Changes to legislation: There are currently no known outstanding effects for the Children Act 2004, Section 53. (See end of Document for details)

Children Act 2004

2004 CHAPTER 31

PART 5

MISCELLANEOUS

Local authority services

53 Ascertaining children’s wishes

(1) In section 17 of the Children Act 1989 (provision of services to children), after subsection (4) insert—

“(4A) Before determining what (if any) services to provide for a particular child in need in the exercise of functions conferred on them by this section, a local authority shall, so far as is reasonably practicable and consistent with the child’s welfare—

(a) ascertain the child’s wishes and feelings regarding the provision of those services; and

(b) give due consideration (having regard to his age and understanding) to such wishes and feelings of the child as they have been able to ascertain.”

(2) In section 20 of that Act (provision of accommodation for children: general), in subsection (6)(a) and (b), after “wishes” insert “ and feelings ”.

(3) In section 47 of that Act (local authority’s duty to investigate), after subsection (5) insert—

“(5A) For the purposes of making a determination under this section as to the action to be taken with respect to a child, a local authority shall, so far as is reasonably practicable and consistent with the child’s welfare—

(a) ascertain the child’s wishes and feelings regarding the action to be taken with respect to him; and
(b) give due consideration (having regard to his age and understanding) to such wishes and feelings of the child as they have been able to ascertain.”

**Annotations:**

**Commencement Information**

11 S. 53 wholly in force at 1.4.2006; s. 53 not in force at Royal Assent see s. 67(7); s. 53 in force for E. at 1.3.2005 by S.I. 2005/394, art. 2(1); s. 53 in force for W. at 1.4.2006 by S.I. 2006/885, art. 2(2)
Changes to legislation:
There are currently no known outstanding effects for the Children Act 2004, Section 53.