

Revocation of Placement Orders

Aide Memoire

Legal Framework:

- **Adoption and Children Act 2002 Section 24 (4)**
- **Adoption Agency Regulations 2005 Regulation 36**

Checklist of what needs to be sent to Legal:

- **Form A52**-found on the Ministry of Justice website, or there is a word version in the Recent Updates section on Trustweb.
- **Chronology** of significant events since the Placement/Care Order was made-use the template on Trustweb in the court proceedings folder, or on Tri X in forms folder/court proceedings
- **Social Worker statement** – Legal services have produced a statement template specifically for revocation of Placement Orders. It is in the Recent Updates section on Trustweb.
- **Care Plan**-standard one on Trustweb or on Tri X in the court proceedings folder
- **Copy of Final Care Order/Placement Order** and, if available, the final hearing judgement/ ‘facts and reasons’
- Send **CIC Review minutes** that record the change of plan from adoption, and review minutes since the making of the placement order to Legal so that a decision can be made about whether to file them within the proceedings. In the event that there has been a **Permanency Planning Meeting** then minutes of that meeting should also be sent to Legal.

It is good practice for the child’s case to be presented to the **ADM** to endorse the change of plan for the child before the application for revocation is issued, although not a legal requirement.

There needs to be an **up to date assessment** of the child’s needs and the parent’s capacity to meet those needs. Contact between the child/ren and family members will need to be reconsidered in light of the change of plan from adoption to an alternative plan.

It is possible that when the parents or wider family become aware that adoption is no longer the plan for the child this will prompt them to make an application for contact or to apply to discharge the care order.

Consideration may need to be given as to whether an order under section 34(4) of the Children Act 1989 is required if the Local Authority.

Consideration should be given to the need to convene a **legal planning meeting** to discuss any issues around the revocation application.

Instruct Legal to check all the paperwork, file the application, and deal with the court appearance/s. Legal will give advice on whether the papers should be filed with the same court that granted the Care/Placement Orders.

Cost is £160.00 - Legal pay the court directly.

The child is party to the proceedings, so will have a guardian and may have the same guardian as before if s/he is available. Legal will notify CAFCASS.

When the court issues the application it has to be served on all parties who were party to the care proceedings and any person in whose favour there is provision for contact. Liaise with Legal regarding this.

Vicki Gardner
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