

Analytical Services Group
Children Order Bulletin

October to December 2018

Research and Statistical Bulletin 07/2019
Provisional Figures

C Darragh

22 February 2019

Produced by Analytical Services Group,
Department of Justice.

For further information write to:

**Analytical Services Group,
NI Courts and Tribunals Service,
4th Floor, Laganside House,
23-27 Oxford Street,
Belfast BT1 3LA**

Telephone: 028 9072 8927

Email: caroline.darragh@courtsni.gov.uk

This bulletin is available on the Internet at:

www.justice-ni.gov.uk/courts-and-tribunals

EXECUTIVE SUMMARY

- This bulletin provides information on throughput of Children Order business in Northern Ireland across the magistrates (Family Proceedings Courts), county (Family Care Centre) and High courts. This bulletin covers the period October to December 2018 and commentary on trends observed for this quarter in each year from 2007.
- There were 1,306 Children Order Applications received during October to December 2018. This was a 2% increase on the 1,281 applications received during October to December 2017. The number of applications disposed has increased by 7% from 1,183 during October to December 2017, to 1,265 for the same period in 2018.
- The most common reason for transfer is complexity at 71% (177 of 249 reasons).
- **A change in the counting methodology for orders made was introduced in 2016, and therefore a comparison of figures in tables 3, 4 and 5 with previous Children Order bulletins prior to 2016 should not be made. A back series of data based on the new counting methodology is available via the following link:**
<https://www.justice-ni.gov.uk/articles/nicts-statistics-and-research>

For more information please see details on page 3 or alternatively contact the statistician responsible for this publication.

- There were 301 own motion orders made in October to December 2018, and 21% (62) were in relation to Contact Issues. This was a 4% increase on the same period last year when 290 own motion orders were made.
- There were 2,486 interim orders made between October to December 2018, this was a 6% increase on the same quarter last year when 2,342 interim orders were made. The majority were in relation to Care (1,216) and Contact (1,031) issues.
- There were 1,696 final orders made between October to December 2018, this was a 6% increase on the same quarter last year when 1,603 final orders were made. The majority of final orders made were in relation to Contact and Residence issues – 444 (26%) and 222 (13%) orders respectively.
- In October to December 2018, the average waiting time for applications disposed was 48.6 weeks for public law and 27.1 weeks for private law. The average waiting times have increased by 24% for public law applications and increased by 20% for private law applications, compared to the same quarter last year (39.3 and 22.5 weeks).
- In the quarter October to December 2018 there were 1,854 children involved in the applications disposed. This was a 3% increase on the 1,798 disposed in the same quarter in 2017.
- In total there were 540 Children Order sittings for October to December 2018 compared with 520 for October to December 2017 an increase of 4%, with a total time of 1,556 hours sat compared with 1,379 hours sat during the same period last year (an increase of 13%).

CONTENTS

Contents		Page
1. Introduction		1
2. Methodology		2
3. Findings		5
3.1 Receipts & Disposals		
3.2 Transfers		
3.3 Orders Made		
3.4 Waiting Times		
3.5 Age and gender of children		
3.6 Sittings		
Appendix 1 - Tables		9
Appendix 2 - Explanatory Notes		17
Figure		Page
Figure 1	Children Order Applications Received and Disposed: October - December 2007 to October - December 2018	5
Figure 2	Reasons for Transfer: October - December 2018	6
Figure 3	Average waiting times for applications disposed: October - December 2007 to October - December 2018	7
Figure 4	Age and gender of children involved: October - December 2018	8
Table		Page
Table 1a	Applications received and disposed	9
Table 1b	Applications received and disposed by processing office	10
Table 2	Reasons for Transfer	11
Table 3	Own motion orders	12
Table 4	Interim order	13
Table 5	Final orders	14
Table 6	Average time in weeks from lodgement to disposal by processing office	15
Table 7	Age and gender of children in applications disposed	15
Table 8	Court sittings and court sitting times	16

1. INTRODUCTION

The primary aim of the Children Order is to promote the welfare of children. The Order creates a clear, practical and consistent code of law governing the care, protection and upbringing of children and the provision of services to them and their families. It confers concurrent jurisdiction on all three tiers of the courts (High Court, county courts and magistrates' courts) so that subject to certain limited exceptions, any court can make any of the orders available under the Order. Under the Order the welfare of the child is the paramount consideration. When dealing with children, courts try to ensure that delay is avoided, and may only make an order if to do so is better than making no order at all.

All children order matters are dealt with at Family Proceedings Courts (which are part of the magistrates' courts), at Family Care Centres (which are part of the county courts) or in the Family Division (Office of Care & Protection) of the High Court. Where a Family Proceedings Court considers that the proceedings are exceptionally grave, important or complex, then the matter will be transferred to the Family Care Centre. Where the Family Care Centre believes that the case is suitable for hearing the High Court it may in turn transfer it to the High Court.

