



Borders, Citizenship and Immigration Act 2009

2009 CHAPTER 11

PART 4

MISCELLANEOUS AND GENERAL

Children

[^{F1}54A Independent Family Returns Panel

- (1) The Independent Family Returns Panel is established.
- (2) The Secretary of State must consult the Independent Family Returns Panel—
 - (a) in each family returns case, on how best to safeguard and promote the welfare of the children of the family, and
 - (b) in each case where the Secretary of State proposes to detain a family in pre-departure accommodation, on the suitability of so doing, having particular regard to the need to safeguard and promote the welfare of the children of the family.
- (3) A family returns case is a case where—
 - (a) a child who is living in the United Kingdom is to be removed from or required to leave the United Kingdom, and
 - (b) an individual who—
 - (i) is a parent of the child or has care of the child, and
 - (ii) is living in a household in the United Kingdom with the child,is also to be removed from or required to leave the United Kingdom.
- (4) The Secretary of State may by regulations make provision about—
 - (a) additional functions of the Independent Family Returns Panel,
 - (b) its status and constitution,

Changes to legislation: Borders, Citizenship and Immigration Act 2009, Section 54A is up to date with all changes known to be in force on or before 21 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

- (c) the appointment of its members,
 - (d) the payment of remuneration and allowances to its members, and
 - (e) any other matters in connection with its establishment and operation.
- (5) Regulations under this section must be made by statutory instrument.
- (6) An instrument containing regulations under this section is subject to annulment in pursuance of a resolution of either House of Parliament.
- (7) In this section—
- “child” means a person who is under the age of 18;
 - “pre-departure accommodation” has the same meaning as in Part 8 of the Immigration and Asylum Act 1999;
 - references to a person being removed from or required to leave the United Kingdom are to the person being removed or required to leave in accordance with a provision of the Immigration Acts.]

Textual Amendments

- F1** S. 54A inserted (28.7.2014) by [Immigration Act 2014 \(c. 22\)](#), **ss. 3**, 75(3); S.I. 2014/1820, art. 3(b); S.I. 2014/1820, art. 3(b)

Changes to legislation:

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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. 54A(3A)(3B) inserted by [2023 c. 37 s. 14](#)