girl]

born on the

2

On

the

Court ordered that this child be

[placed in the care of the

local authority]

[supervised by

]

3

This Court orders that

[the order be discharged]

[the supervision order be varied as follows

]

[ the care order be substituted by a supervision order and that the child be supervised by

]

3

This Court also orders that

THE CHILDREN ACT

This order was made on

[Mr / Mrs Justice]

[His / Her Honour Judge]

[District Judge (of the Family Division)]

[Clerk of the Court]

THE CHILDREN ACT





In the  
at

[High Court of Justice]  
[County Court]  
[Magistrates' Court]

THE CHILDREN ACT

**Order making or refusing the appointment  
of a Guardian ad litem**

Section 41(1) The Children Act 1989

Case No.

THE CHILDREN ACT

1 The child is

a [boy] [girl]

born on

2 The Court orders that [\*  
for the child

] [a guardian ad litem] be appointed

\* Insert name of guardian ad litem if known

3 [An appointment is not necessary to safeguard the interests of the child]

4 The proceedings to which this order relates are

- |   |  |
|---|--|
| <input type="checkbox"/> application for care or supervision order                        | <input type="checkbox"/> proceedings under section 33(7)               |
| <input type="checkbox"/> directions or interim care order under section 37 or section 38  | <input type="checkbox"/> emergency protection order                    |
| <input type="checkbox"/> application for discharge of care order                          | <input type="checkbox"/> an appeal                                     |
| <input type="checkbox"/> application for variation or discharge of supervision order      | <input type="checkbox"/> proceedings under section 25                  |
| <input type="checkbox"/> application for substitution of supervision order for care order | <input type="checkbox"/> applications under paragraph 19(1) Schedule 2 |
| <input type="checkbox"/> consideration of residence order for a child in care             | <input type="checkbox"/> applications under paragraph 6(3) Schedule 3  |
| <input type="checkbox"/> contact/refusal of contact with child in care                    | <input type="checkbox"/> child assessment order                        |
| <input type="checkbox"/> other proceedings ( <i>specify</i> )                             |  |

THE CHILDREN ACT

This order was made on

[Mr / Mrs Justice]  
[His / Her Honour Judge]  
[District Judge [of the Family Division]]  
[Justice of the Peace]  
[Clerk of the Court]

THE CHILDREN ACT

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.



In the  
at

[High Court of Justice]  
[County Court]  
[Magistrates' Court]

THE CHILDREN ACT

**Order making or refusing the appointment  
of a solicitor**

Case No.

Section 41 (3) The Children Act 1989

THE CHILDREN ACT

1

The child is

a [boy] [girl]

born on

2

The Court is satisfied that the child is not presently represented by a solicitor and that :-

a Guardian ad litem has not been appointed for the child and

the child has sufficient understanding to instruct a solicitor and has expressed a wish to do so and

it would be in the best interests of the child for him / her to be represented.

**The Court orders that**

of

be appointed as solicitor for the child

or

3

**The Court orders that no appointment shall be made.**

THE CHILDREN ACT

This order was made on

[Mr / Mrs Justice]

[His / Her Honour Judge]

[District Judge [of the Family Division]]

[Justice of the Peace]

[Clerk of the Court]

THE CHILDREN ACT

CHA 31

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

# Application for a Child Assessment Order

## Section 43 The Children Act 1989

Data received by court

- ▶ Please use black ink. The notes on page 8 tell you what to do when you have completed the form.
- ▶ If there is more than one child you must fill in a separate form for each child.
- ▶ Please answer every part. If a part does not apply or you do not know what to say please say so. If there is not enough room continue on another sheet (put the child's name and the number of the part on the sheet).
- ▶ If you have any concerns about giving your address or that of the child or any other address requested in this form, you may give an alternative address where papers can be served. However, you must notify the court of the actual address on a separate form available from the court.

THE CHILDREN ACT

Application to The  
for a Child Assessment Order

[High] [County] [Magistrates'] Court

Case No.

THE CHILDREN ACT

### 1 About the child

(a) The name of the child is   
*Put the surname last*

(b) The child is a  boy  girl

(c) The child was born on the  day  month  year  Age now

(d) The child usually lives at   
*See note on addresses at top of this form*

(e) The child lives with  the child's mother  the child's father   
*If the child does not live with a parent please give the name of the person who is responsible for the child*

(f) The child is also cared for by   
*Put the surname last*

(g) The child is at present  staying in a refuge (Please give the address to the Court separately)  not staying in a refuge

(h) If the child is temporarily living away from the usual address, please say where he / she is living at present   
*See note on addresses at top of this form*

(i) A Guardian ad litem  has not been appointed  has been appointed. The Guardian ad litem is   
Name   
Address   
Tel.  Fax  Ref

(j) A solicitor  has not been appointed to act for the child  has been appointed to act for the child. The solicitor is   
Name   
Address   
Tel.  Fax  Ref

THE CHILDREN ACT

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

**2 About the applicant**

- (a) The applicant is  an officer of the  *local authority*  
 an officer of the National Society for the Prevention of Cruelty to Children  
 authorised by the Secretary of State to apply for this order.
- (b) The applicant's full name is   
*Put the surname last*
- (c) The applicant's title is  Mr  Mrs  Miss  Ms  Other (*say here*)
- (d) The applicant's official address is
- (e) The applicant's telephone number and reference are   
*Tel. Ref*
- (f) The applicant's solicitor is   
*Name Address Tel. Fax Ref*
- (g) The social worker is   
*Name Address Tel. Fax Ref*

THE CHILDREN ACT

**3 About the child's family**

- (a) The full name of the child's mother is   
*Put the surname last*
- (b) The mother usually lives at   
*See note on addresses at the top of page 1*
- (c) The full name of the child's father is   
*Put the surname last*
- (d) The father usually lives at   
*See note on addresses at the top of page 1*
- (e) The child's mother and father  are living together  are living apart
- (f) The father is  married to the child's mother  married to someone else  
 single  divorced
- (g) The mother is  married to the child's father  married to someone else  
 single  divorced

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**3 About the child's family (continued)**

- (h) The child has  no brothers and sisters under 18  
 brothers and sisters under 18. They are

See note on addresses at the top of page 1

Put the names, addresses and ages of all full brothers and sisters.

If the child has halfbrothers or halfsisters, stepbrothers or stepsisters say who they are in (i) below

If there are other children who are treated as children of the family say who they are in (i) below

The name(s) of the brother(s) and sister(s)	Age (years)	The address(es) of the brother(s) and sister(s)

- (h) (continued)  No order has been made for any brother or sister  
 No order for a brother or sister has been applied for  
 An order has been made for a brother or sister  
 An order for a brother or sister has been applied for

Do not include adoption orders

The name(s) of the child(ren)	The type of order	The court which made the order and when or which will hear the application. Include case number(s) where known	if the order	
			has been applied for	is in force

- (i) There are other children  under 18 who do not live with the family  
 See note on addresses at the top of page 1  under 18 who live with the family.

They are :

The name of the child	The age of the child	Please give reasons why the child lives / does not live with the family	Address of child not living with the family

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

**4 Parental responsibility**

Some people have "parental responsibility" for a child. The law says what "parental responsibility" is and which people have it. These people include:

- A the mother
- B the father  
*if he was married to the child's mother when the child was born*
- C the father  
*if he was not married to the child's mother when the child was born but he now has a residence order or he now has a court order which gives him parental responsibility or he now has a formal "parental responsibility agreement" with the mother or he has since married the mother*
- D a guardian of the child
- E someone who holds a custody or residence order
- F a local authority which has a care order
- G someone who holds an emergency protection order
- H any man or woman who has adopted the child

The people who have parental responsibility for this child are believed to be

*See note on addresses at the top of page 1*

Name	Address

THE CHILDREN ACT

**5 About other applications and orders which affect the child**

- (a) Other applications have  not been made  
 been made or will be made

When an application was made or will be made	What the application was for or will be for	The court which heard the application or which will hear the application and the case number(s) if known	The result

THE CHILDREN ACT

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**5 About other applications and orders which affect the child (continued)**

- (b) Other orders  have not been made  
*Do not include adoption orders*  have been made. The orders are

The type of order	When was the order made	The court which made the order and the case number if known	✓ if the order	
			has expired (say when)	is in force

THE CHILDREN ACT

**6 About this application**

- (a) The grounds for making this application are that

There is reasonable cause to suspect that the child is suffering, or is likely to suffer, significant harm

**and**

an assessment of the state of the child's health or development or of the way in which the child has been treated, is required to determine whether or not the child is suffering, or is likely to suffer, significant harm

**and**

it is unlikely that such an assessment will be made, or be satisfactory, in the absence of an order under this section

- (b) These grounds exist because

*(Please give details of the type of assessment and other directions sought in parts 7 & 8)*

THE CHILDREN ACT

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**6 About this application (continued)**

- (c) A report / relevant documentary evidence  is attached  
 is not attached

- (d) The respondents will be
  - people with parental responsibility
  - the child
  - other people allowed by the Rules of Court.

Please give details below

*(i) You do not have to give the details of those respondents whose names and addresses have been given in part 4.*

*(ii) Please put the address where the respondent usually lives. See note on addresses at the top of page 1.*

*(iii) You will have to serve a copy of this application on the respondents.*

The name of the respondent	The respondent's address

..... THE CHILDREN ACT .....

**7 About the assessment**

- (a) The type of assessment is  
*Please give a brief description of the type of assessment that will be made.*



**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**7 About the assessment (continued)**

(b) The assessment will be carried out by

(c) The assessment will take place at   
*Tel.*  *Fax.*

(d) The assessment is expected to take  days

(e) The child  should not live away from home while being assessed  
 should live away from home for all or part of the assessment because

(f) During any time the child will be away it is proposed that the arrangements for a contact with the child should be

The name of the person who may contact the child and the arrangements	The person's relationship to the child	Reason

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

**8 About other directions**

The applicant would like further directions relating to the assessment. Include details as to whom the child should be produced

THE CHILDREN ACT

**9 Declaration**

I declare that the information I have given is correct and complete to the best of my knowledge

Signed

Date

THE CHILDREN ACT

**What you (the person applying) must do next**

- ▶ There is a Notice of Hearing on page 9. Fill in the boxes on the Notice.
- ▶ Take or send this form and any supporting documentation to the court with enough copies for each respondent to be served. The top copy will be kept by the court and the other copies given or sent back to you for service.
- ▶ You **must** then serve the copies of the Application, the Notice and any supporting documentation according to the Rules. You may also be required under the Rules to give notice of the proceedings to other people.

THE CHILDREN ACT

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*



In the  
at

[High] [County] [Magistrates'] Court

(When writing to the court please state the Case No.)

Case No.

Tel.

Fax

THE CHILDREN ACT

## Notice of a [Hearing] [Directions Appointment]

You are named as a Respondent in these proceedings

about the child

a boy  a girl

born on the

You must read this Notice now

THE CHILDREN ACT

## About the [Hearing] [Directions Appointment]

name of applicant

has made an application to the Court.

The Court has been asked to make a Child Assessment Order

THE CHILDREN ACT

### To be completed by the court

The Court will hear this at

on

at

 o'clock

the time allowed is

THE CHILDREN ACT

## What you must do

- ▶ There is a copy of the application with this Notice. Read the application now. You do not have to fill in any part.
- ▶ You should obtain legal advice from a solicitor or, alternatively, from an advice agency. The Law Society administers a national panel of solicitors to represent children and other parties involved in proceedings relating to children. Addresses of solicitors (including panel members) and advice agencies can be obtained from the Yellow Pages and the Solicitors Regional Directory which can be found at Citizens Advice Bureaux, Law Centres and any local library.
- ▶ You may be entitled to legal aid. For certain Children Act proceedings, children, parents and those with parental responsibility will usually be eligible for legal aid automatically.

date

THE CHILDREN ACT

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.



In the

at

[High Court of Justice]  
[County Court]  
[Magistrates' Court]

THE CHILDREN ACT

**Child Assessment Order**

Section 43 The Children Act 1989

Case No.

THE CHILDREN ACT

1

The child is

a [boy] [girl]

born on

2

**The Court orders** that there shall be a [medical] [psychiatric] [ ] assessment of the child.

The assessment is to begin by last no more than

and shall days from the date the assessment began.

3

**The Court also orders and directs that**

[the child is to be produced to

by any person who is in a position to do so]

[the child is to be assessed at

]

[the child is to be assessed by

]

[the child shall be kept away from home and stay at

from

to

]

[the child must be allowed to have contact with

]

THE CHILDREN ACT

This order was made on

[Mr / Mrs Justice]

[His / Her Honour Judge]

[District Judge [of the Family Division]]

[Clerk of the Court]

THE CHILDREN ACT

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

# Application for Emergency Protection Order

Section 44 The Children Act 1989

Date received by court

- ▶ Please use black ink. The notes on page 7 tell you what to do when you have completed the form.
- ▶ If there is more than one child you must fill in a separate form for each child.
- ▶ Please answer every part. If a part does not apply or you do not know what to say please say so. If there is not enough room continue on another sheet (put the child's name and the number of the part on the sheet).
- ▶ If you have any concerns about giving your address or that of the child or any other address requested in this form, you may give an alternative address where papers can be served. However, you must notify the court of the actual address on a separate form which you can get from the court office.

Please speak to the court official immediately if you wish this application to be heard without giving Notice of the application to any other party.

