



Adoption and Children Act 2002

2002 CHAPTER 38

PART 1

ADOPTION

CHAPTER 7

MISCELLANEOUS

The Children and Family Court Advisory and Support Service

102 Officers of the Service

- (1) For the purposes of—
 - (a) any relevant application,
 - (b) the signification by any person of any consent to placement or adoption,rules must provide for the appointment in prescribed cases of an officer of the Children and Family Court Advisory and Support Service (“the Service”) [^{F1}or a Welsh family proceedings officer].
- (2) The rules may provide for the appointment of such an officer in other circumstances in which it appears to the Lord Chancellor to be necessary or expedient to do so.
- (3) The rules may provide for the officer—
 - (a) to act on behalf of the child upon the hearing of any relevant application, with the duty of safeguarding the interests of the child in the prescribed manner,
 - (b) where the court so requests, to prepare a report on matters relating to the welfare of the child in question,
 - (c) to witness documents which signify consent to placement or adoption,
 - (d) to perform prescribed functions.

Changes to legislation: Adoption and Children Act 2002, Cross Heading: The Children and Family Court Advisory and Support Service 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

- (4) A report prepared in pursuance of the rules on matters relating to the welfare of a child must—
- (a) deal with prescribed matters (unless the court orders otherwise), and
 - (b) be made in the manner required by the court.
- (5) A person who—
- (a) in the case of an application for the making, varying or revocation of a placement order, is employed by the local authority which made the application,
 - (b) in the case of an application for an adoption order in respect of a child who was placed for adoption, is employed by the adoption agency which placed him, or
 - (c) is within a prescribed description,
- is not to be appointed under subsection (1) or (2).
- (6) In this section, “relevant application” means an application for—
- (a) the making, varying or revocation of a placement order,
 - (b) the making of an order under section 26, or the varying or revocation of such an order,
 - (c) the making of an adoption order, or
 - (d) the making of an order under section 84.
- (7) Rules may make provision as to the assistance which the court may require an officer of the Service [^{F2}or a Welsh family proceedings officer] to give to it.
- [^{F3}(8) In this section and section 103 “Welsh family proceedings officer” has the meaning given by section 35 of the Children Act 2004.]

Textual Amendments

- F1** Words in s. 102(1) inserted (1.4.2005) by [Children Act 2004 \(c. 31\), s. 67\(6\), Sch. 3 para. 16\(1\)\(2\)](#); [S.I. 2005/700, art. 2\(2\)](#)
- F2** Words in s. 102(7) inserted (1.4.2005) by [Children Act 2004 \(c. 31\), s. 67\(6\), Sch. 3 para. 16\(1\)\(3\)](#); [S.I. 2005/700, art. 2\(2\)](#)
- F3** S. 102(8) inserted (1.4.2005) by [Children Act 2004 \(c. 31\), s. 67\(6\), Sch. 3 para. 16\(1\)\(4\)](#); [S.I. 2005/700, art. 2\(2\)](#)

Modifications etc. (not altering text)

- C1** S. 102(1)-(4) applied (with modifications) (6.4.2010) by [The Human Fertilisation and Embryology \(Parental Orders\) Regulations 2010 \(S.I. 2010/985\), regs. 1\(1\), 2, Sch. 1](#)
- C2** S. 102(6)-(8) applied (with modifications) (6.4.2010) by [The Human Fertilisation and Embryology \(Parental Orders\) Regulations 2010 \(S.I. 2010/985\), regs. 1\(1\), 2, Sch. 1](#)

Commencement Information

- I1** S. 102 in force at 30.12.2005 by [S.I. 2005/2213, art. 2\(i\)](#) (with savings and transitional provisions in [S.I. 2005/2897](#), arts. 3-16)

103 Right of officers of the Service to have access to adoption agency records

- (1) Where an officer of the Service [^{F4}or a Welsh family proceedings officer] has been appointed to act under section 102(1), he has the right at all reasonable times to examine and take copies of any records of, or held by, an adoption agency which were

Changes to legislation: Adoption and Children Act 2002, Cross Heading: The Children and Family Court Advisory and Support Service 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

compiled in connection with the making, or proposed making, by any person of any application under this Part in respect of the child concerned.

- (2) Where an officer of the Service [^{F5}or a Welsh family proceedings officer] takes a copy of any record which he is entitled to examine under this section, that copy or any part of it is admissible as evidence of any matter referred to in any—
- (a) report which he makes to the court in the proceedings in question, or
 - (b) evidence which he gives in those proceedings.
- (3) Subsection (2) has effect regardless of any enactment or rule of law which would otherwise prevent the record in question being admissible in evidence.

Textual Amendments

- F4** Words in s. 103(1) inserted (1.4.2005) by [Children Act 2004 \(c. 31\)](#), s. 67(6), [Sch. 3 para. 17](#); [S.I. 2005/700](#), art. 2(2)
- F5** Words in s. 103(2) inserted (1.4.2005) by [Children Act 2004 \(c. 31\)](#), s. 67(6), [Sch. 3 para. 17](#); [S.I. 2005/700](#), art. 2(2)

Commencement Information

- I2** S. 103 in force at 30.12.2005 by [S.I. 2005/2213](#), [art. 2\(i\)](#) (with savings and transitional provisions in [S.I. 2005/2897](#), arts. 3-16)

Changes to legislation:

Adoption and Children Act 2002, Cross Heading: The Children and Family Court Advisory and Support Service 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.

[View outstanding changes](#)

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

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

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