

PRACTICE NOTE

THE CHILDREN (NORTHERN IRELAND) ORDER 1995

HEARINGS FOR THE RENEWAL OF INTERIM CARE ORDERS

All applications in the High Court for Care Orders in respect of children pursuant to Article 50 of the Children (Northern Ireland) Order 1995, whether originating in the Family Division of the Court or transferred from a Family Care Centre or Family Proceedings Court, will be entered for review before the assigned Judge on an early date. The purpose of this initial review will be to enable the Judge to identify all the issues arising in the case, to give specific directions in relation to the preparation of reports, assessments or the production of documents or records and, in particular, to set out a realistic timetable within which the matter may come before the Court for final determination.

In many cases the timetable between the initial direction hearing and full pre-trial review may run to several months and during that intervening period it will be necessary for the Applicant Trust to seek the renewal of Interim Care Orders in accordance with the requirements of Article 57(4) of the 1995 Order. Such formal applications, whether before the Judge or (more often) before the Master, should not in the normal course require the attendance of the parties, social workers, guardians ad litem or witnesses.

An application for the granting of a further Interim Care Order may be made to the Master in writing upon notice to all interested parties (or their representatives) in the terms of the form attached, provided that all previous directions have been complied with, that no party has any (new) objection or submission to make and that the case will proceed to the pre-trial review (or full hearing) within the timetable already fixed.

All parties wishing to make a substantive application to the Court are entitled to appear at any hearing and where their appearance is anticipated it is appropriate that all other parties with an interest in the point to be raised should be given reasonable notice to enable their representatives to attend also.

Dated 20 February 2003

F BRIAN HALL

Master (Care and Protection)

CASE REFERENCE No.

The Children (Northern Ireland) Order 1995

Application for a further Interim Care Order pursuant to Article 57(4) made by
[Applicant Trust]

Full name(s) of child(ren)

Date(s) of birth

Date when present Order will expire:

Date of pre-trial review/final hearing:

Respondents and representatives:

1. _____
2. _____
3. _____

Child(ren)'s Guardian ad litem: _____

Representative: _____

Timetable:

- | | |
|---|--------|
| 1. Has the timetable been complied with to date? | YES/NO |
| 2. Can all outstanding directions be met? | YES/NO |
| 3. Has any new issue arisen? | YES/NO |
| 4. Will the case proceed to pre-trial review/full hearing as last directed? | YES/NO |

[Please attach a short note if any of the matters specified above should be addressed by the Court].

We enclose copies of consents received and we certify that we have received no objection to the making of a further Interim Care Order from any party. We apply for a further Interim Care Order to remain in force until [date]

Signed _____

Date _____