Application to The **THE CHILDREN ACT** [High] [County] [Magistrates'] Court  
 for an Emergency Protection Order **Case No.**

**THE CHILDREN ACT**

## 1 About the child

- (a) The name of the child is  
*Put the surname last*
- (b) The child is a  boy  girl
- (c) The child was born on the  

day	month	year	Age now
-----	-------	------	---------
- (d) The child usually lives at  
*See note on addresses at top of this form*
- (e) The child lives with  
*If the child does not live with a parent give the name of the person who is responsible for the child*
- the child's mother  the child's father
- (f) The child is also cared for by  
*Put the surname last*
- (g) The child is at present  
 staying in a refuge  
 (Please give the address to the Court separately)  
 not staying in a refuge
- (h) If the child is temporarily living away from home, please say where he/she is living at present.  
*See note on addresses at the top of this form*
- (i) If child's identity is unknown state any details that identify the child  
*You may attach a recent photo of the child for the use of the court*
- (j) A Guardian ad litem  
 has not been appointed  
 has been appointed. The Guardian ad litem is  

Name		
Address		
Tel.	Fax	Ref
- (k) A solicitor  
 has not been appointed to act for the child  
 has been appointed to act for the child. The solicitor is  

Name		
Address		
Tel.	Fax	Ref

**THE CHILDREN ACT**

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

**2 About the applicant**

- (a) The applicant's title is  Mr  Mrs  Miss  Ms  Other (*say here*)
- (b) The applicant's full name is  
*Put the surname last*
- (c) The applicant is`  an officer of the  local authority  
 an officer of the National Society for the Prevention of Cruelty to Children  
 a designated police officer on behalf of  local authority  
 authorised by the Secretary of State  
 other (*say here*)
- (d) The applicant's address is  
*State home or office*
- (e) The applicant's telephone number and reference are  

<i>Tel.</i>	<i>Ref</i>
-------------	------------
- (f) The applicant's solicitor is  

<i>Name</i>		
<i>Address</i>		
<i>Tel.</i>	<i>Fax.</i>	<i>Ref</i>

THE CHILDREN ACT

**3 About the child's family**

- (a) The name of the child's mother is  
*Put the surname last*
- (b) The mother usually lives at  
*See note on addresses at top of this form*
- (c) The name of the child's father is  
*Put the surname last*
- (d) The father usually lives at  
*See note on addresses at top of this form*
- (e) The child's mother and father  are living together  are living apart

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**3 About the child's family (continued)**

(f) The father is  married to the child's mother  married to someone else  
 single  divorced

(g) The mother is  married to the child's father  married to someone else  
 single  divorced

(h) The child has  no brothers and sisters under 18

*Put the names, addresses and ages of all full brothers and sisters.*

*If the child has halfbrothers or halfsisters, stepbrothers or stepsisters say who they are in (i) below*

*If there are other children who are treated as children of the family say who they are in (i) below*

*See note on addresses at the top of page 1*

brothers and sisters under 18. They are

The name(s) of the brother(s) and sister(s)	Age (years)	The address(es) of the brother(s) and sister(s)

*Do not include adoption orders*

- No order has been made for any brother or sister
- No order for a brother or sister has been applied for
- An order has been made for a brother or sister
- An order for a brother or sister has been applied for

The name(s) of the child(ren)	The type of order	The court which made the order and when or which will hear the application Give the case number(s) where known	if the order	
			has been applied for	is in force
			✓	

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

**3 About the child's family (continued)**

- (i) There are other children  under 18 who do not live with the family  
 under 18 who live with the family.

They are

The name of the child	The age of the child	Please give reasons why the child lives / does not live with the family	Address of children not living with the family

*See note on addresses at the top of page 1.*

THE CHILDREN ACT

**4 Parental responsibility**

Some people have "parental responsibility" for a child. The law says what "parental responsibility" is and which people have it. These people include:

- |  |  |
|--|--|
| <b>A</b> the mother  | <b>D</b> a guardian of the child                         |
| <b>B</b> the father<br><i>if he was married to the child's mother when the child was born</i>                                      | <b>E</b> someone who holds a custody or residence order  |
| <b>C</b> the father<br><i>if he was not married to the child's mother when the child was born but he now has a residence order</i> | <b>F</b> a local authority which has a care order        |
| <i>or he now has a court order which gives him parental responsibility</i>   | <b>G</b> someone who holds an emergency protection order |
| <i>or he now has a formal "parental responsibility agreement" with the mother</i>  | <b>H</b> any man or woman who has adopted the child      |
| <i>or he has since married the mother</i>  |  |

The people who have parental responsibility for this child are believed to be

*See note on addresses at the top of page 1.*

Name	Address

THE CHILDREN ACT



**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**5 About other applications and orders which affect the child**

- (a) Other applications have  not been made  
 been made or will be made

What the application was for or will be for	When an application was made or will be made	The court which heard the application or which will hear the application. Give the case no. if known.	The result

- (b) Other orders  have not been made  
 have been made. The orders are *Do not include adoption orders*  
*Please include orders that have been made but are no longer in force*

The type of order	When was the order made	The court which made the order and the case number if known	✓ if the order	
			has expired (say when)	is in force

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**6 About this application**

(a) The grounds for making this application are

*Delete one \* if it does not apply.*

*Only an officer of a local authority should tick box 2*

*Only an authorised person under section 31 should tick box 3*

<sup>1</sup>  
 that there is reasonable cause to believe that the child is likely to suffer significant harm if

\*the child is not removed to accommodation provided by or on behalf of the applicant

\*the child does not remain in the place in which the child is currently being accommodated

<sup>2</sup>  
 that enquiries are being made with respect to the child's welfare under section 47(1)(b)

**and**  
that those enquiries are being frustrated by access to the child being unreasonably refused to a person authorised to seek access and that there is reasonable cause to believe that access to the child is required as a matter of urgency

<sup>3</sup>  
 that there is reasonable cause to suspect that the child is suffering, or is likely to suffer, significant harm

**and**  
enquiries are being made with respect to the child's welfare

**and**  
those enquiries are being frustrated by access to the child being unreasonably refused to a person authorised to seek access and there is reasonable cause to believe that access to the child is required as a matter of urgency.

(b) These grounds exist because

(c) The applicant would like the court to order that

*If you would like the Court to give directions on*

- *contact*
- *a medical or psychiatric examination or other assessment of the child*
- *information on the whereabouts of the child*
- *authorisation for entry of premises*
- *authorisation to search for another child on the premises*

*put these here.*

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**6 About this application (continued)**

- (d) This application will be heard  without notice being given to the other side  
 with notice being given to the other side
- (e) A report or relevant documentary evidence  is attached  
 is not attached
- (f) The respondents will be
  - people with parental responsibility (see part 4)
  - the child
  - other people allowed by the Rules of Court.

Please give details below

(i) Only give details of those respondents, whose names and addresses have not been given in part 4.

(ii) Please put the address where the respondent usually lives or where papers can be served. See note on addresses at the top of the form

(iii) You will have to serve a copy of this application on each of the respondents.

The name of the respondent	The respondent's address

THE CHILDREN ACT

**7 Declaration**

I declare that the information I have given is correct and complete to the best of my knowledge

Signed

Date

THE CHILDREN ACT

**What you (the person applying) must do next**

- ▶ There is a Notice of Hearing on page 8. Fill in the boxes on the Notice.
- ▶ Take or send this form and any supporting documentation to the court with enough copies for each respondent to be served. The top copy will be kept by the court and the other copies given or sent back to you for service.
- ▶ Unless you are asking for this application to be heard without giving Notice to any other party, you **must** then serve the copies of the Application, the Notice of Hearing and any supporting documentation according to the Rules. You may also be required under the Rules to give notice of the proceedings to other people.

THE CHILDREN ACT

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.



In the  
at

[High] [County] [Magistrates'] Court

(When writing to the Court please state the Case No.)

Case No. [Redacted]

Tel. [Redacted]

Fax [Redacted]

THE CHILDREN ACT

## Notice of a Hearing

### You are named as a Respondent in these proceedings

about the child

[Redacted]

a boy  a girl

born on the

[Redacted]

description of child if details unknown

[Redacted]

You must read this Notice now

THE CHILDREN ACT

### About the Hearing

name of applicant

[Redacted]

has made an application to the Court.

The Court has been asked to make an Emergency Protection Order

THE CHILDREN ACT

### To be completed by the court

The Court will hear this at

[Redacted]

on

[Redacted]

at

[Redacted] o'clock

the time allowed is

[Redacted]

THE CHILDREN ACT

### What you must do

- ▶ There is a copy of the application with this Notice. Read the application now. You do not have to fill in any part.
- ▶ You should obtain legal advice from a solicitor or, alternatively, from an advice agency. The Law Society administers a national panel of solicitors to represent children and other parties involved in proceedings relating to children. Addresses of solicitors (including panel members) and advice agencies can be obtained from the Yellow Pages and the Solicitors Regional Directory which can be found at Citizens Advice Bureaux, Law Centres and any local library.
- ▶ You may be entitled to legal aid. For certain Children Act proceedings, children, parents and those with parental responsibility will usually be eligible for legal aid automatically.

date

[Redacted]

THE CHILDREN ACT

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.



In the  
at

[High Court of Justice]  
[County Court]  
[Magistrates' Court]

THE CHILDREN ACT

**Emergency Protection Order**

Section 44 The Children Act 1989

Case No.

THE CHILDREN ACT

1 The child is  
a [boy] [girl]  
born on

2 The Court grants an Emergency Protection Order to

(\* insert name)

who acquires parental responsibility for the child  
The reasons for making this order are

3 This order has [not] been made ex parte

4 The Court orders that  
any person who is in a position to produce the child to the applicant must do so  
[the child may be removed to accommodation provided by or on behalf of the applicant]  
or  
[the child may not be removed from

5 This order will end on

6 The Court also directs that

- contact
- a medical or psychiatric examination or other assessment of the child
- information on the whereabouts of the child
- authorisation for entry of premises
- authorisation to search for another child on the premises

THE CHILDREN ACT

This order was made on  
at am / pm

[Mr / Mrs Justice]  
[His / Her Honour Judge]  
[District Judge [of the Family Division]]  
[Justice of the Peace]  
[Clerk of the Court]

THE CHILDREN ACT

**It is important to read the notes which accompany this form.  
[The notes are on the back of this form.]**

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

## About this order

- ▶ This is an emergency protection order.  
The court has made this order because it believes that the child has been suffering or is likely to suffer significant harm.
- ▶ The person who has been granted this order will now
  - be responsible for the child
  - decide where the child will stayuntil this order ends.
- ▶ You may commit an offence if you do not comply with the order.

But remember to ask anyone who tries to carry out the order for evidence of their identity.

- ▶ Parts 4 & 6 of the order tell you what will happen to the child while the order is in force.
- ▶ Part 5 tells you when the order will end.  
The court can extend this order for up to 7 days.  
The court can only do this once.

---

## You may

- ▶ ask the court to vary the directions at any time
- ▶ ask the court that a doctor of your choice be present if a medical, psychiatric or other examination has been directed
- ▶ be entitled to ask the court to end the order at any time.  
The court will only hear such an application when 72 hours have passed since the order was made.
- ▶ You can get a form to make these applications from the court office

---

## You should now

- ▶ Go to a solicitor as soon as possible.
- ▶ Try to find a solicitor who deals with children's cases. The Law Society administers a national panel of solicitors to represent children and other parties involved in proceedings relating to children
- ▶ You can find the names and addresses of solicitors from
  - the National Child Care Panel (071 242 1222)
  - your local magistrates' court / county court
  - a citizens' advice bureau
  - a local library
- ▶ You can find the addresses of these places in "Yellow Pages."
- ▶ You may be eligible for legal aid automatically.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

# Application to vary Emergency Protection Order directions

Section 44 (9) (b) The Children Act 1989

Date received by court

- ▶ Please use black ink. The notes on page 3 tell you what to do when you have completed the form.
- ▶ If there is more than one child you must fill in a separate form for each child.
- ▶ Please answer every part. If a part does not apply or you do not know what to say please say so. If there is not enough room continue on another sheet (put the child's name and the number of the part on the sheet).
- ▶ If you have any concerns about giving your address or that of the child or any other address requested in this form, you may give an alternative address where papers can be served. However you must notify the court of the actual address on a separate form available from the court.

Application to The [High] [County] [Magistrates'] Court  
 for the variation of directions regarding contact / medical or psychiatric examination or other assessment of the child  
 Case No.

## 1 Details of Emergency Protection Order

- (a) The child is protected by an Emergency Protection Order made on the  day  month  year at  time
- (b) The Order was made at  [High] [County] [Magistrates'] Court  
 Case No.
- (c) This Order will end on the  day  month  year at  time
- (d) It is helpful to the court if a copy of the order is attached.  
 Please tick the box if you are enclosing a copy

## 2 About the child

- (a) The full name of the child is   
*Put the surname last*
- (b) The child is a  boy  girl
- (c) The child was born on the  day  month  year Age now
- (d) A Guardian ad litem  has not been appointed  
 has been appointed. The Guardian ad litem is  
 Name  
 Address  
 Tel.  Fax  Ref
- (e) A solicitor  has not been appointed to act for the child  
 has been appointed to act for the child. The solicitor is  
 Name  
 Address  
 Tel.  Fax  Ref

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**3 About the applicant**

(a) The applicant's full name is

*Put the surname last*

(b) The applicant's title is

Mr  Mrs  Miss  Ms  Other (say here)

(c) The applicant is

a local authority officer  
 an officer of the National Society for the Prevention of Cruelty to Children  
 a designated police officer  
on behalf of  *local authority*  
 other (say here)

(d) The applicant's address is

*See note on addresses at the top of page 1*

Tel.  Ref

(e) The applicant's telephone number and reference are

(f) The applicant's solicitor is

Name   
Address   
Tel.  Fax  Ref

THE CHILDREN ACT

**4 About this application**

(a) Please tick the appropriate box

- I would like the court to vary the order so that the child have contact with a named person or persons (*Give details in 4c*)
- I would like the court to vary the order and thus prevent the child having contact with the person or persons named below (*Give details in 4c*)
- I would like the court to vary the order for the medical / psychiatric examination or other assessment of the child (*Give details in 4c*)

(b) My reasons for making this application are



**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**4 About this application (continued)**

(c) The following directions are requested

--

THE CHILDREN ACT

**5 Respondents**

- (a) The respondents will be
- all those with parental responsibility
  - the child
  - those who were parties to the original Emergency Protection Order application
  - other people allowed by Rules of Court

- (i) Please put the address where the respondent usually lives or where papers can be served. See note on addresses at the top of page one  
(ii) You will have to serve a copy of this application on each of the respondents.

