



Children Act 1989

1989 CHAPTER 41

PART IV

CARE AND SUPERVISION

Powers of court

37 Powers of court in certain family proceedings.

- (1) Where, in any family proceedings in which a question arises with respect to the welfare of any child, it appears to the court that it may be appropriate for a care or supervision order to be made with respect to him, the court may direct the appropriate authority to undertake an investigation of the child's circumstances.
- (2) Where the court gives a direction under this section the local authority concerned shall, when undertaking the investigation, consider whether they should—
 - (a) apply for a care order or for a supervision order with respect to the child;
 - (b) provide services or assistance for the child or his family; or
 - (c) take any other action with respect to the child.
- (3) Where a local authority undertake an investigation under this section, and decide not to apply for a care order or supervision order with respect to the child concerned, they shall inform the court of—
 - (a) their reasons for so deciding;
 - (b) any service or assistance which they have provided, or intend to provide, for the child and his family; and
 - (c) any other action which they have taken, or propose to take, with respect to the child.
- (4) The information shall be given to the court before the end of the period of eight weeks beginning with the date of the direction, unless the court otherwise directs.
- (5) The local authority named in a direction under subsection (1) must be—
 - (a) the authority in whose area the child is ordinarily resident; or

Changes to legislation: Children Act 1989, Section 37 is up to date with all changes known to be in force on or before 17 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (b) where the child ^[F1]is not ordinarily resident] in the area of a local authority, the authority within whose area any circumstances arose in consequence of which the direction is being given.
- (6) If, on the conclusion of any investigation or review under this section, the authority decide not to apply for a care order or supervision order with respect to the child—
- (a) they shall consider whether it would be appropriate to review the case at a later date; and
 - (b) if they decide that it would be, they shall determine the date on which that review is to begin.

Textual Amendments

- F1** Words in s. 37(5)(b) substituted (14.10.1991) by [Courts and Legal Services Act 1990 \(c. 41, SIF 76:1\)](#), s. 116, [Sch. 16 para. 16](#); S.I. 1991/1883, art. 3, [Sch.](#)
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Commencement Information

- I1** S. 37 wholly in force at 14.10.1991 see s. 108(2)(3) and [S.I. 1991/828, art. 3\(2\)](#)

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

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

- s. 4(1A)(aa) inserted by 2009 c. 24 Sch. 6 para. 21(3)
- s. 4(1C) inserted by 2009 c. 24 Sch. 6 para. 21(4)
- s. 4ZA(2)(aa) inserted by 2009 c. 24 Sch. 6 para. 22(3)
- s. 4ZA(3A) inserted by 2009 c. 24 Sch. 6 para. 22(4)
- s. 8(4)(k) inserted by 2021 c. 17 s. 52(1)
- s. 31A(4A) inserted by 2014 c. 6 s. 15(2)(b)