Matters affecting children are split into public and private law applications;

Public Law applications: are those brought by local authorities and include matters such as care, supervision and emergency protection orders.

Private Law applications: are those brought by private individuals, generally in connection with divorce or the parents' separation. Order types include parental responsibility, residence, financial provision and article 8 contact applications.

2. METHODOLOGY

2.1 Data sources

Data contained in the Tables are inputted onto the Integrated Court Operations System (ICOS). This system was implemented across the Northern Ireland Courts and Tribunals Service (NICTS) over a two year period from 2005 to 2007. While ICOS was introduced in the Children Order Proceedings during 2007, data derived from ICOS has been used as the source for official government statistics since April 2007, when the implementation of ICOS across all court tiers was completed. ICOS is a live operating system used in each court tier to process every part of court business, from receipt of payments through to the production of final orders made. The data are input into this system on a daily basis by court clerks, and this information is checked and confirmed by another member of staff to ensure the data entries are correct.

2.2 Methodology for generating data

Statisticians based within the NICTS take a download of Children Order information from ICOS on a monthly basis. The information is downloaded using a package called Share Point which extracts all the relevant data from ICOS into text files which are refreshed with up to date information each weekend. The text files are downloaded onto a secure internal facility that only specified statistical personnel have access to. The data contained in the files are identified only by numbers and names and addresses are not held. These statistical files are not transmitted outside the NICTS statistical team. The statisticians based in the NICTS then import these data into the Statistics Package for Social Sciences (SPSS). SPSS is then used to perform extensive data validations to identify potential errors in the data and to ensure the data are reliable and robust.

2.3 Baseline and Time period

Data contained within this bulletin relate to the time series 2007 to the current calendar year - 2018, as ICOS was adopted as the source of Children Order data in April 2007.

2.4 Data quality and validation

Statisticians based in the NICTS have invested significant time and effort creating an extensive computer programme within SPSS to validate the information downloaded from ICOS. The programme includes over 100 checks against downloaded Children Order data to: (i) check consistency over time and between variables; (ii) reliability of data using logic checks; (iii) checking that variables fall within accepted ranges; and (iv) checking with the ICOS Support Team in the event of any major discrepancies that have occurred since the last download. The validation program produces user friendly tables highlighting the potential problems which are circulated to each county court venue as a validation report.

Each court division has a Case Progression Officer who is responsible for: monitoring accuracy levels on ICOS, by carrying out sample checks on data entry and court resulting; ensuring all validations on ICOS and manual statistics returns are completed in a timely manner; providing advice and identifying training needs; monitoring the confirmation of ICOS criminal court resulting, including the inputting of adjournment codes; and promoting awareness of the impact error can have, its wide ranging consequences and the negative impact on the reliability of management information.

The Case Progression Officer is given a two week period from the date the validation report issues until all records are amended on ICOS. This ensures that the corrections are updated before the next download of files. After the files have been refreshed each weekend, all the data are then downloaded again, with the new download reflecting amendments made as a result of the validation reports. If any errors have not been corrected, they will continue to appear in the validation reports until the necessary amendments are made on ICOS.

The NICTS statistics team then ensure that all validations relating to the reporting period are amended prior to publication. Once these amendments have been checked, SPSS syntax programming is then used to generate the tables in the publication.

2.5 Frequency of Publication

This bulletin is published on a quarterly basis. The next bulletin will cover the first quarter of 2019 and will be published on 24th May 2019.

2.6 Counting rules

Receipts are counted from the date the case is entered onto ICOS. Disposals are counted from the result date that a final order was made against the case changing the case status to dealt with.

2.7 Changes in Methodology

The recording of orders made within the Children Order courts have been reported at the participant level since 2007, and the introduction of ICOS. Children Order data in relation to orders made, is recorded on ICOS at the **application level**. The data is then extracted based on the **participants** selected on ICOS which indicate all relevant parties to whom the order applies.

Following an operational review of recording practices surrounding the selection of participants to whom orders apply in November 2013, a training program was implemented by operational colleagues. This training was delivered in early 2014 to ensure all relevant participants were being consistently applied on ICOS. This has had a knock-on effect on the numbers of own motion, interim and final orders being reported within the Children Order courts, with figures showing large increases since 2014.

Following a National Statistics consultation with users (for more information click on the following link:

<https://www.justice-ni.gov.uk/articles/nicts-statistics-and-research>

a change in the reporting of the orders being made within the Children Order courts from the participant level to the application level from 2016 onwards has been introduced, to overcome issues surrounding the inconsistent recording of participants to whom the orders apply and provide more user friendly data in terms of relating the orders made to the applications being received and disposed. Application level data counts distinct orders made during the court process. This new methodology has been introduced to cover own

motion, interim and final orders and will affect the numbers reported in tables 3, 4 and 5 in this publication.