Name of Respondent(s)	Respondent's Address

THE CHILDREN ACT

**6 Declaration**

I declare that the information I have given is correct and complete to the best of my knowledge

Signed  Date

THE CHILDREN ACT

**What you (the person applying) must do next**

- ▶ There is a Notice of Hearing on page 4. Fill in the boxes on the Notice.
- ▶ Take or send this form and any supporting documentation to the court with enough copies for each respondent to be served. The top copy will be kept by the court and the other copies given or sent back to you for service.
- ▶ You must then serve the copies of the Application, the Notice and any supporting documentation according to the Rules. You may also be required under the Rules to give notice of the proceedings to other people.

THE CHILDREN ACT

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.



In the  
at

[High] [County] [Magistrates'] Court

(When writing to the court please state the Case No.)

Case No. [redacted]

Tel.

Fax

THE CHILDREN ACT

## Notice of a [Hearing] [Directions Appointment]

You are named as a Respondent in these proceedings

about the child

[redacted]

a boy  a girl

born on the

[redacted]

You must read this Notice now

THE CHILDREN ACT

### About the [Hearing] [Directions Appointment]

name of applicant

[redacted]

has made an application to the Court.

The Court has been asked to vary Emergency Protection Order directions made on

[redacted]

THE CHILDREN ACT

### To be completed by the court

The Court will hear this at

[redacted]

on

[redacted]

at

[redacted] o'clock

the time allowed is

[redacted]

THE CHILDREN ACT

### What you must do

- ▶ There is a copy of the application with this Notice. **date** [redacted]. Read the application now. You do not have to fill in any part.
- ▶ You should obtain legal advice from a solicitor or, alternatively, from an advice agency. The Law Society administers a national panel of solicitors to represent children and other parties involved in proceedings relating to children. Addresses of solicitors (including panel members) and advice agencies can be obtained from the Yellow Pages and the Solicitors Regional Directory which can be found at Citizens Advice Bureaux, Law Centres and any local library
- ▶ You may be entitled to Legal Aid. For certain Children Act proceedings, children and those with parental responsibility will usually be eligible for legal aid automatically.

THE CHILDREN ACT



In the

at

[High Court of Justice]  
[County Court]  
[Magistrates' Court]

THE CHILDREN ACT

**Order varying Emergency Protection Order directions**

Case No. [REDACTED]

Section 44(9) (b) The Children Act 1989

THE CHILDREN ACT

1 The child is

a [boy] [girl]

born on

The child is at

2 [This Court] [The

Court] granted an Emergency Protection Order

on

. The court also gave directions regarding contact, medical or psychiatric examination or other assessment of the child.

3 This court now orders that the directions be varied as follows :

THE CHILDREN ACT

This order was made on

[Mr / Mrs Justice]

at am / pm

[His / Her Honour Judge]

[District Judge [of the Family Division]]

[Clerk of the Court]

THE CHILDREN ACT

CHA 37

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

# Application to extend an Emergency Protection Order

## Section 45 (4) The Children Act 1989

Date received by court

- ▶ Please use black ink. The notes on page 3 tell you what to do when you have completed the form.
- ▶ If there is more than one child you must fill in a separate form for each child.
- ▶ Please answer every part. If a part does not apply or you do not know what to say please say so. If there is not enough room continue on another sheet (put the child's name and the number of the part on the sheet).
- ▶ If you have any concerns about giving your address or that of the child or any other address requested in this form, you may give an alternative address where papers can be served. However, you must notify the court of the actual address on a separate form available from the court.

THE CHILDREN ACT

Application to The [High] [County] [Magistrates'] Court  
to extend an Emergency Protection Order

Case No.

THE CHILDREN ACT

### 1 Details of Emergency Protection Order

- (a) The child is protected by an Emergency Protection Order made on the    at
- (b) The Order was made at   
Case No.
- (c) This Order will end on the    at
- (d) It is helpful to the court if a copy of the order is attached.  
Please tick the box if you are enclosing a copy

THE CHILDREN ACT

### 2 About the child

- (a) The full name of the child is
- (b) The child is a  boy  girl
- (c) The child was born on the    Age now
- (d) A Guardian ad litem  has not been appointed  
 has been appointed. The Guardian ad litem is
- (e) A solicitor  has not been appointed to act for the child  
 has been appointed to act for the child. The solicitor is

THE CHILDREN ACT

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**3 About the applicant**

(a) The applicant's full name is

*Put the surname last*

(b) The applicant's title is

Mr  Mrs  Miss  Ms  Other (say here )

(c) The applicant is

an officer of the  *local authority*

an officer of the National Society for  
the Prevention of Cruelty to Children

a designated police officer  
on behalf of  *local authority*

authorised by the Secretary of State

other (say here)

(d) The applicant's address is

*Tel.*  *Ref*

(e) The applicant's telephone  
number and reference are

(f) The applicant's solicitor is

*Name*   
*Address*   
*Tel.*  *Fax*  *Ref*

THE CHILDREN ACT

**4 Reasons for extension**

(a) The reasons for making this application are

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**5 Respondents**

- (a) The respondents will be
- all those with parental responsibility
  - the child
  - those who were parties to the original Emergency Protection Order
  - other people allowed by the Rules of Court

- (i) Please put the address where the respondent usually lives or where papers can be served. See note on addresses at top of this form.  
(ii) You will have to serve a copy of this application on each of the respondents.

The name of the respondent(s)	The respondent's address

THE CHILDREN ACT

**6 Declaration**

I declare that the information I have given is correct and complete to the best of my knowledge

Signed  Date

THE CHILDREN ACT

**What you (the person applying) must do next**

- ▶ There is a Notice of Hearing on page 4. Fill in the boxes on the Notice.
- ▶ Take or send this form and any supporting documentation to the court with enough copies for each respondent to be served. The top copy will be kept by the court and the other copies given or sent back to you for service.
- ▶ You must then serve the copies of the Application, the Notice of Hearing and any supporting documentation according to the Rules. You may also be required under the Rules to give notice of the proceedings to other people.

THE CHILDREN ACT

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*



In the [High] [County] [Magistrates'] Court

at

(When writing to the court please state the Case No.)

Case No. [redacted]

Tel.

Fax

THE CHILDREN ACT

## Notice of a [Hearing] [Directions Appointment]

**You are named as a Respondent in these proceedings**

about the child

[redacted]

a boy  a girl

born on the

[redacted]

**You must read this Notice now**

THE CHILDREN ACT

### About the [Hearing] [Directions Appointment]

name of applicant

[redacted]

has made an application to the Court.

The Court has been asked to extend the Emergency Protection Order made on

[redacted]

THE CHILDREN ACT

#### To be completed by the court

The Court will hear this at

[redacted]

on

[redacted]

at

[redacted] o'clock

the time allowed is

[redacted]

THE CHILDREN ACT

#### What you must do

date [redacted]

- ▶ There is a copy of the application with this Notice. Read the application now. You do not have to fill in any part.
- ▶ You should obtain legal advice from a solicitor or, alternatively, from an advice agency. The Law Society administers a national panel of solicitors to represent children and other parties involved in proceedings relating to children. Addresses of solicitors (including panel members) and advice agencies can be obtained from the Yellow Pages and the Solicitors Regional Directory which can be found at Citizens Advice Bureaux, Law Centres and any local library
- ▶ You may be entitled to Legal Aid. For certain Children Act proceedings, children, parents and those with parental responsibility will usually be eligible for legal aid automatically.

THE CHILDREN ACT

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.



In the  
at

[High Court of Justice]  
[County Court]  
[Magistrates' Court]

THE CHILDREN ACT

**Order extending an Emergency Protection Order**

Section 45(4) The Children Act 1989

Case No.

THE CHILDREN ACT

1 The child is

a [boy] [girl]

born on

2 [This Court] [The

Court] granted an

Emergency Protection Order on

The order was due to end on

at

3 This Court orders that the period during which the Emergency Protection Order has effect shall be extended.

The order will now end on

at

4 This Court also orders and directs that

THE CHILDREN ACT

This order was made on

[Mr / Mrs Justice]

[His / Her Honour Judge]

[District Judge [of the Family Division]]

[Clerk of the Court]

THE CHILDREN ACT



Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

# Application to discharge an Emergency Protection Order

## Section 45 (8) The Children Act 1989

Date received by court

- ▶ Please use black ink. The notes on page 3 tell you what to do when you have completed the form.
- ▶ If there is more than one child you must fill in a separate form for each child.
- ▶ This application will not be heard by the court before 72 hours have elapsed after the making of the order.
- ▶ Please answer every part. If a part does not apply or you do not know what to say please say so. If there is not enough room continue on another sheet (put the child's name and the number of the part on the sheet).
- ▶ If you have any concerns about giving your address or that of the child or any other address requested in this form, you may give an alternative address where papers can be served. However, you must notify the court of the actual address on a separate form available from the court.

THE CHILDREN ACT

Application to The [High] [County] [Magistrates'] Court  
to discharge an Emergency Protection Order

Case No.

THE CHILDREN ACT

### 1 Details of Emergency Protection Order

- (a) The child is protected by an Emergency Protection Order made on the    at
- (b) The Order was made at   
Case No.
- (c) This Order is due to end on the    at
- (d) It is helpful to the court if a copy of the order is attached.  
Please tick the box if a copy is enclosed

THE CHILDREN ACT

### 2 About the child

- (a) The full name of the child is
- (b) The child is a  boy  girl
- (c) The child was born on the    Age now
- (d) A Guardian ad litem  has not been appointed  
 has been appointed. The Guardian ad litem is
- (e) A solicitor  has not been appointed to act for the child  
 has been appointed to act for the child. The solicitor is

THE CHILDREN ACT

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**3 About the applicant**

(a) The applicant's full name is

*Put the surname last*

(b) The applicant's title is

Mr  Mrs  Miss  Ms  Other (say here

(c) The applicant is

- the child
- a parent
- a person with parental responsibility
- a person with whom the child was living immediately before the making of the emergency protection order

(d) The applicant's address is

*See note on addresses at the top of page one*

(e) The applicant's telephone number and reference are

*Tel.* *Ref*

(f) The applicant's solicitor is

<i>Name</i>		
<i>Address</i>		
<i>Tel.</i>	<i>Fax</i>	<i>Ref</i>



**4 Reasons for discharge**

(a) My reasons for making this application are

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

## 5 Respondents

The respondents will be

- people with parental responsibility
- the child
- other people allowed by the Rules of Court.

Please give details below

- (i) Please put the address where the respondent usually lives or where papers can be served. See note on addresses at the top of page 1.  
(ii) You will have to serve a copy of this application on each of the respondents.

The name of the respondent(s)	The respondent's address

THE CHILDREN ACT

## 6 Declaration

I declare that the information I have given is correct and complete to the best of my knowledge

Signed

Date

THE CHILDREN ACT

### What you (the person applying) must do next

- ▶ There is a Notice of Hearing on page 4. Fill in the boxes on the Notice.
- ▶ Take or send this form and any supporting documentation to the court with enough copies for each respondent to be served. The top copy will be kept by the court and the other copies given or sent back to you for service.
- ▶ You must then serve the copies of the Application, the Notice and any supporting documentation according to the Rules. You may also be required under the Rules to give notice of the proceedings to other people.

THE CHILDREN ACT

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.



In the

[High][County][Magistrates'] Court

at

(When writing to the court please state the Case No.)

Case No. [redacted]

Tel.

Fax

THE CHILDREN ACT

## Notice of a [Hearing] [Directions Appointment]

You are named as a Respondent in these proceedings

about the child

[redacted]

a boy  a girl

born on the

[redacted]

You must read this Notice now

THE CHILDREN ACT

### About the [Hearing] [Directions Appointment]

name of applicant

[redacted]

has made an application to the Court.

The Court has been asked to discharge the Emergency Protection Order made on

[redacted]

THE CHILDREN ACT

### To be completed by the court

The Court will hear this at

[redacted]

on

[redacted]

at

[redacted] o'clock

the time allowed is

[redacted]

THE CHILDREN ACT

### What you must do

date [redacted]

- ▶ There is a copy of the application with this Notice. Read the application now. You do not have to fill in any part.
- ▶ You should obtain legal advice from a solicitor or, alternatively, from an advice agency. The Law Society administers a national panel of solicitors to represent children and other parties involved in proceedings relating to children. Addresses of solicitors (including panel members) and advice agencies can be obtained from the Yellow Pages and the Solicitors Regional Directory which can be found at Citizens Advice Bureaux, Law Centres and any local library.
- ▶ You may be entitled to legal aid. For certain Children Act proceedings, children, parents and those with parental responsibility will be entitled to legal aid automatically.

