

CASE NO:

IN THE MANCHESTER FAMILY PROCEEDINGS COURT

the heading needs to change

IN THE MATTER of The Children Act 1989

AND IN THE MATTER of the Family Proceedings Rules 2010

AND IN THE MATTER of

BETWEEN:

BURY MBC

Applicant

and

and

(Children acting by their Children's Guardian)

Respondent

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A. Section A - Chronology



In the Family Court

Sitting at Manchester

The Children Act 1989



The Children	Boy/Girl	Date of Birth	Currently Living With

Final Order

Before HHJ/DJ/Magistrates {xxxxx}
On {date}


Sequential Order Number xx

The Parties	Status	Relationship	Represented by
Bury Metropolitan Borough Council	Applicant	Local Authority	Andy Carlile
	Respondent	Mother	
	Respondent	Father	
	Children	By their Children's Guardian xxxx	

The names of the parties involved in these proceedings and of the children to whom the proceedings relate are not to be disclosed in public without the permission of the Court.

The Court Records that:

- a) The applicant Local Authority applied on {date} for an order discharging the care order made on {date}
- b) The application is today listed for final hearing and has been effective/adjourned because {set out the reasons why the matter could not be concluded}
- c) All parties agree that
 - i) The care order should be discharged and replaced by a {identify order}
 - ii) The children shall live with {xxxx}

- iii) {xxxxx} shall make the children available to spend time with {xxxxx} as set out in the order below
- d)  ~~The Court is satisfied that the criteria set out in Section 31(2) Children Act 1989 are no longer met and that the welfare of the children requires the discharge of the care order and in substitution, the making of a {identify order} and the approval of the arrangements set out below with regard to where the children should live {and with whom they should spend time}~~
- e) No undertakings have been given or sought Contradicts comment in Section #
- f) {additional recordings}

{BY CONSENT}

The Court Orders that:

- 1) The care order made on {date} is hereby discharged.

{delete as applicable}

incorrect statement

Special Guardianship Order

- 2) {xxxxx} is/are appointed Special Guardian(s) of the children in accordance with Section 14A of the Children Act 1989.

Where a Special Guardianship Order is in force, no person may cause the child to be known by a new surname or remove the child from the United Kingdom without either the written consent of every person who has parental responsibility for the child or the leave of the Court. However, this does not prevent the removal of the child for a period of less than 3 months, by the child's special guardian. (Section 14C(3) and (4) Children Act 1989).

It may be a criminal offence under the Child Abduction Act 1984 to remove the child from the United Kingdom with the leave of the Court.

Child Arrangements Order

- 3) The children shall live with {xxxxx} who shall ensure that the children spend time with {xxxxx} as follows:
 - a) {set out details of contact}
 - b) There shall also be such further or other contact as the parties may agree.

When a Child Arrangements Order is in force, if you do not comply with it you may be held in contempt of Court and be committed to prison or fined. Also, the Court may make an order requiring you to undertake unpaid work ('an enforcement order) and/or an order that you pay financial compensation.

Where a Child Arrangements Order is in force and the arrangements regulated by it consist of, or include, arrangements which relate to either or both (a) with whom the child concerned shall live and (h) when the child shall live with any person, no person may cause the child to be known by a new

surname or remove the child for the United Kingdom without the written consent of every person with parental responsibility for the child or the leave of the Court.

However, this does not prevent the removal of a child, for a period of less than one month, by a person named in the Child Arrangements Order as a person with whom the child shall live (Section 13(1), (2) and (4) Children Act 1989).

4. There shall be no order for costs save for detailed assessment of the costs of the publicly funded parties.
5. Any future applications in respect of these children shall be reserved to {name of judge} if s/he is available.

B. Section B - Applications and Orders



In the Family Court

Sitting at Manchester

The Children Act 1989

The Children	Boy/Girl	Date of Birth	Currently Living With

Final Order

Before HHJ/DJ/Magistrates {xxxxx}
On {date}

Sequential Order Number xx

The Parties	Status	Relationship	Represented by
Bury Metropolitan Borough Council	Applicant	Local Authority	Andy Carlile
	Respondent	Mother	
	Respondent	Father	
	Children	By their Children's Guardian xxxx	

The names of the parties involved in these proceedings and of the children to whom the proceedings relate are not to be disclosed in public without the permission of the Court.