The numbers of orders made will not be comparable with those published in Children Order Bulletins prior to 2016. To assist with comparisons over time, a back series of orders data from April 2007 to the end of 2015 are available on the Court and Tribunals website at the following link:

<https://www.justice-ni.gov.uk/articles/nicts-statistics-and-research>

2.8 Interpreting trends

Care should be taken when comparing data trends before and after April 2007, when ICOS was introduced as the source for Children Order data. For further advice on differences in data between years, please contact the statistician responsible for this bulletin.

2.9 Revisions

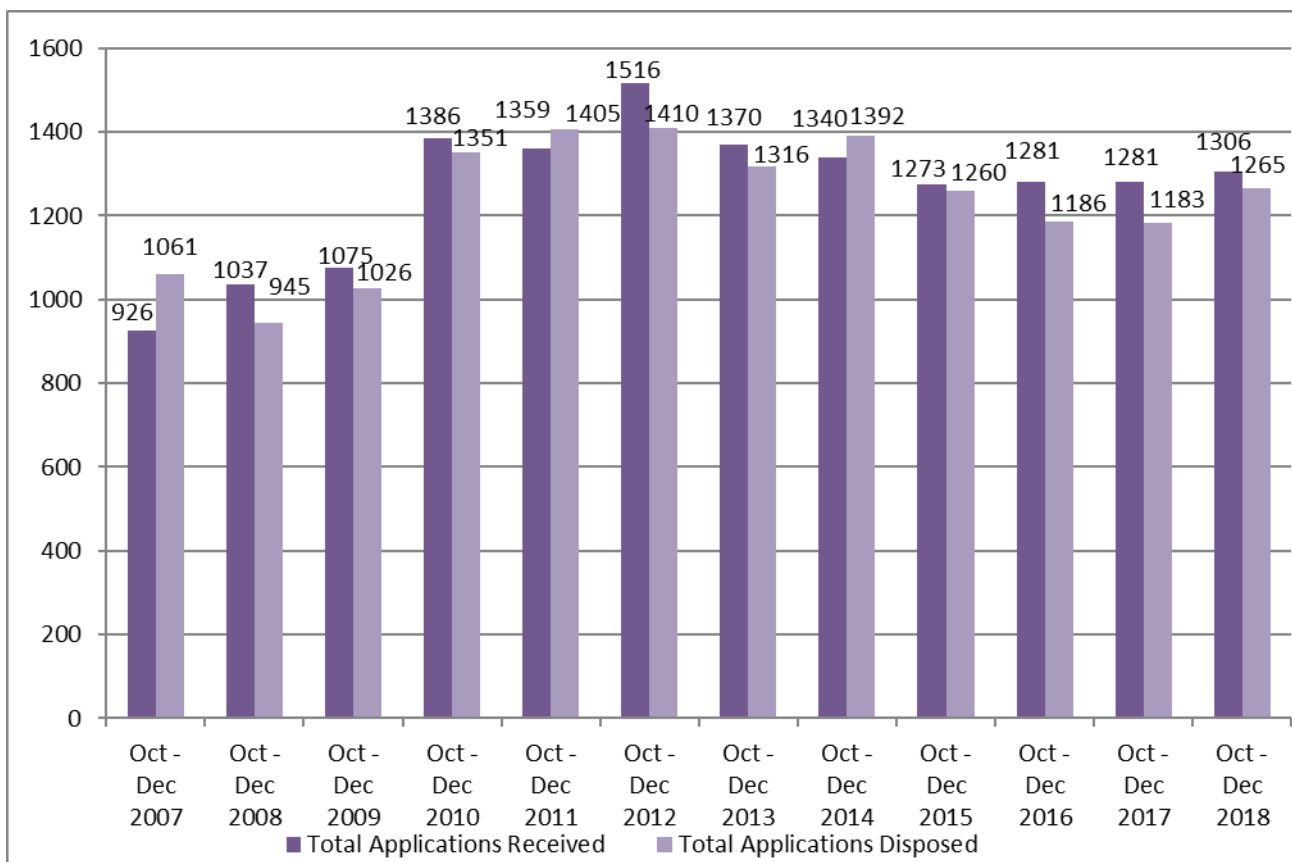
Any revision to data will be applied in light of the ASG (NICTS) Statistical Note 'Policy Statement on Revisions' which can be found on the Statistics and Research page of the Services section on the NICTS website (<https://www.justice-ni.gov.uk/articles/nicts-statistics-and-research>). Incorrect figures of changes to this publication will be published on the web in a formal Statistical Notice.