THE CHILDREN ACT



In the

at

[High Court of Justice]

[County Court]

[Magistrates' Court]

THE CHILDREN ACT

## Order discharging an Emergency Protection Order

Section 45 The Children Act 1989

Case No. [REDACTED]

THE CHILDREN ACT

1 The child is

a [boy] [girl]

born on

2 [This Court] [The

Court] granted an

Emergency Protection Order on

The order was due to end on

at

3 This Court discharges that order

THE CHILDREN ACT

This order was made on

[Mr / Mrs Justice]

[His / Her Honour Judge]

[District Judge [of the Family Division]]

[Clerk of the Court]

THE CHILDREN ACT

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Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.



In the

at

[High Court of Justice]  
[County Court]  
[Magistrates' Court]

THE CHILDREN ACT

**Order authorising search for another child**

Section 48(4) The Children Act 1989

Case No.

THE CHILDREN ACT

1 The child is  
a [boy] [girl]  
born on  
His / Her physical description is

2 The court has granted an Emergency Protection Order to (insert name of applicant)  
on  
in the respect of (insert name of child who is the subject of the EPO)  
and has authorised the applicant to enter the premises at (insert address)

3 The Court is satisfied that there is reasonable cause to believe that (insert name or description of child from 1 above)  
in respect of whom an emergency protection order ought to be made, may be on the premises at (insert address from 2 above)

4 This Court orders that the applicant is authorised to enter the premises named above to search for (insert name of child from 1 above)

5 The court also orders that

THE CHILDREN ACT

This order was made on

[Mr / Mrs Justice]  
[His / Her Honour Judge]  
[District Judge [of the Family Division]]  
[Justice of the Peace]  
[Clerk of the Court]

THE CHILDREN ACT

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

# Application for a Warrant

Date received by court

## Section 48 The Children Act 1989

- ▶ Please use black ink. The notes on page 3 tell you what to do when you have completed the form.
- ▶ If there is more than one child you must fill in a separate form for each child.
- ▶ Please answer every part. If a part does not apply or you do not know what to say please say so. If there is not enough room continue on another sheet (put the case number, the child's name and the number of the part on the sheet).
- ▶ If you have any concerns about giving your address or that of the child or any other address requested in this form, you may give an alternative address where papers can be served. However, you must notify the court of the actual address on a separate form available from the court.

Please speak to the court official immediately if you wish this application to be heard without giving Notice of the application to any other party.

Application to **The**

**[High] [County] [Magistrates'] Court**

for a Warrant of Assistance for the execution of an Emergency Protection Order

Case No.

### 1 About the child

(a) The child's name is  
*Put the surname last*

(b) The child is a

boy  girl

(c) The child was born on the

<i>day</i>	<i>month</i>	<i>year</i>	Age now
------------	--------------	-------------	---------

(d) Description of child if identity unknown

*You may attach a recent photo of the child for the use of the court*

### 2 About the applicant

(a) The applicant is

a police officer

an officer of the

local authority

other (*state*)

(b) The applicant's title is

Mr  Mrs  Miss  Ms  Other (*say here*)

(c) The applicants full name is  
*Put the surname last*

(d) The applicant's address is

*See note on addresses at top of this page*

(e) The applicant's telephone number and reference are

Tel. Ref

(f) The applicant's solicitor is

Name.  
Address

Tel. Fax Ref

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

**3 About this application**

(a) The grounds for this application are

*Please tick appropriate box*

<sup>1</sup>  
 that a person attempting to exercise powers under an emergency protection order has been prevented from doing so by being refused entry to the premises concerned or access to the child concerned ;

<sup>2</sup> **OR**  
 that any such person is likely to be so prevented from exercising any such powers

(b) These grounds exist because

(c) The applicant would like the court to direct that the constable concerned, if he desires, may be accompanied by

- a registered medical practitioner
- a registered nurse
- a registered health visitor

because *(Please state reasons below)*



**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**4 Details of Emergency Protection Order**

(a) An Emergency Protection Order has

been applied for

been made on 

day	month	year
-----	-------	------

a copy of the application / order is attached

(b) The court which made or will hear the application

Case no.

(c) The respondents will be

- all those with parental responsibility
- the child
- other people allowed by Rules of Court. They are

- (i) Please put the address where the respondent usually lives or where papers can be served. See note on addresses at the top of this form.
- (ii) You will have to serve a copy of this application on each of the respondents.

The name of the respondent	The respondent's address

(d) If the warrant is granted

I would like to accompany the constable

I would **not** like to accompany the constable

(e) When the warrant has been executed, I ask the constable to take the child to

--

THE CHILDREN ACT

**5 Declaration**

I declare that the information I have given is correct and complete to the best of my knowledge

Signed

--

Date

--

THE CHILDREN ACT

**What you (the person applying) must do next**

- ▶ There is a Notice of Hearing on page 4. Fill in the boxes on the Notice
- ▶ Take or send this form and any supporting documentation to the court with enough copies for each respondent to be served. The top copy will be kept by the court and the other copies given or sent back to you for service.
- ▶ Unless you are asking for this Application to be heard without giving Notice to any other party, you **must** then serve the copies of the Application, the Notice of Hearing and any supporting documentation according to the Rules. You may also be required under the Rules to give notice of the proceedings to other people.

THE CHILDREN ACT

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.



In the  
a

[High] [County] [Magistrates] Court

(When writing to the court please state the Case No.)

Case No. [REDACTED]

Tel. [REDACTED]

Fax [REDACTED]

THE CHILDREN ACT

## Notice of a [Hearing] [Directions Appointment]

You are named as a Respondent in these proceedings

about the child

[REDACTED]

a boy  a girl

born on the

[REDACTED]

You must read this Notice now

THE CHILDREN ACT

### About the [Hearing] [Directions Appointment]

name of applicant

[REDACTED]

has made an application to the Court.

The Court has been asked to issue a warrant

THE CHILDREN ACT

#### To be completed by the court

The Court will hear this at

[REDACTED]

on

[REDACTED]

at

[REDACTED] o'clock

the time allowed is

[REDACTED]

THE CHILDREN ACT

### What you must do

- ▶ There is a copy of the application with this Notice. Read the application now. You do not have to fill in any part.
- ▶ You should obtain legal advice from a solicitor or, alternatively, from an advice agency. The Law Society administers a national panel of solicitors to represent children and other parties involved in proceedings relating to children. Addresses of solicitors (including panel members) and advice agencies can be obtained from the Yellow Pages and the Solicitors Regional Directory which can be found at Citizens Advice Bureaux, Law Centres and any local library
- ▶ You may be entitled to legal aid. For certain Children Act proceedings, children, parents and those with parental responsibility will usually be eligible for legal aid automatically.

date

[REDACTED]

THE CHILDREN ACT



In the  
at

[High Court of Justice]  
[County Court]  
[Magistrates' Court]

THE CHILDREN ACT

**Warrant of Assistance for the  
Execution of an Emergency Protection Order**

Case No. [REDACTED]

Section 48(9) The Children Act 1989

THE CHILDREN ACT

**To all Police Constables**

1 An Emergency Protection Order has been made in respect of the child known as

who is a [boy] [girl] born on  
[His / her physical description is]

2 **And the Court being satisfied that a person has been prevented / or is likely to be prevented from exercising powers under the Emergency Protection Order by being refused entry to the named premises or access to the child concerned**

- Orders that all Police Constables are to**
- assist the person
  - gain entry to the premises known as
  
  - gain access to the child concerned

using reasonable force, if necessary.

3 **This warrant has [not] been granted ex parte**

4 **Note to All Police Constables**

The Court directs that you  
[should not be accompanied by the applicant]  
[may be accompanied by a Registered Medical Practitioner, Registered Nurse or  
Registered Health Visitor if you wish]

5 **Once this warrant has been executed you should take the child to**

THE CHILDREN ACT

This order was made on

[Mr / Mrs Justice]  
[His / Her Honour Judge]  
[District Judge [of the Family Division]]  
[Justice of the Peace]  
[Clerk to the Court]

THE CHILDREN ACT

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

# Application for a Recovery Order

Section 50 The Children Act 1989

Date received by court

- ▶ Please use black ink. The notes on page 3 tell you what to do when you have completed the form.
- ▶ If there is more than one child you must fill in a separate form for each child.
- ▶ Please answer every part. If a part does not apply or you do not know what to say please say so. If there is not enough room continue on another sheet (put the child's name and the number of the part on the sheet).
- ▶ If you have any concerns about giving your address or that of the child or any other address requested in this form, you may give an alternative address where papers can be served. However, you must notify the court of the actual address on a separate form available from the court.

Please speak to the court official, immediately if you wish this application to be heard without giving notice of the application to any other parties

Application to The  
for a Recovery Order

THE CHILDREN ACT

[High] [County] [Magistrates] Court

Case No.

THE CHILDREN ACT

## 1 About the child

- (a) The name of the child is
- (b) The child is a  boy  girl
- (c) The child was born on the  day  month  year  Age now
- (d) The child usually lives at   
*See note on addresses at top of this form*
- (e) The child lives with  the child's mother  the child's father   
*If the child does not live with a parent please give the name of the person who is responsible for the child*
- (f) The child is also cared for by   
*Put the surname last*
- (g) The child is at present  staying in a refuge (Please give the address to the Court separately)  not staying in a refuge
- (h) If the child is living temporarily away from their usual address, please say where he/she is living at   
*See note on addresses at top of this form*
- (i) If child's identity is unknown state any details that identify the child   
*You may attach a recent photo of the child for the use of the court*
- (j) A Guardian ad litem  has not been appointed  has been appointed. The Guardian ad litem is   
Name   
Address   
Tel.  Ref
- (k) A solicitor  has not been appointed to act for the child  has been appointed to act for the child. The solicitor is   
Name   
Address   
Tel.  Fax  Ref

THE CHILDREN ACT

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**2 About the application**

(a) The applicant is  a person or agency who has parental responsibility by virtue of an emergency protection order  
*Please tick one of the boxes*  a designated police officer

(b) The applicant's title is  Mr  Mrs  Miss  Ms  Other (say here)

(c) The applicant's full name is

(d) The applicant's full address is   
*See note on addresses at the top of page 1*

(e) The applicant's telephone number and reference are 

<i>Tel.</i>	<i>Ref</i>
-------------	------------

(f) The applicant's solicitor is 

<i>Name</i>		
<i>Address</i>		
<i>Tel.</i>	<i>Fax</i>	<i>Ref</i>

THE CHILDREN ACT

**3 About the care of child**

(a) The child  is not in care  
 is in care. The Court which made the order was   

	<i>Case no.</i>
--	-----------------

The order was made on

(b) The child  is not the subject of an emergency protection order  
*If the date of the order is not known please put "not known" in the box*  is the subject of an emergency protection order.  
The Court which made the order was   

	<i>Case no.</i>
--	-----------------

The order was made on

(c) The child  is not in police protection  
 is in police protection

THE CHILDREN ACT

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

**4 My grounds for making this application**

- (a) The grounds for this application are that  the child has been unlawfully taken away or is being unlawfully kept away from the responsible person  
*Tick box which applies*  
**OR**  
 the child has run away or is staying away from the responsible person  
**OR**  
 the child is missing

(b) These grounds exist because

- (c) The respondents will be
- all those with parental responsibility
  - the person whom it is alleged has taken or is keeping the child
  - other people allowed by Rules of Court

(i) Please put the address where the respondent usually lives or where papers can be served. See the note on addresses at the top of page 1.  
 (ii) You will have to serve a copy of this application on each respondent.

The name of the respondent	The respondent's address

(d) The applicant would like the Court to order that

*If you would like the court to give directions on*

- to whom the child should be produced
- authorisation to a constable to enter specified premises.

*Put these here*

THE CHILDREN ACT

**5 Declaration**

I declare that the information I have given is correct and complete to the best of my knowledge

Signed

Date

THE CHILDREN ACT

**What you (the person applying) must do next**

- ▶ There is a Notice of Hearing on page 4. Fill in the boxes on the Notice.
- ▶ Take or send this form and any supporting documentation to the court with enough copies for each respondent to be served. The top copy will be kept by the court and the other copies given or sent back to you for service.
- ▶ Unless you are asking for this application to be made without giving Notice to any other party you **must** then serve the copies of the Application, the Notice of Hearing and any supporting documentation according to the Rules. You may also be required under the Rules to give notice of the proceedings to other people.

THE CHILDREN ACT

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.



In the

[High] [County] [Magistrates'] Court

a

(When writing to the court please state the Case No.)

Case No. [Redacted]

Tel.

Fax

THE CHILDREN ACT

## Notice of a [Hearing] [Directions Appointment]

You are named as a Respondent in these proceedings

about the child

[Redacted]

a boy  a girl

born on the

[Redacted]

You must read this Notice now

THE CHILDREN ACT

### About the [Hearing] [Directions Appointment]

name of applicant

[Redacted]

has made an application to the Court.

The Court has been asked to make a Recovery Order

THE CHILDREN ACT

### To be completed by the court

The Court will hear this at

[Redacted]

on

[Redacted]

at

[Redacted] o'clock

the time allowed is

[Redacted]

THE CHILDREN ACT

### What you must do

- ▶ There is a copy of the application with this Notice. Read the application now. You do not have to fill in any part.
- ▶ You should obtain legal advice from a solicitor or, alternatively, from an advice agency. The Law Society administers a national panel of solicitors to represent children and other parties involved in proceedings relating to children. Addresses of solicitors (including panel members) and advice agencies can be obtained from the Yellow Pages and the Solicitors Regional Directory which can be found at Citizens Advice Bureaux, Law Centres and any local library.
- ▶ You may be entitled to legal aid. For certain Children Act proceedings, children, parents and those with parental responsibility will usually be eligible for legal aid automatically.

date

[Redacted]

THE CHILDREN ACT

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.



