
STATUTORY INSTRUMENTS

1991 No. 1924

The Legal Aid Act 1988 (Children Act 1989) Order 1991

Amendment of the Legal Aid Act 1988(1)

2. In section 15 of the Legal Aid Act 1988 (availability of, and payment for, representation under provisions relating to civil legal aid)—

- (a) in subsection (1) for the words “(3B)” there shall be substituted “(3D)”;
- (b) the following subsections shall be inserted after subsection (3B)—

“(3C) Subject to subsection (3A) but regardless of subsections (2) or (3), representation under this Part must be granted to the child in respect of whom the application is made, to any parent of such a child and to any person with parental responsibility for him within the meaning of the 1989 Act to cover proceedings relating to an application for the following orders under that Act—

- (a) an order under section 31 (a care or supervision order);
- (b) an order under section 43 (a child assessment order);
- (c) an order under section 44 (an emergency protection order); or
- (d) an order under section 45 (extension or discharge of an emergency protection order).

(3D) Subject to subsections (2) and (3), representation must be granted to cover proceedings relating to an appeal against an order made under section 31 of the 1989 Act to a person who has been granted representation by virtue of subsection (3C).

(3E) Subject to subsections (1) and (3A) but regardless of subsections (2) or (3), representation under this Part must be granted where a person applies to be or has been joined as a party to any of the proceedings mentioned in subsection (3C).”.