FINDINGS

3.1 Receipts & Disposals

There were 1,306 Children Order Applications received during October to December 2018 (Table 1a). This was a 2% increase on the 1,281 applications received during October to December 2017. The number of applications disposed has increased by 7% from 1,183 during October to December 2017, to 1,265 for the same period in 2018 (Table 1a). The number of applications received and disposed for the October to December quarter over the last twelve years is outlined in Figure 1.

Figure 1: Children Order Applications Received and Disposed: October - December 2007 to October - December 2018



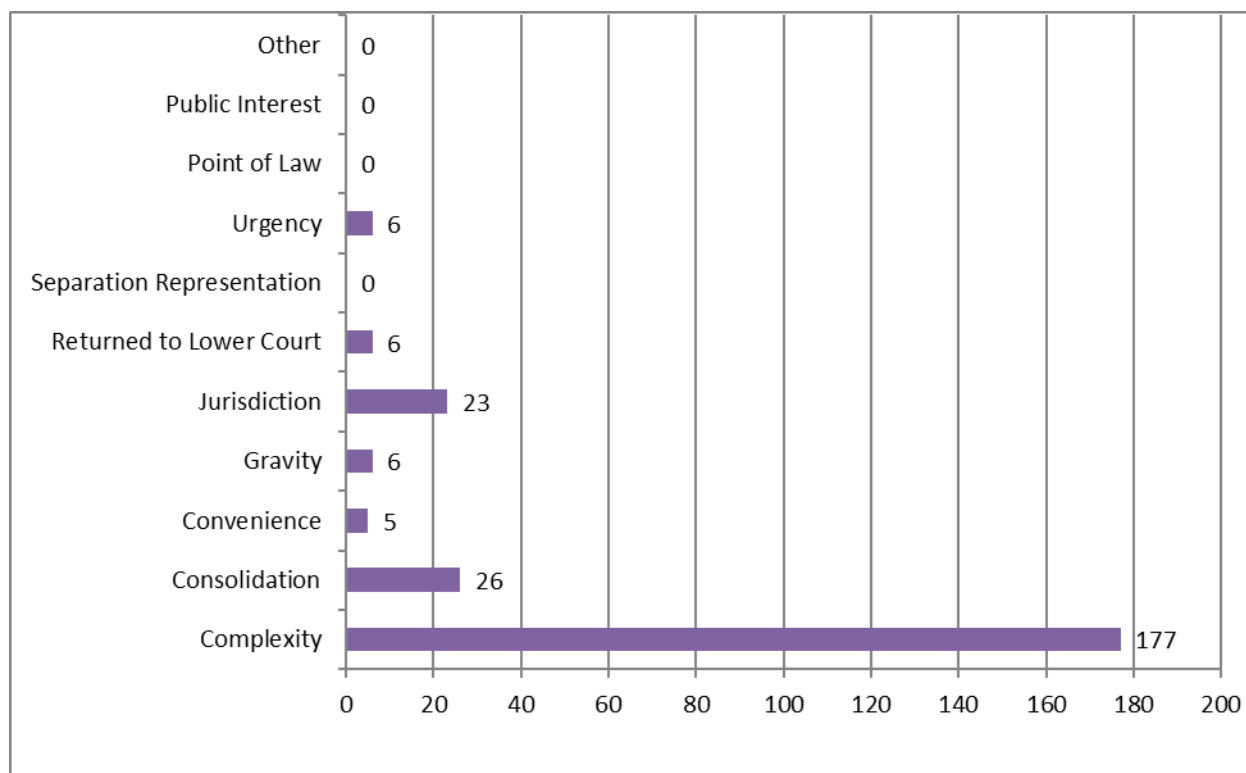
The general trend in applications received in the October to December quarter increased between 2007 and 2012, before decreasing by 14% between 2012 and 2018. The trend in applications disposed generally increased between 2007 and 2012, before decreasing by 10% between 2012 and 2018.

As shown in Figure 1, in most years between 2007 and 2018 the numbers of applications being received in the October to December quarter have been greater than the applications disposed. In 2018 there were 3% more applications received than disposed.

3.2 Transfers

The reasons for transferring children order applications are detailed in the graph below. The most common reason for transfer is complexity at 71% (Figure 2 – 177 out of 249 reasons). Across the 12 year time series, complexity has remained the most common reason, ranging between 28% and 71% of those applications being transferred.

Figure 2: Reasons for Transfer: October - December 2018



3.3 Orders Made

A change in the counting methodology for orders made was introduced in 2016, and therefore a comparison of figures in tables 3, 4 and 5 with Children Order bulletins prior to 2016 should not be made. A back series of data based on the new counting methodology is available via the following link:

<https://www.justice-ni.gov.uk/articles/nicts-statistics-and-research>

For more information please see details on page 3 or alternatively contact the statistician responsible for this publication.