In the  
at

[High Court of Justice]  
[County Court]  
[Magistrates' Court]

THE CHILDREN ACT

**Order for the recovery of a child**

Section 50 The Children Act 1989

Case No.

THE CHILDREN ACT

1

The child is

a [boy] [girl]

born on

[Physical description of the child]

2

An [ex parte] application for a recovery order has been made by

of

3

**The Court orders that**

- any person who can produce on request the child to any police constable or to the following persons

must do so

- the person named in part 2 above may remove the child
- any person who has any information about where the child is or may be must tell a police constable or a court officer
- [a police constable may enter the premises known as

and search for the child. The police constable may use reasonable force if necessary.]

THE CHILDREN ACT

This order was made on

[Mr / Mrs Justice]  
[His / Her Honour Judge]  
[District Judge [of the Family Division]]  
[Justice of the Peace]  
[Clerk to the Court]

THE CHILDREN ACT





In the  
at

[High Court of Justice]  
[County Court]  
[Magistrates' Court]

THE CHILDREN ACT

## Order that a child attend proceedings

Section 95 (1) The Children Act 1989

Case No.

THE CHILDREN ACT

1

The child is

a [boy] [girl]

born on

The child is at

2

The court is hearing an application for an order under Part IV or V of the Children Act or is considering whether to make such an order.

3

The court orders that the child shall attend before it on \_\_\_\_\_ at \_\_\_\_\_ am / pm  
when the court will be hearing proceedings in this matter.

4

The court further directs that

THE CHILDREN ACT

This order was made on

[Mr / Mrs Justice]

[His / Her Honour Judge]

[District Judge [of the Family Division]]

[Clerk of the Court]

THE CHILDREN ACT

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.



In the  
at

[High Court of Justice]  
[County Court]  
[Magistrates' Court]

THE CHILDREN ACT

### Order to a person to bring a child to court

Section 95 (4) & (5) The Children Act 1989

Case No.

THE CHILDREN ACT

- 1 The child is  
a [boy] [girl]  
born on  
The child is believed to be at
  
- 2 The court is hearing an application for an order under Part IV or V of the Children Act or considering whether to make such an order
  
- 3 On 19 , the court ordered that the child attend some or all stages of the proceedings and  
[that order has not been complied with]  
[the court has reasonable cause to believe the order will not be complied with]
  
- 4 The court orders that  
[any person in a position to do so shall bring the child to court]  
[a police constable] [ ] is authorised to enter the premises [specified above] [at ] to search for the child, to  
take charge of him / her and bring the child to the court  
The child is to be brought to the court on 19 at am / pm

THE CHILDREN ACT

This order was made on

[Mr / Mrs Justice]  
[His / Her Honour Judge]  
[District Judge (of the Family Division)]  
[Clerk of the Court]

THE CHILDREN ACT



In the  
at

[High Court of Justice]  
[County Court]  
[Magistrates' Court]

THE CHILDREN ACT

## Order to a person to disclose the whereabouts of a child

Section 95 (6) The Children Act 1989

Case No. [REDACTED]

THE CHILDREN ACT

1 The child is

a [boy] [girl]

born on

2 The court is hearing an application for an order under Part IV or V of the Children Act or considering whether to make such an order

3

On 19 the court ordered that the child attend some or all stages of the proceedings and [that order has not been complied with.] [the court has reasonable cause to believe that the order will not be complied with.]

4

The court has reason to believe that of is a person who has information about the whereabouts of the child. **The court orders that** do disclose that information to the court.

5

**The court also orders that**

THE CHILDREN ACT

This order was made on

[Mr / Mrs Justice]  
[His / Her Honour Judge]  
[District Judge [of the Family Division]]  
[Clerk of the Court]

THE CHILDREN ACT

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

### Application to extend or further extend a Supervision Order

#### Paragraph 6(3) of Schedule 3 The Children Act 1989

Date received by court

- ▶ Please use black ink. The notes on page 5 tell you what to do when you have completed the form.
- ▶ If there is more than one child you must fill in a separate form for each child.
- ▶ Please answer every part. If a part does not apply or you do not know what to say please say so. If there is not enough room continue on another sheet (put the child's name and the number of the part on the sheet).
- ▶ If you have any concerns about giving your address or that of the child or any other address requested in this form, you may give an alternative address where papers can be served. However, you must notify the court of the actual address on a separate form which you can get from the court office.

THE CHILDREN ACT

Application to **The** [High] [County] [Magistrates'] Court  
 to [extend a Supervision Order] [further extend a Supervision Order]

(delete which / does not apply)

Case No.

THE CHILDREN ACT

#### 1 About this application

- (a) The supervision order was made on
- (b) The Court which made the order was
- (c) This order [will expire][was due to expire] on
- (d) [An extension to the order was made on]
- (e) [The Court which made the order was]
- (f) [This order is due to expire on]
- (g) It is helpful to the court if a copy of the order(s) is/are enclosed   
Please tick the box if you are enclosing a copy/copies.
- (h) The reason(s) for applying for this extension/further extension are

THE CHILDREN ACT

#### 2 About the child

- (a) The name of the child is   
*Put the surname last*
- (b) The child is a  boy  girl
- (c) The child was born on the  Age now

THE CHILDREN ACT

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**2 About the child (continued)**

(d) The child usually lives at  
*See the note on addresses at the top of page 1*

--

(e) A Guardian ad litem

- has not been appointed  
 has been appointed. The Guardian ad litem is

<i>Name</i>	
<i>Address</i>	
Tel	Ref.

(f) A solicitor

- has not been appointed to act for the child  
 has been appointed to act for the child. The solicitor is

<i>Name</i>		
<i>Address.</i>		
Tel	Fax.	Ref.

THE CHILDREN ACT

**3 About the applicant**

(a) The applicant's title is

- Mr  Mrs  Miss  Ms  Other (*say here*)

--

(b) The applicant's full name is  
*Put the surname last*

--

(c) The applicant is

- an officer of the

<i>local authority</i>
------------------------

- a Probation Officer

(d) The applicant's official address is

Tel	Ref.

(e) The applicant's solicitor is

<i>Name</i>		
<i>Address.</i>		
Tel	Fax.	Ref.

THE CHILDREN ACT

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**4 About the child's family**

- (a) The child's family's details have **not** changed since the making of the order  *If this box is ticked go on to question 5*
- (b) The child's family's details have altered since the making of the order  *Please give details*

---

THE CHILDREN ACT

**5 Other applications and orders which affect the child**

- (a) Have any other applications/orders been made since the supervision order was made or last extended?

No

Yes

If Yes

Please give details including the name of the court and the case number if known.

---

THE CHILDREN ACT

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**6 The plans for the future care of the child are** Please give details

..... THE CHILDREN ACT .....

**7 The Respondents**

- The respondents are
- people with parental responsibility
  - the child
  - those who were parties to the original application for a supervision order
  - other people allowed by Rules of Court

Please give details below.

(i) Please put the address where the respondent usually lives or where papers can be served. See the note on addresses at the top of page 1.

(ii) You will have to serve a copy of this application on each respondent

Name	Address

..... THE CHILDREN ACT .....

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**8 Declaration**

I declare that the information I have given is correct and complete to the best of my knowledge

Signed

Date

---

THE CHILDREN ACT

**What you (the person applying) must do next**

- ▶ There is a Notice of Hearing on page 6. Fill in the boxes on the Notice.
- ▶ Take or send this form and any supporting documentation to the court with enough copies for each respondent to be served. The top copy will be kept by the court and the other copies given or sent back to you for service.
- ▶ You **must** then serve the copies of the Application, the Notice of Hearing and any supporting documentation according to the Rules. You may also be required under the Rules to give notice of the proceedings to other people.

---

THE CHILDREN ACT



**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.



In the

[High] [County] [Magistrates'] Court

at

(When writing to the court please state the Case No.)

Case No. [redacted]

Tel.

Fax

THE CHILDREN ACT

## Notice of a [Hearing] [Directions Appointment]

You are named as a Respondent in these proceedings

first names

surname

about the child

[redacted]

a boy  a girl

born on the

[redacted]

You must read this Notice now

THE CHILDREN ACT

### About the [Hearing] [Directions Appointment]

name of applicant

[redacted]

has made an application to the Court.

The Court has been asked to

extend a supervision order made on

[redacted]

further extend the supervision order, which was last

extended on

[redacted]

THE CHILDREN ACT

### To be completed by the court

The Court will hear this at

[redacted]

on

[redacted]

at

[redacted] o'clock

The time allowed is

[redacted]

THE CHILDREN ACT

### What you must do

- ▶ There is a copy of the application with this Notice. Read the application **now**. You do not have to fill in any part.
- ▶ You should obtain legal advice from a solicitor or, alternatively, from an advice agency. The Law Society administers a national panel of solicitors to represent children and other parties involved in proceedings relating to children. Addresses of solicitors (including panel members) and advice agencies can be obtained from the Yellow Pages and the Solicitors Regional Directory which can be found at Citizens Advice Bureaux, Law Centres and any local library.
- ▶ You may be entitled to legal aid. For certain Children Act proceedings, children, parents and those with parental responsibility will usually be eligible for legal aid automatically.

date

[redacted]

THE CHILDREN ACT

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.



In the  
at

[High Court of Justice]  
[County Court]  
[Magistrates' Court]

THE CHILDREN ACT

**Order [extending] [further extending] a supervision order**

Schedule 3 para 6 (3) The Children Act 1989

Case No. [REDACTED]

THE CHILDREN ACT

1

The child is

a [boy] [girl]

born on

2

[This court] [The

court] ordered that

[the child should be supervised by

]

The order was made on

19

and was due to end on

19

[on

19

that order was extended, the extension was due to end

on

]

3

This court has extended that order.

The order is now due to end on

4

This court also orders and directs that

THE CHILDREN ACT

This order was made on

[Mr / Mrs Justice]

[His / Her Honour Judge]

[District Judge [of the Family Division]]

[Clerk of the Court]

THE CHILDREN ACT

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

### Application to extend the period of an Education Supervision Order

Para 15(2) Schedule 3 The Children Act 1989

Date received by court

- ▶ Please use black ink. The notes on page 4 tell you what to do when you have completed the form.
- ▶ If there is more than one child you must fill in a separate form for each child.
- ▶ Please answer every part. If a part does not apply or you do not know what to say please say so. If there is not enough room continue on another sheet (put the child's name and the number of the part on the sheet).
- ▶ If you have any concerns about giving your address or that of the child or any other address requested in this form, you may give an alternative address where papers can be served. However, you must notify the court of the actual address on a separate form available from the court.

THE CHILDREN ACT

Application to The

[High] [County] [Magistrates'] Court

to extend the period of an Education Supervision Order

Case No.

THE CHILDREN ACT

#### 1 About the Education Supervision Order

(a) The Education Supervision Order was made on  day  month  year

by  court  
 case number

(b) The order will end on  day  month  year

It is helpful to the court if a copy of the order is attached. Please tick the box if you are enclosing a copy.

THE CHILDREN ACT

#### 2 About the child

(a) The full name of the child is   
*Put the surname last*

(b) The child is a  boy  girl

(c) The child was born on the  day  month  year  Age now

(d) The name and address of the school at which the child is a registered pupil.

THE CHILDREN ACT

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**2 About the child (continued)**

- (e) A solicitor
  - has not been appointed to act for the child
  - has been appointed to act for the child. The solicitor is

<i>Name</i>		
<i>Address</i>		
<i>Tel.</i>	<i>Fax</i>	<i>Ref</i>

----- THE CHILDREN ACT -----

**3 About the applicant**

- (a) The applicant's title is
  - Mr  Mrs  Miss  Ms  Other (*say here*)

- (b) The applicant's full name is  
*Put the applicant's surname last*
- 

- (c) The applicant is
  - an officer of the local education authority. Give the name of the authority below.

- (d) The applicant's full address is
- 
- |             |            |
|-------------|------------|
| <i>Tel.</i> | <i>Ref</i> |
|-------------|------------|

- (e) The applicant's solicitor is
- |                |            |            |
|----------------|------------|------------|
| <i>Name</i>    |            |            |
| <i>Address</i> |            |            |
| <i>Tel.</i>    | <i>Fax</i> | <i>Ref</i> |

----- THE CHILDREN ACT -----

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**4 About this application**

(a) The reasons for making this application are

(b) If any other applications/orders have been made regarding the child since the education supervision order was made, please give details

*Include the name of the court, the date any order was made and the case number(s) if known*

(c) The local education authority to be designated in the order is

local education authority

(d) This local education authority is  the authority within whose area the child is living or will live  
 the authority for the area within which the school is situated at which the child is a registered pupil.

(e) The applicant would like the Court to order that

*If you would like the Court to lay down requirements under paragraph 16 of Schedule 3 put these here*

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

**5 Respondents**

- The respondents to this application will be
- all those with parental responsibility
  - the child
  - the local education authority
  - all those who were parties to the original application for the education supervision order.
  - other people allowed by Rules of Court

Please give details below

*(i) Please put the address where the respondent usually lives or where copies can be served. See the note on addresses at the top of this form*

*(ii) You will have to serve a copy of this application on each respondent*

The name of the respondent	The respondent's address

THE CHILDREN ACT

**6 Declaration**

I declare that the information I have given is correct and complete to the best of my knowledge

Signed

Date

THE CHILDREN ACT

**What you (the person applying) must do next**

- ▶ There is a Notice of Hearing on page 5. Fill in the boxes on the Notice
- ▶ Take or send this form and any supporting documentation to the court with enough copies for each respondent to be served. The top copy will be kept by the court and the other copies given or sent back to you for service.
- ▶ You **must** then serve the copies of the Application, the Notice of Hearing and any supporting documentation according to the Rules. You may also be required under the Rules to give notice of the proceedings to other people.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.



