



Children and Families Act 2014

2014 CHAPTER 6

PART 2

FAMILY JUSTICE

14 Care, supervision and other family proceedings: time limits and timetables

- (1) The Children Act 1989 is amended as follows.
- (2) In section 32(1)(a) (timetable for dealing with application for care or supervision order) for “disposing of the application without delay; and” substitute “disposing of the application—
 - (i) without delay, and
 - (ii) in any event within twenty-six weeks beginning with the day on which the application was issued; and”.
- (3) In section 32 (care and supervision orders) after subsection (2) insert—

“(3) A court, when drawing up a timetable under subsection (1)(a), must in particular have regard to—

 - (a) the impact which the timetable would have on the welfare of the child to whom the application relates; and
 - (b) the impact which the timetable would have on the conduct of the proceedings.
- (4) A court, when revising a timetable drawn up under subsection (1)(a) or when making any decision which may give rise to a need to revise such a timetable (which does not include a decision under subsection (5)), must in particular have regard to—
 - (a) the impact which any revision would have on the welfare of the child to whom the application relates; and
 - (b) the impact which any revision would have on the duration and conduct of the proceedings.

Status: This is the original version (as it was originally enacted).

- (5) A court in which an application under this Part is proceeding may extend the period that is for the time being allowed under subsection (1)(a)(ii) in the case of the application, but may do so only if the court considers that the extension is necessary to enable the court to resolve the proceedings justly.
- (6) When deciding whether to grant an extension under subsection (5), a court must in particular have regard to—
- (a) the impact which any ensuing timetable revision would have on the welfare of the child to whom the application relates, and
 - (b) the impact which any ensuing timetable revision would have on the duration and conduct of the proceedings;
- and here “ensuing timetable revision” means any revision, of the timetable under subsection (1)(a) for the proceedings, which the court considers may ensue from the extension.
- (7) When deciding whether to grant an extension under subsection (5), a court is to take account of the following guidance: extensions are not to be granted routinely and are to be seen as requiring specific justification.
- (8) Each separate extension under subsection (5) is to end no more than eight weeks after the later of—
- (a) the end of the period being extended; and
 - (b) the end of the day on which the extension is granted.
- (9) The Lord Chancellor may by regulations amend subsection (1)(a)(ii), or the opening words of subsection (8), for the purpose of varying the period for the time being specified in that provision.
- (10) Rules of court may provide that a court—
- (a) when deciding whether to exercise the power under subsection (5), or
 - (b) when deciding how to exercise that power,
- must, or may or may not, have regard to matters specified in the rules, or must take account of any guidance set out in the rules.”
- (4) In section 38 (interim care and supervision orders)—
- (a) in subsection (4) (duration of interim order) omit—
 - (i) paragraph (a) (order may not last longer than 8 weeks), and
 - (ii) paragraph (b) (subsequent order generally may not last longer than 4 weeks),
 - (b) in that subsection after paragraph (d) insert—
 - “(da) in a case which falls within subsection (1)(b) and in which—
 - (i) no direction has been given under section 37(4), and
 - (ii) no application for a care order or supervision order has been made with respect to the child,
 the expiry of the period of eight weeks beginning with the date on which the order is made;”, and
 - (c) omit subsection (5) (interpretation of subsection (4)(b)).
- (5) In section 11(1) (section 8 orders: court’s duty, in the light of rules made by virtue of section 11(2), to draw up timetable and give directions to implement it) for “rules

made by virtue of subsection (2))” substitute “provision in rules of court that is of the kind mentioned in subsection (2)(a) or (b))”.

- (6) In section 14E(1) (special guardianship orders: court’s duty, in the light of rules made by virtue of subsection (3), to draw up timetable and give directions to implement it) for “rules made by virtue of subsection (3))” substitute “provision in rules of court that is of the kind mentioned in section 11(2)(a) or (b))”.
- (7) In section 32(1) (care and supervision orders: court’s duty, in the light of rules made by virtue of section 32(2), to draw up timetable and give directions to implement it)—
 - (a) for “hearing an application for an order under this Part” substitute “in which an application for an order under this Part is proceeding”, and
 - (b) for “rules made by virtue of subsection (2))” substitute “provision in rules of court that is of the kind mentioned in subsection (2)(a) or (b))”.
- (8) In section 109(1) of the Adoption and Children Act 2002 (adoption and placement orders: court’s duty, in the light of rules made by virtue of section 109(2), to draw up timetable and give directions to implement it) for “rules made by virtue of subsection (2))” substitute “provision in rules of court that is of the kind mentioned in subsection (2)(a) or (b))”.