There were 301 own motion orders made in October to December 2018 compared to 290 in the same quarter last year, this is an increase of 4%. Of the own motion orders made 21% (62) were in relation to Contact Issues.

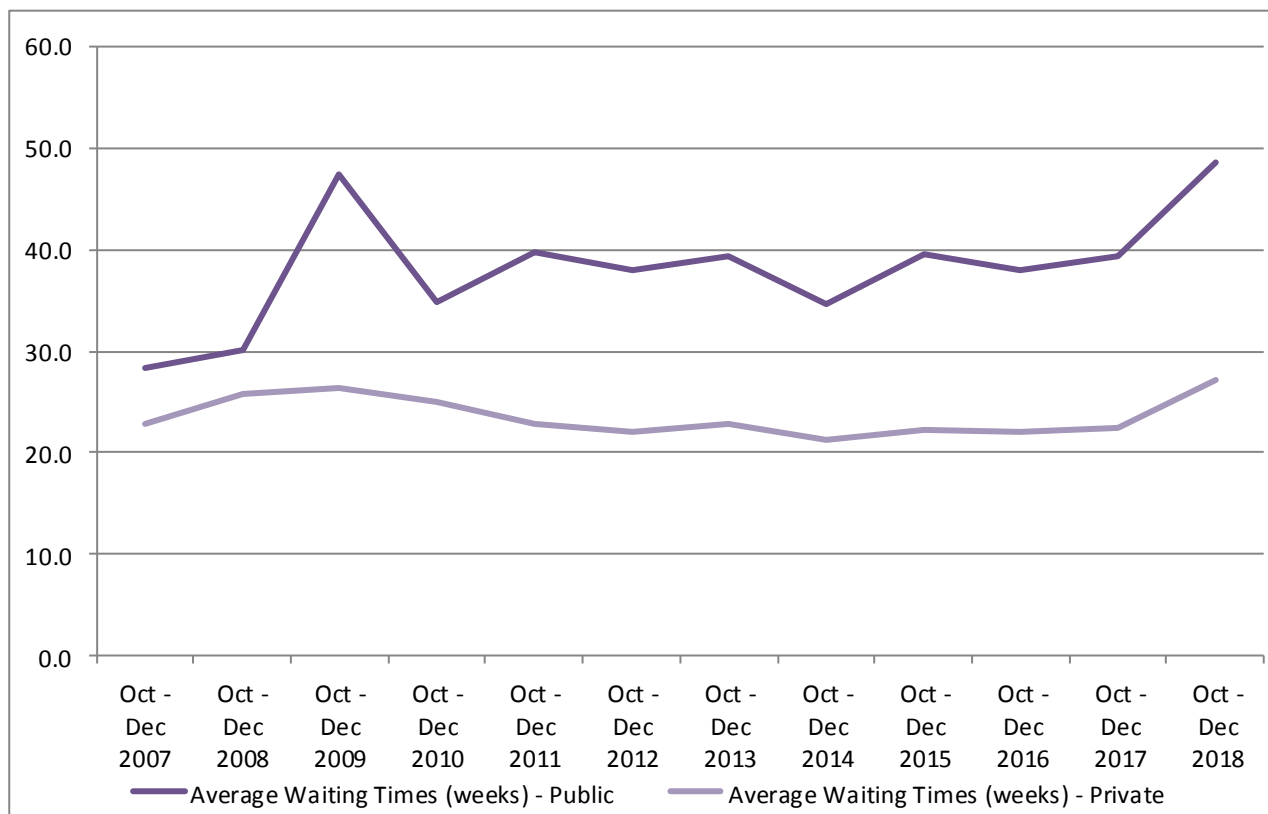
There were 2,486 interim orders made, and the majority were in relation to Care (1,216) and Contact (1,031) issues. This was an increase of 6% overall compared to the same period last year, when there were 2,342 interim orders made.

There were 1,696 final orders made between October to December 2018. The majority of final orders made were in relation to Contact and Residence issues – 444 (26%) and 222 (13%) orders respectively. Compared to the same quarter last year, this is a 6% increase in the total number of final orders made (1,603).

3.4 Waiting times

Between October to December 2018, the average waiting time for applications disposed was 48.6 weeks for public law and 27.1 weeks for private law. The average waiting times have increased by 24% for public law applications and increased by 20% for private law applications in comparison to the same quarter last year (39.3 and 22.5 weeks respectively). Over the time series the trend for public law average waiting times has fluctuated, with an overall increase of 71% from 28.4 to 48.6 weeks, peaking at 48.6 weeks in 2018. Public law applications involve the local authorities and can often deal with complex and serious issues in relation to the welfare of a child, and this can affect waiting times. The trend in average waiting times for private law applications between 2007 and 2018 has remained relatively stable at 22.8 in 2007 and 27.1 in 2018, with an overall increase of 19%.