In the  
at

[High] [County] [Magistrates'] Court

(When writing to the court please state the Case No.)

Case No. [REDACTED]

Tel. [REDACTED]

Fax [REDACTED]

THE CHILDREN ACT

## Notice of a [Hearing] [Directions Appointment] You are named as a Respondent in these proceedings

about the child

[REDACTED]

a boy  a girl

born on the

[REDACTED]

You must read this Notice now

THE CHILDREN ACT

### About the [Hearing] [Direction Appointment]

name of applicant

[REDACTED]

has made an application to the Court.

The Court has been asked to extend the period of an Education Supervision Order

THE CHILDREN ACT

#### To be completed by the court

The Court will hear this at

[REDACTED]

on

[REDACTED]

at

[REDACTED] o'clock

the time allowed is

[REDACTED]

THE CHILDREN ACT

#### What you must do

- ▶ There is a copy of the application with this Notice. Read the application now. You do not have to fill in any part.
- ▶ You should obtain legal advice from a solicitor or, alternatively, from an advice agency. The Law Society administers a national panel of solicitors to represent children and other parties involved in proceedings relating to children. Addresses of solicitors (including panel members) and advice agencies can be obtained from the Yellow Pages and the Solicitors Regional Directory which can be found at Citizens Advice Bureaux, Law Centres and any local library. A solicitor or advice agency will also be able to advise you as to whether you are entitled to legal aid.

date [REDACTED]

THE CHILDREN ACT

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.



In the  
at

[High Court of Justice]  
[County Court]  
[Magistrates' Court]

THE CHILDREN ACT

**Order extending an education supervision order**

Case No.

Para 15(2) Schedule 3 The Children Act 1989

THE CHILDREN ACT

1 The child is  
a [boy] [girl]  
born on

The child is a registered pupil at [ ] school  
which is in the [ ] local education authority

2 [This Court] [The [ ] Court] ordered that  
the child's education must be supervised by the local education authority specified above  
The order was made on [ ]  
and was due to end on [ ]

3 This Court has extended that order upon the application of  
local education authority  
The order is now due to end on [ ]

4 This Court also orders and directs that

THE CHILDREN ACT

This order was made on [ ]  
[Mr / Mrs Justice]  
[His / Her Honour Judge]  
[District Judge (of the Family Division)]  
[Clerk of the Court]

THE CHILDREN ACT



Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

# Application to discharge an Education Supervision Order

Para 17(1) Schedule 3 The Children Act 1989

Date received by court

- ▶ Please use black ink. The notes on page 3 tell you what to do when you have completed the form.
- ▶ If there is more than one child you must fill in a separate form for each child.
- ▶ Please answer every part. If a part does not apply or you do not know what to say please say so. If there is not enough room continue on another sheet (put the child's name and the number of the part on the sheet).

▶ If you have any concerns about giving your address or that of the child or any other address requested in this form, you may give an alternative address where papers can be served. However, you must notify the court of the actual address on a separate form available from the court.

Application to The [High] [County] [Magistrates'] Court  
to discharge an Education Supervision Order

Case No.

## 1 Details of the Education Supervision Order

- (a) The Education Supervision Order was made on the    at
- (b) The Order was made at   
Case No.
- (c) The Order will end on the    at

It is helpful to the court if a copy of the original order is enclosed. Please tick the box if you are enclosing a copy.

## 2 About the child

- (a) The full name of the child is   
*Put the surname last*
- (b) The child is a  boy  girl
- (c) The child was born on the    Age now
- (d) The school at which the child is a registered pupil
- 
- (e) A solicitor  has not been appointed to act for the child  
 has been appointed to act for the child. The solicitor is
-

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**3 About the applicant**

(a) The applicant's full name is

*Put the surname last*

(b) The applicant's title is

Mr  Mrs  Miss  Ms  Other (say here )

(c) The applicant is

- the child
- a parent
- an officer of the

*local education authority*

(d) The applicant's address is

*See note on addresses at the top of page 1*

*Tel.*

(e) The applicant's solicitor is

*Name*

*Address*

*Tel.* *Fax* *Ref*

THE CHILDREN ACT

**4 Reasons for discharge**

(a) The reasons for making this application are

THE CHILDREN ACT

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

## 5 Respondents

- The respondents will be
- all those with parental responsibility
  - the child
  - the local education authority
  - those who were parties to the education supervision order application
  - other people allowed by Rules of Court

(i) Please put the address where the respondent usually lives or where papers can be served. See the note on addresses at the top of this form.

(ii) You will need to serve a copy of this application on each respondent.

The name of the respondent	The respondent's address

THE CHILDREN ACT

## 6 Declaration

I declare that the information I have given is correct and complete to the best of my knowledge

Signed

Date

THE CHILDREN ACT

### What you (the person applying) must do next

- ▶ There is a Notice of Hearing on page 4. Fill in the boxes on the Notice
- ▶ Take or send this form and any supporting documentation to the court with enough copies for each respondent to be served. The top copy will be kept by the court and the other copies given or sent back to you for service.
- ▶ You must then serve the copies of the Application, the Notice of Hearing and any supporting documentation according to the Rules. You may also be required under the Rules to give notice of the proceedings to other people.

THE CHILDREN ACT

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.



In the  
at

[High] [County] [Magistrates'] Court

(When writing to the court please state the Case No.)

Case No. [REDACTED]

Tel.

Fax

THE CHILDREN ACT

## Notice of a [Hearing] [Directions Appointment]

You are named as a Respondent in these proceedings

about the child

[REDACTED]

a boy  a girl

born on the

[REDACTED]

You must read this Notice now

THE CHILDREN ACT

### About the [Hearing] [Directions Appointment]

name of applicant

[REDACTED]

has made an application to the Court.

The Court has been asked to discharge the Education Supervision Order made on

[REDACTED]

THE CHILDREN ACT

### To be completed by the court

The Court will hear this at

[REDACTED]

on

[REDACTED]

at

[REDACTED] o'clock

The time allowed is

[REDACTED]

THE CHILDREN ACT

### What you must do

- ▶ There is a copy of the application with this Notice. Read the application now. You do not have to fill in any part.
- ▶ You should obtain legal advice from a solicitor or, alternatively, from an advice agency. The Law Society administers a national panel of solicitors to represent children and other parties involved in proceedings relating to children. Addresses of solicitors (including panel members) and advice agencies can be obtained from the Yellow Pages and the Solicitors Regional Directory which can be found at Citizens Advice Bureaux, Law Centres and any local library. A solicitor or advice agency will be able to advise you as to whether you are entitled to legal aid.

date

[REDACTED]

THE CHILDREN ACT



In the  
at

[High Court of Justice]  
[County Court]  
[Magistrates' Court]

THE CHILDREN ACT

**Order discharging an education supervision order**

Case No.

Para 17(1) of Schedule 3 The Children Act 1989

THE CHILDREN ACT

1

The child is

a [boy] [girl]

born on

The child is a registered pupil at

school

which is in the

local education authority

2

[This Court] [The

Court] ordered that

the child's education must be supervised by the local education authority specified above.

The order was made on

3

This Court discharges that order.

4

This court further directs that

THE CHILDREN ACT

This order was made on

[Mr / Mrs Justice]

[His / Her Honour Judge]

[District Judge [of the Family Division]]

[Clerk of the Court]

THE CHILDREN ACT

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

### Application to vary or discharge an order or direction

Sections 10(6), 34(9), 38(8)(b) or 43(12) The Children Act 1989

Date received by court

- ▶ Do not use this form for applications under other Sections.
- ▶ Please use black ink. The notes on page 4 tell you what to do when you have completed the form
- ▶ If there is more than one child you must fill in a separate form for each child.
- ▶ Please answer every part. If a part does not apply or you do not know what to say please say so. If there is not enough room continue on another sheet (put the child's name and the number of the part on the sheet).

If you have any concerns about giving your address or that of the child or any other address requested in this form, you may give an alternative address where papers can be served. However, you must notify the court of the actual address on a separate form available from the court.

Application to The **THE CHILDREN ACT** [High] [County] [Magistrates] Court

to [vary] [discharge] an [order] [direction]

under section [10] [34] [38] [43]

**Case No.**

---

**THE CHILDREN ACT**

#### 1 About the child

(a) The full name of the child is  
*Put the surname last*

(b) The child is a

 boy  girl

(c) The child was born on

day	month	year	Age now
-----	-------	------	---------

(d) A guardian ad litem

has not been appointed to act for the child

has been appointed to act for the child. The guardian ad litem is

Name
Address
Tel. <span style="float: right;">Ref</span>

(e) A solicitor

has not been appointed to act for the child

has been appointed to act for the child. The solicitor is

Name
Address
Tel. <span style="float: right;">Fax <span style="float: right;">Ref</span></span>

#### 2 About myself (the person applying)

(a) I am

a person with parental responsibility

the child

an officer of the  *local authority*

other (please give status or relationship to the child)

(b) My title is

Mr  Mrs  Miss  Ms  Other (say here)

(c) My full name is

(d) My full address is

*See the note on addresses at the top of this page.*

Tel.
------

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**2 About myself (continued)**

(e) My solicitor is

Name		
Address		
Tel.	Fax	Ref

THE CHILDREN ACT

**3 About this application**

It is helpful to the court if a copy of the original order is attached.  
Please tick the box if you are enclosing a copy

(a) I apply to

(please tick box(es))

- |                                    |   |  |
|------------------------------------|---|--|
| <input type="checkbox"/> vary      | } | <input type="checkbox"/> a residence order (Section 8)   |
| <input type="checkbox"/> discharge |   | <input type="checkbox"/> a contact order (Section 8)   |
|                                    |   | <input type="checkbox"/> a prohibited steps order (Section 8)  |
|                                    |   | <input type="checkbox"/> a specific issue order (Section 8)  |
| <input type="checkbox"/> vary      | } | an order for contact with a child in care<br>(Section 34(2) & (3))   |
| <input type="checkbox"/> discharge |   |  |
| <input type="checkbox"/> vary      | } | an order refusing contact with a child in care<br>(Section 34(4))  |
| <input type="checkbox"/> discharge |   |  |
| <input type="checkbox"/> vary      |   | directions given in an interim care order in<br>respect of the medical or psychiatric<br>examination or other assessment of the child<br>(Section 38(6)) |
| <input type="checkbox"/> vary      | } | a child assessment order<br>(Section 43(12))   |
| <input type="checkbox"/> discharge |   |  |

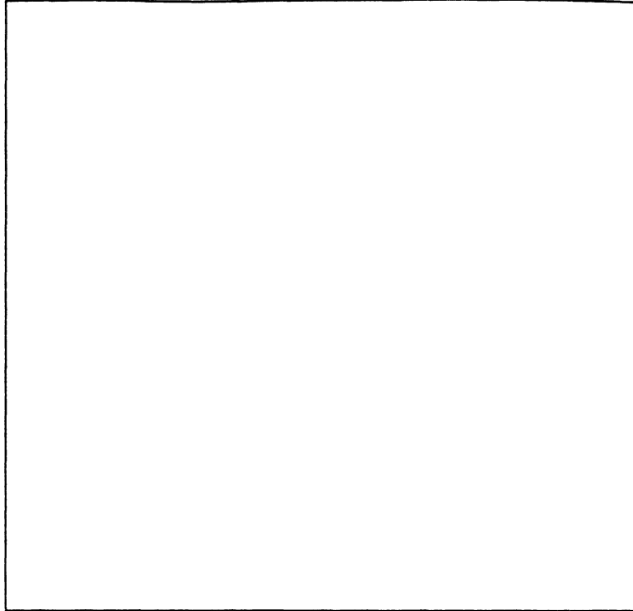
(b) I am making this application because

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

**3 About this application (continued)**

(c) I would like the Court to order that

Please give details of variation or directions sought

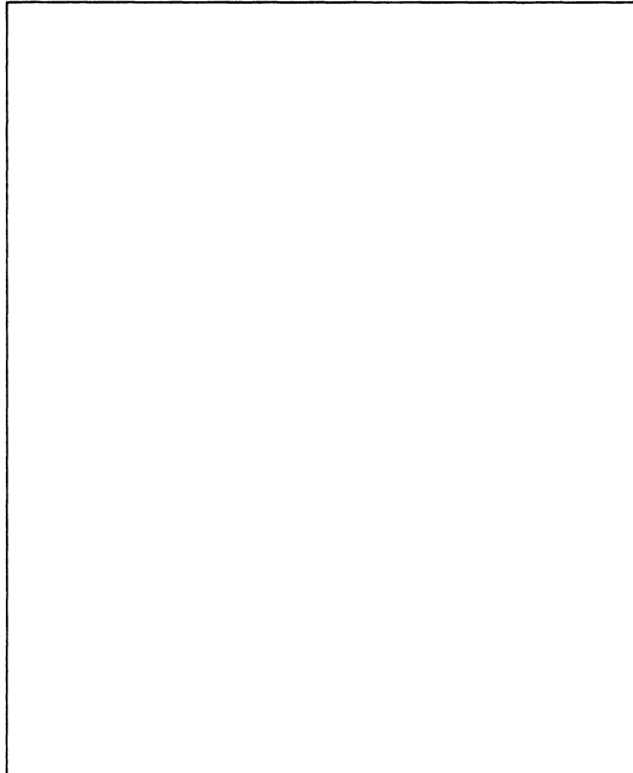


THE CHILDREN ACT

**4 Other orders and applications**

Have any other orders or applications been made regarding the child since the order you are applying to [vary] [discharge] was made?

