
STATUTORY INSTRUMENTS

1991 No. 1115

EVIDENCE

The Children (Admissibility of Hearsay Evidence) Order 1991

Made - - - - *2nd May 1991*
Laid before Parliament *13th May 1991*
Coming into force - - *14th October 1991*

The Lord Chancellor, in exercise of the powers conferred on him by section 96(3) and 104 of the Children Act 1989(1), and of all other powers enabling him in that behalf, hereby makes the following Order:—

Citation and commencement

1. This Order may be cited as the Children (Admissibility of Hearsay Evidence) Order 1991 and shall come into force on 14th October 1991.

Admissibility of hearsay evidence

2. In civil proceedings before the High Court or a county court and in family proceedings in a magistrates' court, evidence given in connection with the upbringing, maintenance or welfare of a child shall be admissible notwithstanding any rule of law relating to hearsay.

Revocation

3. The Children (Admissibility of Hearsay Evidence) Order 1990(2) is revoked.

2nd May 1991

Mackay of Clashfern, C.

(1) 1989 c. 41.
(2) S.I.1990/143.

Status: This is the original version (as it was originally made).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

EXPLANATORY NOTE

(This note is not part of the Order)

This Order is the second exercise by the Lord Chancellor of the power conferred on him by the Children Act 1989 to abrogate the hearsay rule in respect of evidence given in civil proceedings in connection with the upbringing, maintenance or welfare of a child.

The only difference between this Order and the previous Order, which it revokes, is that, for magistrates' courts, the rule precluding hearsay evidence is now abolished completely in family proceedings (within the meaning of section 8(3) of the Children Act 1989), as had already been achieved for all civil proceedings in the High Court and the county courts; the previous Order made admissible only certain hearsay statements in certain magistrates' courts.