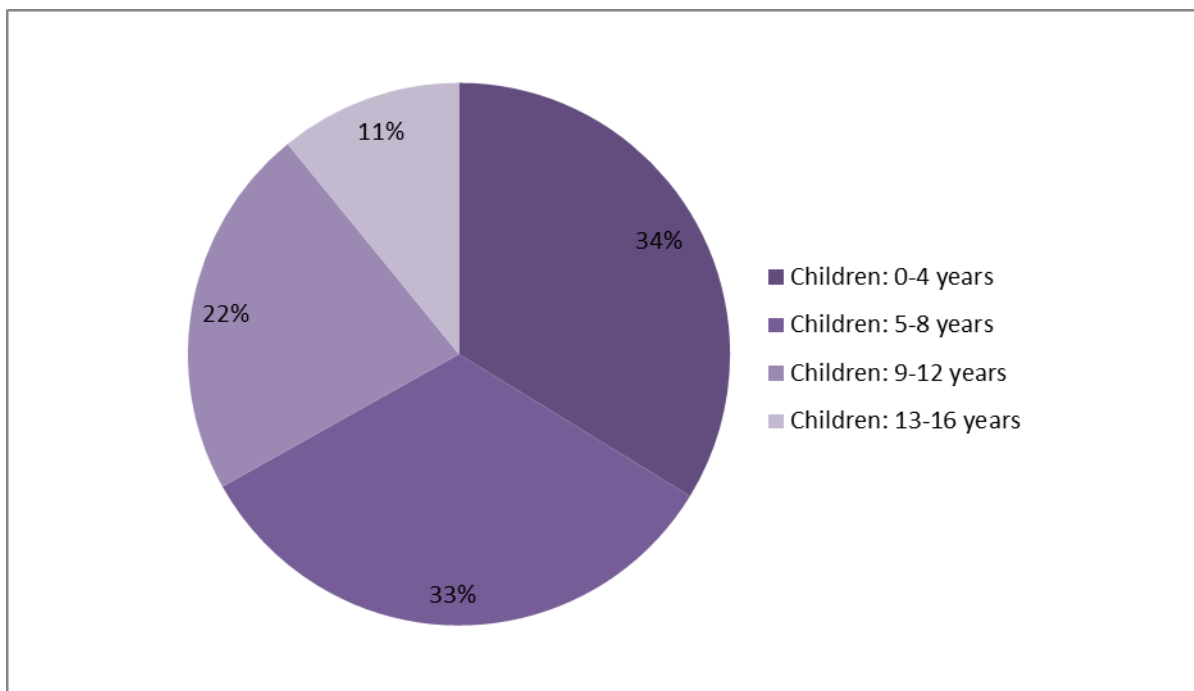
Figure 3: Average waiting times for applications disposed: October - December 2007 to October - December 2018



3.5 Age and Gender of Children

In the quarter October to December 2018 there were 1,854 children involved in the applications disposed. This was a 3% increase on the 1,798 disposed in the same quarter in 2017. The trend in the numbers of children involved generally increased between 2007 and 2018 from 1,135 to 1,854 (63% increase), peaking at 1,978 children in 2014. Figure 4 below indicates the age categories of the children involved this quarter. The majority of children were between 0 and 4 years old (34%), the figure for the same quarter last year was 33%. The gender breakdown is shown in Table 7, with the split being 51:49 (male: female), the ratio for the same quarter last year was also 51:49.

Figure 4: Age and gender of children involved: October - December 2018



Due to rounding the percentages may not add up to 100%.

3.6 Sitings

In total there were 540 Children Order sittings for October to December 2018 compared with 520 for October to December 2017 (an increase of 4%), with a total time of 1,556 hours sat compared with 1,379 hours sat during the same period last year (an increase of 13%). Children Order sittings have fluctuated across the time series peaking at 540 in 2018.