*Please state the type of [order] [application] made, the name of the court and the case number if known*





**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**5 The Respondents**

- The respondents will be those who
- have parental responsibility
  - were parties to the original application
  - other people allowed by Rules of Court

*(i) Please put the address where the respondent usually lives or where papers can be served. See the note on addresses at the top of page 1*

*(ii) You will have to serve a copy of this application on the respondents.*

The name of the respondent	The respondent's address

THE CHILDREN ACT

**6 Declaration**

I declare that the information I have given is correct and complete to the best of my knowledge

Signed

Date

THE CHILDREN ACT

**What you (the person applying) must do next**

- ▶ There is a Notice of Hearing on page 5. Fill in the boxes on the Notice
- ▶ Take or send this form and any supporting documentation to the court with enough copies for each respondent to be served. The top copy will be kept by the court and the other copies given or sent back to you for service.
- ▶ You must then serve the copies of the Application, the Notice of Hearing and any supporting documentation according to the rules. You may also be required under the Rules to give notice of the proceedings to other people.

THE CHILDREN ACT

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.



In the

[High] [County] [Magistrates'] Court

at  
(When writing to the court please state the Case No.)

Case No. [redacted]

Tel.

Fax

## Notice of a [Hearing] [Directions Appointment]

You are named as a Respondent in these proceedings

about the child

[redacted]

a boy  a girl

born on the

[redacted]

You must read this Notice now

THE CHILDREN ACT

### About the [Hearing] [Directions Appointment]

name of applicant

[redacted]

has made an application to the Court.

The Court has been asked to

vary

discharge

- [a section 8 order]
- [an order for contact with a child in care]
- [an order refusing contact with a child in care]
- [a child assessment order]
- [directions given in an interim care order]

THE CHILDREN ACT

### To be completed by the court

The Court will hear this at

[redacted]

on

[redacted]

at

[redacted] o'clock

The time allowed is

[redacted]

THE CHILDREN ACT

### What you must do

- ▶ There is a copy of the application with this Notice. Read the application now. You do not have to fill in any part.
- ▶ You should obtain legal advice from a solicitor or, alternatively, from an advice agency. The Law Society administers a national panel of solicitors to represent children and other parties involved in proceedings relating to children. Addresses of solicitors (including panel members) and advice agencies can be obtained from the Yellow Pages and the Solicitors Regional Directory which can be found at Citizens Advice Bureaux, Law Centres and any local library. A solicitor or advice agency will be able to advise you as to whether you are entitled to legal aid.

date [redacted]

THE CHILDREN ACT



In the  
at

[High Court of Justice]  
[County Court]  
[Magistrates' Court]

THE CHILDREN ACT

**Order**

The Children Act 1989

[ ]

Case No.

THE CHILDREN ACT

1 The child is  
a [boy] [girl]  
born on

2 The court orders that

3 The court also directs that

4 This order has [not] been made ex parte

THE CHILDREN ACT

This order was made on

[Mr / Mrs Justice]  
[His / Her Honour Judge]  
[District Judge [of the Family Division]]  
[Justice of the Peace]  
[Clerk of the Court]

THE CHILDREN ACT

CHA 56

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.



In the

at

[High Court of Justice]  
[County Court]  
[Magistrates' Court]

THE CHILDREN ACT

**Refusal of Order**

The Children Act 1989  
[ ]

Case No.

THE CHILDREN ACT

1

The child is

a [boy] [girl]

born on

2

An [ex parte] application has been made to the court by  
for

3

No order has been made by the court because

[the court has applied the provisions of section 1(5) of the Children Act 1989]

[the grounds are not proved and court has dismissed the application]

( [ ] delete where appropriate)

THE CHILDREN ACT

This order was made on

[Mr / Mrs Justice]

[His / Her Honour Judge]

[District Judge [of the Family Division]]

[Justice of the Peace]

[Clerk of the Court]

THE CHILDREN ACT

CHA 57

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.



In the  
at

[High Court]  
[County Court]  
[Magistrates' Court]

### Form for the disclosure of addresses

Case No. [REDACTED]

This form is to be used by applicants in Family Proceedings who did not wish to give their address on the form of application, or that of the child, or of any person named in the form. Under Rule 10.21 of the Family Proceedings Rules, they are required to give the actual addresses below.

1 The applicant is

2 The application was made on

to the

[High Court] [County Court] [Magistrates' Court]

3 The actual address(es) of the following people [was][were] omitted from the application form

Name	The omitted address	The part of the form from which the address was omitted

Signed

Dated

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

# Application relating to the registration of a child minder or a provider of day - care

Date received by court

## Section 75 (1) The Children Act 1989

- ▶ Please use black ink.
- ▶ The notes on page 2 tell you what to do when you have completed the form.
- ▶ Please answer every part. If a part does not apply or you do not know what to say please say so. If there is not enough room continue on another sheet (put the child's name and the number of the part on the sheet).
- ▶ If you have any concerns about giving your address or that of the child or any other address requested in this form, you may give an alternative address where papers can be served. However, you must notify the court of the actual address on a separate form available from the court.
- ▶ If there is more than one child, you must fill in a separate form for each child.

Please speak to the court official, immediately if you wish this application to be heard without giving notice of the application to any other party

I apply to The

THE CHILDREN ACT

Magistrates' Court

to 1

cancel the registration of

[a child minder]

2 [vary] [remove] [add to] the requirements imposed on the registration of

[a provider of day-care]

(delete parts that do not apply in this case)

Case No.

THE CHILDREN ACT

### 1 About the child

(a) The full name of the child is  
*Put the surname last*

(b) The child is a

boy  girl

(c) The child was born on the

Age now

(d) The child is at  
*Say where the child is now.  
See note on addresses at the top of this form*

THE CHILDREN ACT

### 2 About the applicant

(a) The applicant is

an officer of the

local authority

(b) The applicant's title is

Mr  Mrs  Miss  Ms  Other (say here)

(c) The applicant's full name is

(d) The applicant's official address is

  
*Tel.* *Ref*

(e) The applicant's solicitor is

  
*Tel.* *Fax* *Ref*

THE CHILDREN ACT

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**3 About this application**

- (a) The full name of the registered person is
- (b) The registered person is a  child minder  
 provider of day-care
- (c) The full address of the registered person is
- (d) Address of the premises at which the child is, or may be, cared for if different from (c)
- (e) The grounds for making this application are 

that the child who is being , or may be, looked after by the named person or in accordance with the provision for day care made by that person is suffering / likely to suffer significant harm
- (f) These grounds exist because
- (g) The applicant would like the court to order that

THE CHILDREN ACT

**4 Declaration**

I declare that the information I have given is correct and complete to the best of my knowledge

Signed

Date

THE CHILDREN ACT

**What you (the person applying) must do next**

- ▶ There is a Notice of Hearing on page 3. Fill in the boxes on the Notice.
- ▶ Take or send this form and any supporting documentation to the court with another copy to be served on the named registered person. The top copy will be kept by the court and the other copies given or sent back to you for service.
- ▶ Unless you have asked for this application to be heard without giving Notice to any other party, you must then serve the copy of the Application, any supporting documentation and the Notice of Hearing according to the Rules. You may also be required under the Rules to give notice of the proceedings to other people.

THE CHILDREN ACT

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.



In the

Magistrates' Court

at  
(When writing to the court please state the Case No.)

Case No. [redacted]

Tel.

Fax

THE CHILDREN ACT

### Notice of a [Hearing] [Directions Appointment]

You are named as a Respondent in these proceedings

about the child

[redacted]

a boy  a girl

born on the

[redacted]

You must read this Notice now

THE CHILDREN ACT

### About the [Hearing] [Directions Appointment]

name of applicant

[redacted]

has made an application to the Court.

The Court has been asked to make

an order to

- vary
- remove
- add to

the requirements imposed on the registration of

cancel the registration of

[a child minder]

[a provider of day-care]

THE CHILDREN ACT

### To be completed by the court

The Court will hear this at

[redacted]

on

[redacted]

at

[redacted] o'clock

the time allowed is

[redacted]

THE CHILDREN ACT

### What you must do

- ▶ There is a copy of the application with this Notice. Read the application now. You do not have to fill in any part. date [redacted]
- ▶ You should obtain legal advice from a solicitor or, alternatively, from an advice agency. The Law Society administers a national panel of solicitors to represent children and other parties involved in proceedings relating to children. Addresses of solicitors (including panel members) and advice agencies can be obtained from the Yellow Pages and the Solicitors Regional Directory which can be found at Citizens Advice Bureaux, Law Centres and any local library. A solicitor or advice agency will also be able to advise you as to whether you are entitled to legal aid.

THE CHILDREN ACT





In the

[Magistrates' Court]

at

THE CHILDREN ACT

**Order concerning the registration of a child minder or a provider of day-care**

Case No. [REDACTED]

Section 75(1) The Children Act 1989

THE CHILDREN ACT

1 The child is

a [boy] [girl]

born on

2 **The Court orders** in respect of

who is a [child minder][provider of day-care]

that

[his / her registration be cancelled]

[a registration requirement to

be varied as follows

]

[a registration requirement to

be removed]

[a registration requirement to

be added]

3 This order has [not] been made ex parte

THE CHILDREN ACT

This order was made on

[Justice of the Peace]

[Clerk of the Court]

THE CHILDREN ACT

CHA 61

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Application for a Warrant empowering a constable to assist in [exercising powers of entry] [gaining access to a child]

Date received by court

Section 102(1) The Children Act 1989

- Please use black ink. The notes on page 2 tell you what to do when you have completed the form.
Please answer every part. If a part does not apply or you do not know what to say please say so. If there is not enough room continue on another sheet (put the child's name and the number of the part on the sheet).
If there is more than one child you must fill in a separate form for each child.
If you have any concerns about giving your address or that of the child or any other address requested in this form, you may give an alternative address where papers can be served. However, you must notify the court of the actual address on a separate form available from the court.

Please speak to the court official immediately if you wish this application to be heard without giving Notice of the application to any other party.

Application to The

THE CHILDREN ACT

Magistrates' Court

for a Search Warrant empowering a constable to assist in [exercising powers of entry] [giving access to a child]

Case No.

THE CHILDREN ACT

1 About the applicant

- (a) The applicant is [ ] authorised by the Secretary of State to make this application
[ ] a designated police officer
[ ] an officer of the [ ] local authority
[ ] other (state below)
(b) The applicant's title is [ ] Mr [ ] Mrs [ ] Miss [ ] Ms [ ] Other (say here) [ ]
(c) The applicant's full name is [ ] Put the surname last
(d) The applicant's address is [ ] See note on addresses at top of this form
(e) The applicant's telephone number and reference are [ ] Tel. [ ] Ref
(f) The applicant's solicitor is [ ] Name [ ] Address [ ] Tel. [ ] Fax [ ] Ref

THE CHILDREN ACT

2 About the child (where applicable)

- (a) The child's name is [ ] Put the surname last
(b) The child is a [ ] boy [ ] girl
(c) The child was born on the [ ] day [ ] month [ ] year Age now [ ]
(d) The child lives at [ ] See note on addresses at top of this form
(e) Description of child [ ] You may attach a recent photo for use by the court

THE CHILDREN ACT

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**3 About this application**

(a) The grounds for this application are  a person attempting to exercise powers under any enactment in section 102 (6) has been prevented from doing so by being refused entry to the premises concerned or refused access to the child concerned

*Please tick the appropriate box*

any person is likely to be prevented from exercising any such powers

(b) These grounds exist because

*Please state under which enactment these powers are being requested*

(c) Address of premises to be entered

(d) Type of premises

(e) Date and time search is likely to take place

(f) I would like the court to direct that the constable concerned, if he desires, may be accompanied by a registered medical practitioner or a registered nurse or a registered health visitor because

..... THE CHILDREN ACT .....

**4 Declaration**

I declare that the information I have given is correct and complete to the best of my knowledge

Signed

Date

..... THE CHILDREN ACT .....

**What you (the person applying) must do next**

- ▶ There is a Notice of Hearing on page 3. Fill in the boxes on the Notice.
- ▶ Take or send this form and any supporting documentation to the court with enough copies for each respondent to be served. The top copy will be kept by the court and the other copies given or sent back to you for service.
- ▶ Unless you are asking for this application to be heard without giving Notice to any other party, you must then serve the copies of the Application, the Notice of Hearing and any supporting documentation according to the Rules. You may also be required under the Rules to give notice of the proceedings to other people.

..... THE CHILDREN ACT .....

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.



In the  
at

[High][County][Magistrates'] Court

(When writing to the Court please state the Case No.)

Case No.

Tel.

Fax

THE CHILDREN ACT

## Notice of a [Hearing] [Directions Appointment]

You are named as a respondent in these proceedings

about the child

a boy  a girl

born on the

description of child if details unknown

You must read this Notice now

THE CHILDREN ACT

### About the [Hearing] [Directions Appointment]

name of applicant

has made an application to the Court.