The Court Records that:

- a) The applicant Local Authority applied on {date} for an order discharging the care order made on {date}
- b) The application is today listed for final hearing and has been effective/adjourned because {set out the reasons why the matter could not be concluded}
- c) All parties agree that
 - i) The care order should be discharged and replaced by a {identify order}
 - ii) The children shall live with {xxxx}

- iii) {xxxxx} shall make the children available to spend time with {xxxxx} as set out in the order below
- d) The Court is satisfied that the criteria set out in Section 31(2) Children Act 1989 are no longer met and that the welfare of the children requires the discharge of the care order and in substitution, the making of a {identify order} and the approval of the arrangements set out below with regard to where the children should live {and with whom they should spend time}
- e) No undertakings have been given or sought
- f) {additional recordings}

{BY CONSENT}

The Court Orders that:

- 1) The care order made on {date} is hereby discharged.

{delete as applicable}

Special Guardianship Order

- 2) {xxxxx} is/are appointed Special Guardian(s) of the children in accordance with Section 14A of the Children Act 1989.

Where a Special Guardianship Order is in force, no person may cause the child to be known by a new surname or remove the child from the United Kingdom without either the written consent of every person who has parental responsibility for the child or the leave of the Court. However, this does not prevent the removal of the child for a period of less than 3 months, by the child's special guardian. (Section 14C(3) and (4) Children Act 1989).

It may be a criminal offence under the Child Abduction Act 1984 to remove the child from the United Kingdom with the leave of the Court.

Child Arrangements Order

- 3) The children shall live with {xxxxx} who shall ensure that the children spend time with {xxxxx} as follows:
 - a) {set out details of contact}
 - b) There shall also be such further or other contact as the parties may agree.

When a Child Arrangements Order is in force, if you do not comply with it you may be held in contempt of Court and be committed to prison or fined. Also, the Court may make an order requiring you to undertake unpaid work ('an enforcement order) and/or an order that you pay financial compensation.

Where a Child Arrangements Order is in force and the arrangements regulated by it consist of, or include, arrangements which relate to either or both (a) with whom the child concerned shall live and (h) when the child shall live with any person, no person may cause the child to be known by a new

surname or remove the child for the United Kingdom without the written consent of every person with parental responsibility for the child or the leave of the Court.

However, this does not prevent the removal of a child, for a period of less than one month, by a person named in the Child Arrangements Order as a person with whom the child shall live (Section 13(1), (2) and (4) Children Act 1989).

4. There shall be no order for costs save for detailed assessment of the costs of the publicly funded parties.
5. Any future applications in respect of these children shall be reserved to {name of judge} if s/he is available.

C. Section E - Expert Witness Reports



In the Family Court

Sitting at Manchester

The Children Act 1989

The Children	Boy/Girl	Date of Birth	Currently Living With

Final Order

Before HHJ/DJ/Magistrates {xxxxx}
On {date}

Sequential Order Number xx

The Parties	Status	Relationship	Represented by
Bury Metropolitan Borough Council	Applicant	Local Authority	Andy Carlile
	Respondent	Mother	
	Respondent	Father	
	Children	By their Children's Guardian xxxx	

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The Court Records that:

- a) The applicant Local Authority applied on {date} for an order discharging the care order made on {date}
- b) The application is today listed for final hearing and has been effective/adjourned because {set out the reasons why the matter could not be concluded}
- c) All parties agree that
 - i) The care order should be discharged and replaced by a {identify order}
 - ii) The children shall live with {xxxx}

- iii) {xxxxx} shall make the children available to spend time with {xxxxx} as set out in the order below
- d) The Court is satisfied that the criteria set out in Section 31(2) Children Act 1989 are no longer met and that the welfare of the children requires the discharge of the care order and in substitution, the making of a {identify order} and the approval of the arrangements set out below with regard to where the children should live {and with whom they should spend time}
- e) No undertakings have been given or sought
- f) {additional recordings}

{BY CONSENT}

The Court Orders that:

- 1) The care order made on {date} is hereby discharged.