APPENDIX 1 - TABLES

Table 1a: Applications received and disposed

		Number of applications received	Number of disposals
Private Law ¹	Family Proceedings Court	1015	857
	Family Care Centre	57	150
	High Court	32	35
	Total	1104	1042
Public Law	Family Proceedings Court	175	114
	Family Care Centre	19	89
	High Court	8	20
	Total	202	223

¹ Private law = residence, contact, specific issues, prohibited steps, parental responsibility, financial contribution, guardianship, family assistance, non-molestation and occupation orders

Table 1b: Applications received and disposed by processing office

		Public Law		Private Law ¹	
		Number of applications received	Number of disposals	Number of applications received	Number of disposals
Family Proceedings Court	Antrim	0	0	16	15
	Ballymena	15	13	104	67
	Belfast	46	23	341	278
	Coleraine	0	0	21	28
	Craigavon	20	12	50	46
	Downpatrick	0	0	4	4
	Dungannon	5	2	25	14
	Enniskillen	0	0	2	1
	Lisburn	8	3	78	66
	Londonderry	13	11	72	67
	Newry	10	10	89	106
	Newtownards	44	19	171	133
	Omagh	14	21	42	32
	Total	175	114	1015	857
Family Care Centre	Belfast	15	53	38	108
	Craigavon	2	24	14	21
	Dungannon	0	6	3	8
	Londonderry	2	6	2	13
	Total	19	89	57	150
High Court	Royal Courts of Justice	8	20	32	35
	Total	8	20	32	35
Total		202	223	1104	1042

¹ Private law = residence, contact, specific issues, prohibited steps, parental responsibility, financial contribution, guardianship, family assistance, non-molestation and occupation orders.

Table 2: Reasons for transfer²

Transferred from		Complexity	Consolidation	Convenience	Gravity	Jurisdiction	Returned to Lower Court	Separate Representation for Child	Urgency	Point of Law	Public Interest	Other	Total
Family Proceedings Court	Antrim	2	0	1	0	0	0	0	0	0	0	0	3
	Ballymena	16	0	0	0	2	0	0	0	0	0	0	18
	Belfast	69	2	0	0	7	0	0	0	0	0	0	78
	Coleraine	4	0	1	0	1	0	0	0	0	0	0	6
	Craigavon	8	3	0	0	2	0	0	0	0	0	0	13
	Dungannon	1	1	0	0	0	0	0	0	0	0	0	2
	Lisburn	10	1	0	0	2	0	0	0	0	0	0	13
	Londonderry	12	5	0	0	0	0	0	0	0	0	0	17
	Newry	9	0	0	3	2	0	0	1	0	0	0	15
	Newtownards	16	8	1	3	3	0	0	5	0	0	0	36
	Omagh	9	1	1	0	0	0	0	0	0	0	0	11
Venue total	156	21	4	6	19	0	0	6	0	0	0	212	
Family Care Centre	Belfast	15	0	1	0	4	2	0	0	0	0	0	22
	Craigavon	6	4	0	0	0	0	0	0	0	0	0	10
	Dungannon	0	0	0	0	0	0	0	0	0	0	0	0
	Londonderry	0	1	0	0	0	0	0	0	0	0	0	1
	Venue total	21	5	1	0	4	2	0	0	0	0	0	33
High Court	Royal Courts of Justice	0	0	0	0	0	4	0	0	0	0	0	4
	Venue total	0	0	0	0	0	4	0	0	0	0	0	4
Northern Ireland Total		177	26	5	6	23	6	0	6	0	0	0	249

² Total number of reasons for transfer. There may be more than one reason for each case. There were 241 cases transferred during the period.

Table 3: Own motion orders³

	Own motion orders
Appointment of Guardian ad Litem	88
Article 8 Contact	62
Authority to refuse contact with a child in care	0
Care	20
Contact with a child in care	0
Child Assessment	1
Declaration of Parentage	0
Education Supervision	0
Emergency Protection	2
Extension of an Emergency Protection Order	2
Family Assistance	2
Financial Provision	0
Leave to change surname by which the child is known	0
Non-Molestation Order	0
Occupation Order	0
Other orders	68
Parental Responsibility	2
Prohibited Steps	9
Recovery	0
Residence	29
Secure Accommodation	4
Specific Issues	9
Supervision	3
Total	301

³ These figures may also include some interim orders. Please note that a new methodology to count orders at the **application level** was introduced in 2016. For more information please see page 3 of this publication. Comparisons with previous Children Order Bulletins should not be made. A back series of data using the new counting methodology is available at the following location:
<https://www.justice-ni.gov.uk/articles/nicts-statistics-and-research>

Table 4: Interim orders ⁴

	Interim orders
Appointment of Guardian ad Litem	0
Article 8 Contact	1031
Care	1216
Contact with a child in care	0
Child Assessment	0
Education Supervision	0
Emergency Protection	0
Extension of an Emergency Protection Order	0
Family Assistance	0
Financial Provision	0
Non-Molestation Order	1
Occupation Order	0
Other orders	0
Parental Responsibility	0
Prohibited Steps	39
Recovery	0
Residence	117
Secure Accommodation	37
Specific Issues	6
Supervision	39
Total	2486

⁴ Please note that a new methodology to count orders at the **application level** was introduced in 2016. For more information please see page 3 of this publication. Comparisons with previous Children Order Bulletins should not be made. A back series of data using the new counting methodology is available at the following location:

