



CHILDREN ORDER

The Children Order

A Guide for Young People

The Children Order and You

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The Children Order and You

What is the Children Order?

The Children Order commenced on 4th November 1996. It is an important law for children and young people. It is about how children and young people should be brought up and cared for.

What does the Children Order say?

It says that:

- when a court of a Health and Social Services Trust, which you may know as social services, is making decisions about a child, their first thought must be what is best for that child;
- whenever possible, children should be brought up in their own family;
- children should not be taken away from their family, without the family's agreement, unless the child is at risk of serious harm;
- social services must give a family help if their child is thought by social services to be in need or has a disability (*children in need*);
- social services must work together with parents and children;
- when children are being looked after by social services they and their parents have rights.

Why is the Children Order important for you?

It says how you can be protected and gives you certain rights.

This means:

- you should be protected;
- you have a right to be listened to;
- if social services are deciding what should happen to you they have to find out what you feel and want. They have to tell you what is happening and why. They have to decide quickly what to do for you;
- you have to be told your rights;

- you can talk about any worries you have or make a complaint if things go wrong.

Help

The Children Order says social services must help you if they think that you will suffer without help or if you have a disability and need help.

Social services may do this by finding you a place in an after-school or holiday club or by providing accommodation in a children's home or with foster carers. Sometimes, to help you, they must help your family. Social services may provide a home help if this is what is needed or perhaps they may offer a place in a nursery or a playgroup to your brother or sister who is too young to go to school.

Protection

The Children Order says that if you are in danger or at risk of serious harm you must be protected.

It says that social services must listen if they are told you are in danger. They must look into what is happening and if necessary, go to court and ask the court to decide what is best for you. The court can make orders saying what is to happen to you.

The court will only make an order if it thinks this will make things better for you. If it doesn't believe that, it will make no order.

Rights

The Children Order gives you other rights – as well as those talked about earlier.

These are:

- a right to have your voice heard in court cases that are about you;
- a right to have your own solicitor to represent you if you are able to understand what is involved;
- a right, in some cases, to ask another court to look again at an order a court has made;
- a right to say no to being assessed or medically examined, if you understand what this involves;
- a right to be told certain things by social services if you are in care and a right in some cases to read your case file.

Family Separation

The Children Order is also about children whose parents are separating or divorcing or are divorced or separated.

The Children Order encourages parents to agree about your future without going to court. If they cannot do this there is a range of orders the court can make that could affect you including:

- *a residence order* which says where you should live and with whom;
- *a contact order* which says you can visit or stay with overnight or who can visit you or who can write to you or who can talk to you on the telephone;
- *a prohibited steps order* which stops a named person from doing a particular thing unless they have asked the court first;
- *a specific issue order* which lets the court decide about something which you and/or your parents cannot agree about.

You may not agree with what your parents asked for and you may want to put your own ideas forward. If so, the Children Order says you can ask for one of these orders yourself if the court believes you understand what this means.

Even if you live with one parent rather than the other, as a result of what the court decides, both your parents will go on having responsibility for you while you are a child, that is until you are 18.

Under the Children Order you will be listened to if you want to say something about things which concern you. Especially as you get older and understand what is involved.

Who can you speak to?

You can obtain further information on the Children Order from the social services for your area.

Other people who can help you

- **Your local Citizens Advice Bureau**
This address and telephone number can be found in the telephone directory.
- **Childline**
(Tel: 0800 1111)
24 hour freephone service

- **NSPCC Child Protection Line**
(Tel: 0800 800 500)
24 hour freephone service
- **Voice of Young People in Care (VOYPIC)**
(Tel: 01232 244888)