{delete as applicable}

Special Guardianship Order

- 2) {xxxxx} is/are appointed Special Guardian(s) of the children in accordance with Section 14A of the Children Act 1989.

Where a Special Guardianship Order is in force, no person may cause the child to be known by a new surname or remove the child from the United Kingdom without either the written consent of every person who has parental responsibility for the child or the leave of the Court. However, this does not prevent the removal of the child for a period of less than 3 months, by the child's special guardian. (Section 14C(3) and (4) Children Act 1989).

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Child Arrangements Order

- 3) The children shall live with {xxxxx} who shall ensure that the children spend time with {xxxxx} as follows:
 - a) {set out details of contact}
 - b) There shall also be such further or other contact as the parties may agree.

When a Child Arrangements Order is in force, if you do not comply with it you may be held in contempt of Court and be committed to prison or fined. Also, the Court may make an order requiring you to undertake unpaid work ('an enforcement order) and/or an order that you pay financial compensation.

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surname or remove the child for the United Kingdom without the written consent of every person with parental responsibility for the child or the leave of the Court.

However, this does not prevent the removal of a child, for a period of less than one month, by a person named in the Child Arrangements Order as a person with whom the child shall live (Section 13(1), (2) and (4) Children Act 1989).

4. There shall be no order for costs save for detailed assessment of the costs of the publicly funded parties.
5. Any future applications in respect of these children shall be reserved to {name of judge} if s/he is available.



D. **Section C** - Statements and Assessments





In the Family Court

Sitting at Manchester

The Children Act 1989

The Children	Boy/Girl	Date of Birth	Currently Living With

Final Order

Before HHJ/DJ/Magistrates {xxxxx}
On {date}

Sequential Order Number xx

The Parties	Status	Relationship	Represented by
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	Respondent	Mother	
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The Court Records that:

- a) The applicant Local Authority applied on {date} for an order discharging the care order made on {date}
- b) The application is today listed for final hearing and has been effective/adjourned because {set out the reasons why the matter could not be concluded}
- c) All parties agree that
 - i) The care order should be discharged and replaced by a {identify order}
 - ii) The children shall live with {xxxx}

- iii) {xxxxx} shall make the children available to spend time with {xxxxx} as set out in the order below
- d) The Court is satisfied that the criteria set out in Section 31(2) Children Act 1989 are no longer met and that the welfare of the children requires the discharge of the care order and in substitution, the making of a {identify order} and the approval of the arrangements set out below with regard to where the children should live {and with whom they should spend time}
- e) No undertakings have been given or sought
- f) {additional recordings}

{BY CONSENT}

The Court Orders that:

- 1) The care order made on {date} is hereby discharged.

{delete as applicable}

Special Guardianship Order

- 2) {xxxxx} is/are appointed Special Guardian(s) of the children in accordance with Section 14A of the Children Act 1989.

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5. Any future applications in respect of these children shall be reserved to {name of judge} if s/he is available.

E. Section D - Care Plans



In the Family Court

Sitting at Manchester

The Children Act 1989

The Children	Boy/Girl	Date of Birth	Currently Living With

Final Order

Before HHJ/DJ/Magistrates {xxxxx}
On {date}

Sequential Order Number xx

The Parties	Status	Relationship	Represented by
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- c) All parties agree that
 - i) The care order should be discharged and replaced by a {identify order}
 - ii) The children shall live with {xxxx}

- iii) {xxxxx} shall make the children available to spend time with {xxxxx} as set out in the order below
- d) The Court is satisfied that the criteria set out in Section 31(2) Children Act 1989 are no longer met and that the welfare of the children requires the discharge of the care order and in substitution, the making of a {identify order} and the approval of the arrangements set out below with regard to where the children should live {and with whom they should spend time}
- e) No undertakings have been given or sought
- f) {additional recordings}

{BY CONSENT}

The Court Orders that:

- 1) The care order made on {date} is hereby discharged.

{delete as applicable}

Special Guardianship Order

- 2) {xxxxx} is/are appointed Special Guardian(s) of the children in accordance with Section 14A of the Children Act 1989.

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5. Any future applications in respect of these children shall be reserved to {name of judge} if s/he is available.