The Court has been asked to make a Search Warrant empowering a constable to assist in [exercising powers of entry] [gaining access to a child]

THE CHILDREN ACT

#### To be completed by the court

The Court will hear this at

on

at

the time allowed is

 o'clock

THE CHILDREN ACT

#### What you must do

- ▶ There is a copy of the application with this Notice. Read the application now. You do not have to fill in any part.
- ▶ You should obtain legal advice from a solicitor or, alternatively, from an advice agency. The Law Society administers a national panel of solicitors to represent children and other parties involved in proceedings relating to children. Addresses of solicitors (including panel members) and advice agencies can be obtained from the Yellow Pages and the Solicitors Regional Directory which can be found at Citizens Advice Bureaux, Law Centres and any local library. A solicitor or advice agency will be able to advise you as to whether you are entitled to Legal Aid.

date

THE CHILDREN ACT



In the  
at

[High Court of Justice]  
[County Court]  
[Magistrates' Court]

THE CHILDREN ACT

**Warrant of Assistance to [gain access to a child ]  
[gain entry to premises]**

Case No. [REDACTED]

Section 102(1) The Children Act 1989

THE CHILDREN ACT

**To all Police Constables**

- 1 The child is a  
[boy] [girl]  
  
born on  
  
or is described as
- 2 An [ex parte] application for a warrant has been made in respect of the premises known as
- 3 The court, being satisfied that a person has been prevented or is likely to be prevented from exercising his / her powers under the enactments listed in section 102(6) of the Children Act,  
**orders that** all Police Constables are to assist in the exercise of the said powers, using reasonable force if necessary.
- 4 Note to all Police Constables  
The court directs that you  
[should not be accompanied by the applicant]  
[may be accompanied by a Registered Medical Practitioner, Registered Nurse or Registered Health Visitor if you wish]
- 5 Once this warrant has been executed you should take the child to

THE CHILDREN ACT

This order was made on

[Justice of the Peace]  
[Clerk to the Court]

THE CHILDREN ACT

CHA 63

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.



In the  
at

Magistrates' Court

THE CHILDREN ACT

**Certificate of Transfer of Proceedings**

The Children (Allocation of Proceedings) Order 1991

Case No.

THE CHILDREN ACT

1 Name of child

[boy] [girl]

born on

2 Type of proceedings

3 Name of court to which proceedings are transferred

- (i) If lateral transfer
- (ii) If vertical transfer

Magistrates' Court  
County Court

4 Reasons for transfer

(i) If lateral transfer

- consolidation
- urgency
- other reasons.  
Please give details

(ii) Vertical transfer

consolidation  
Please state below proceedings pending in the county court or High Court

- urgency
- exceptional gravity, importance or complexity.  
Please give details

THE CHILDREN ACT

Signature

[Justice of the Peace]

[Clerk to the Court ]

Date

THE CHILDREN ACT



In the  
at

Magistrates' Court

THE CHILDREN ACT

## Refusal to Transfer Proceedings

The Children (Allocation of Proceedings) Order 1991

Case No.

THE CHILDREN ACT

1 Name of child

[boy] [girl]

born on

2 Grounds for application for [lateral] [vertical] transfer

consolidation

urgency

exceptional gravity, importance or complexity.

3 Reasons for refusal of transfer

THE CHILDREN ACT

Signature:

[Justice of the Peace]

[Clerk to the Court]

Date:

THE CHILDREN ACT

CHA 65

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

SCHEDULE 2

Rules 4 and 7

RESPONDENTS AND NOTICE

(i) <i>Provision under which proceedings brought</i>	(ii) <i>Minimum number of days prior to hearing or directions appointment for service under rule 4(1)(b)</i>	(iii) <i>Respondents</i>	(iv) <i>Persons to whom notice is to be given</i>
All applications.	See separate entries below.	<p>Subject to separate entries below,</p> <p>every person whom the applicant believes to have parental responsibility for the child;</p> <p>where the child is the subject of a care order, every person whom the applicant believes to have had parental responsibility immediately prior to the making of the care order;</p> <p>in the case of an application to extend, vary or discharge an order, the parties to the proceedings leading to the order which it is sought to have extended, varied or discharged;</p> <p>in the case of specified proceedings, the child.</p>	<p>Subject to separate entries below,</p> <p>the local authority providing accommodation for the child;</p> <p>persons who are caring for the child at the time when the proceedings are commenced;</p> <p>in the case of proceedings brought in respect of a child who is alleged to be staying in a refuge which is certificated under section 51(1) or (2), the person who is providing the refuge.</p>
Section 8 or Schedule 1.	21 days	<p>As for “all applications” above, and:</p> <p>in the case of proceedings under Schedule 1, those persons whom the applicant believe to be interested in</p>	<p>As for “all applications” above, and:</p> <p>in the case of an application for a section 8 order, every person whom the applicant believes—</p>



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(i) <i>Provision under which proceedings brought</i>	(ii) <i>Minimum number of days prior to hearing or directions appointment for service under rule 4(1)(b)</i>	(iii) <i>Respondents</i>	(iv) <i>Persons to whom notice is to be given</i>
Section 4(1)(a), 4(3), 5(1), 6(7), 13(10), 16(6), 33(7), 77(6), paragraph 19(1), 23(1) or 23(8) of Schedule 2, paragraph 8(1) of Schedule 8, or paragraph 11(3) or 16(5) of Schedule 14.	14 days	<p>or affected by the proceedings.</p> <p>Except for proceedings under section 77(6), Schedule 2, or paragraph 8(1) of Schedule 8, as for “all applications” above. and:</p> <p>in the case of an application under paragraph 11(3)(b) or 16(5) of Schedule 14, any person, other than the child, named in the order or directions which it is sought to discharge or vary;</p>	<p>(i) to be named in a court order with respect to the same child, which has not ceased to have effect,</p> <p>(ii) to be a party to pending proceedings in respect of the same child, or</p> <p>(iii) to be a person with whom the child has lived for at least 3 years prior to the application, unless, in a case to which (i) or (ii) applies, the applicant believes that the court order or pending proceedings are not relevant to the application.</p> <p>As for “all applications” above, and:</p> <p>in the case of an application under paragraph 19(1) of Schedule 2, the parties to the proceedings leading to the care under;</p> <p>in the case of an application under section 5(1), the father of the child if he does not have parental responsibility.</p>

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(i) <i>Provision under which proceedings brought</i>	(ii) <i>Minimum number of days prior to hearing or directions appointment for service under rule 4(1)(b)</i>	(iii) <i>Respondents</i>	(iv) <i>Persons to whom notice is to be given</i>
Section 36(1), 39(1), 39(2), 39(3), 39(4), 43(1), or paragraph 6(3), 15(2) or 17(1) of Schedule 3.	7 days	<p>in the case or proceedings under section 77(6), the local authority against whose decision the appeal is made;</p> <p>in the case of an application under paragraph 23(1) of Schedule 2, the contributor;</p> <p>in the case of an application under paragraph 23(8) of Schedule 2,</p> <ul style="list-style-type: none"> <li>(i) if the applicant is the local authority, the contributor, and</li> <li>(ii) if the applicant is the contributor, the local authority.</li> </ul> <p>In the case of an application under paragraph 8(1) of Schedule 8, the local authority against whose decision the appeal is made.</p>	<p>As for “all applications” above, and:</p> <p>As for “all applications” above, and:</p> <p>in the case of an application under section 43(1)—</p> <ul style="list-style-type: none"> <li>(i) every person whom the applicant believes to be</li> </ul>
		<p>As for “all applications” above, and:</p> <p>in the case of an application under section 39(2) or (3), the supervisor;</p> <p>in the case of proceedings under paragraph 17(1) of</p>	

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(i) <i>Provision under which proceedings brought</i>	(ii) <i>Minimum number of days prior to hearing or directions appointment for service under rule 4(1)(b)</i>	(iii) <i>Respondents</i>	(iv) <i>Persons to whom notice is to be given</i>
Section 31, 34(2), 34(3), 34(4), 34(9) or 38(8)(b).	3 days	<p>Schedule 3, the local education authority concerned;</p> <p>in the case of proceedings under section 36 or paragraph 15(2) or 17(1) of Schedule 3, the child.</p> <p>As for “all applications” above, and:</p> <p>in the case of an application under section 34, the person whose contact with the child is the subject of the application.</p>	<p>a parent of the child,</p> <p>(ii) every person whom the applicant believes to be caring for the child,</p> <p>(iii) every person in whose favour a contact order is in force with respect to the child, and</p> <p>(iv) every person who is allowed to have contact with the child by virtue of an order under section 34.</p> <p>As for “all applications” above, and:</p> <p>in the case of an application under section 31—</p> <p>(i) every person whom the applicant believes to be a party to pending relevant proceedings in respect of the same child, and</p> <p>(ii) every person whom the applicant believes to be a parent without parental responsibility for the child.</p>

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(i) <i>Provision under which proceedings brought</i>	(ii) <i>Minimum number of days prior to hearing or directions appointment for service under rule 4(1)(b)</i>	(iii) <i>Respondents</i>	(iv) <i>Persons to whom notice is to be given</i>
Section 43(12).	2 days	As for “all applications” above.	Those of the persons referred to in section 43(11)(a) to (e) who were not party to the application for the order which it is sought to have varied or discharged.
Section 25, 44(1), 49(9)(b), 45(4), 45(8), 46(7), 48(9), 50(1), 75(1) or 102(1).	1 day	<p>Except for applications under section 75(1) or 102(1), as for “all applications” above, and:</p> <p>in the case of an application under section 44(9)(b)</p> <ul style="list-style-type: none"> <li data-bbox="810 1144 1066 1359">(i) the parties to the application for the order in respect of which it is sought to vary the directions;</li> <li data-bbox="810 1368 1066 1520">(ii) any person who was caring for the child prior to the making of the order; and</li> <li data-bbox="810 1529 1066 1744">(iii) any person whose contact with the child is affected by the direction which it is sought to have varied;</li> </ul> <p>in the case of an application under section 50, the person whom the applicant alleges to have effected or to have been or to be responsible for the</p>	<p>As for “all applications” above, and:</p> <p>in the case of an application under section 44(1), every person whom the applicant believes to be a parent of the child;</p> <p>in the case of an application under section 44(9)(b)—</p> <ul style="list-style-type: none"> <li data-bbox="1088 1337 1318 1489">(i) the local authority in whose area the child is living, and</li> <li data-bbox="1088 1498 1327 1744">(ii) any person whom the applicant believes to be affected by the direction which it is sought to have varied.</li> </ul>

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(i) <i>Provision under which proceedings brought</i>	(ii) <i>Minimum number of days prior to hearing or directions appointment for service under rule 4(1)(b)</i>	(iii) <i>Respondents</i>	(iv) <i>Persons to whom notice is to be given</i>
		taking or keeping of the child;  in the case of an application under section 75(1), the registered person;  in the case of an application under section 102(1), the person referred to in section 102(1) and any person preventing or likely to prevent such a person from exercising powers under enactments mentioned in subsection (6) of that section.	

SCHEDULE 3

Rule 34(1)

CONSEQUENTIAL AND MINOR AMENDMENTS

In the Justices' Clerks Rules 1970(10), for paragraphs 13, 14 and 15 of the Schedule there shall be substituted the following paragraphs:

**13.** The transfer of proceedings in accordance with any order made by the Lord Chancellor under Part I of Schedule 11.

**14.** The appointing of a guardian ad litem or solicitor for a child under section 41 of the Children Act 1989.

**15.** The giving, variation or revocation of directions in accordance with rule 14 of the Family Proceedings Courts (Children Act 1989) Rules 1991.

**15A.** The making of an order, in accordance with rule 28 of the Family Proceedings Courts (Children Act 1989) Rules 1991, under sections 11(3) or 38(1) of the Children Act 1989.

**15B.** By virtue of rule 33 of the Family Proceedings Courts (Children Act 1989) Rules 1991, the issuing of a witness summons under section 97 of the Magistrates' Courts Act 1980 in relevant proceedings, within the meaning of section 93(3) of the Children Act 1989.

(10) S.I. 1970/231, amended by 1975/300, 1976/1767, 1978/754 and 1983/527.

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15C. The requesting of a welfare report under section 7 of the Children Act 1989.”.

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## EXPLANATORY NOTE

*(This note is not part of the Rules)*

These Rules are made as a consequence of the passing of the Children Act 1989 (c. 41) and set out the procedures to be followed in family proceedings courts in public and private law proceedings in which any question with respect to a child arises.

Rule 4 replaces the complaint and summons procedure by which proceedings related to children were formerly brought, by a procedure for instituting such proceedings by the making of an application, endorsed by the justices' clerk and returned to the applicant to be served by him, in accordance with rule 8, on the respondents who are listed in the third column of Schedule 2 to the rules. In addition, the applicant is required to give written notice to the persons listed in the fourth column of Schedule 2 to the rules in relation to the proceedings in question. Rule 4 also provides that certain applications may, with leave of the justices' clerk, be made ex parte.

Rule 6 provides a procedure for transferring the proceedings to another family proceedings court or to a county court in accordance with any Order made by the Lord Chancellor under Part I of Schedule 11 to the Act of 1989.

Rule 10 requires the justices' clerk or the court, in specified proceedings, to consider whether to appoint a guardian ad litem and rule 11 provides for the powers and duties of any guardian ad litem appointed. Rule 12 provides for the duties of a solicitor appointed by the court or by the guardian ad litem.

Rule 14 introduces a new type of preliminary hearing known as a “directions appointment” which may be held at any time during the proceedings, by the justices' clerk, a single justice or the full court with a view to issuing directions on the conduct of the proceedings. Rule 16 makes attendance by parties at directions appointments mandatory.

Rule 17 requires a party to file and serve on other parties written statements of the oral evidence which that party intends to adduce, and copies of any documents upon which the party intends to rely, at a hearing or directions appointment.

Rules 22 to 33 deal with miscellaneous matters such as appeals to family proceedings courts against decisions of local authorities and the delegation by justices' clerks of responsibilities imposed upon them under the rules.

Schedule 1 to the rules contains the forms of application and order which are prescribed by the rules. Schedule 2 contains a list of respondents and notice requirements for particular proceedings. Schedule 3 makes consequential and minor amendments to the Justices' Clerks Rules 1970.

Nothing in these Rules affects proceedings which are pending (within the meaning of paragraph 1 of Schedule 14 to the Act of 1989) immediately before these Rules come into force. These Rules come into force on 14th October 1991.