<https://www.justice-ni.gov.uk/articles/nicts-statistics-and-research>

Table 5: Final Orders ⁵

		Orders Made		Total
		By Consent	Other	
Orders Made	Adjourn Generally	0	9	9
	Article 8 Contact	355	89	444
	Care Order	62	52	114
	Contact with a Child in Care	0	19	19
	Declaration of Parentage	1	0	1
	Discharge Contact Order	2	5	7
	Discharge of a Care Order	13	11	24
	Discharge Interim Contact Order	6	6	12
	Discharge Prohibited Steps Order	3	2	5
	Discharge Residence Order	2	1	3
	Dismissed	15	51	66
	Education Supervision	0	4	4
	Emergency Protection Order	2	7	9
	Emergency Protection Order – out of hours	0	3	3
	Extension of an Emergency Protection Order	3	2	5
	Family Assistance Order	2	2	4
	Leave to assist/arrange for child to live abroad	1	0	1
	Non-Molestation Order	0	2	2
	Order of No Order (Final Order)	11	7	18
	Other Order	16	302	318
	Parental Responsibility Order	16	13	29
	Prohibited Steps	11	27	38
	Refusal of Article 3 Legal Aid Certificate	0	2	2
	Residence Order	144	78	222
	Secure Accommodation Order	1	2	3
	Specific Issues	21	32	53
Strike Out Order	13	24	37	
Supervision Order	14	3	17	
Terminating Appointment of Guardian Ad Litem	81	15	96	
Withdrawn	86	45	131	
Total	881	815	1696	

⁵ Please note that a new methodology to count orders at the **application level** was introduced in 2016. For more information please see page 3 of this publication. Comparisons with previous Children Order Bulletins should not be made. A back series of data using the new counting methodology is available at the following location: <https://www.justice-ni.gov.uk/articles/nicts-statistics-and-research>

Table 6: Average time in weeks from lodgement to disposal⁶ by processing office

		Public law		Private law	
		Average time weeks	Number of disposals	Average time weeks	Number of disposals
Family Proceedings Court	Antrim	0.0	0	9.2	15
	Ballymena	35.8	13	29.1	67
	Belfast	32.7	23	16.3	278
	Coleraine	0.0	0	35.1	28
	Craigavon	48.0	12	22.3	46
	Downpatrick	0.0	0	0.0	4
	Dungannon	12.5	2	10.9	14
	Enniskillen	0.0	0	0.0	1
	Lisburn	43.0	3	17.5	66
	Londonderry	38.9	11	27.0	67
	Newry	39.4	10	18.1	106
	Newtownards	21.3	19	24.7	133
	Omagh	38.4	21	15.9	32
	Total	34.9	114	20.4	857
Family Care Centre	Belfast	62.9	53	63.8	108
	Craigavon	63.6	24	39.2	21
	Dungannon	59.1	6	52.5	8
	Londonderry	61.6	6	100.3	13
	Total	62.8	89	62.9	150
High Court	Royal Courts of Justice	63.1	21	37.4	35
	Total	63.1	21	37.4	35
Total		48.6	224	27.1	1042

⁶ The time shown will include the time taken at the first court tier.

Table 7: Age and gender of children in applications disposed⁷

	0-4	5-8	9-12	13-16	Total
Male	330	311	215	89	945
Female	290	302	196	113	901
Unknown	6	1	1	0	8
Total	626	614	412	202	1854

⁷ From the period January to March 2013, there has been a change in measurement of children involved to include children entered as a 'respondent child' on ICOS. This accounted for 264 of the total.

Table 8: Court sittings and court sitting times ^{8, 9}

		Total sitting time	Average sitting time	Total sittings
Family Proceedings Court	Antrim	21:30	3:35	6
	Ballymena	39:55	3:20	12
	Banbridge@Newry	0:25	0:13	2
	Belfast	204:07	3:51	53
	Coleraine	72:45	5:36	13
	Craigavon	41:30	3:46	11
	Dungannon	33:32	3:44	9
	Enniskillen	0:10	0:10	1
	Limavady	0:05	0:05	1
	Lisburn	39:40	3:03	13
	Londonderry	87:59	3:16	27
	Newry	63:40	3:45	17
	Newtownards	133:20	3:42	36
	Omagh	12:57	1:18	10
Total	751:35	3:34	211	
Family Care Centre	Ballymena	6:40	6:40	1
	Belfast	511:04	4:11	122
	Coleraine	10:15	3:25	3
	Craigavon	52:20	1:56	27
	Dungannon	21:06	2:38	8
	Londonderry	37:00	2:39	14
	Omagh	14:20	3:35	4
	Total	652:45	3:39	179
High Court	Royal Courts of Justice	151:14	1:01	150
	Total	151:14	1:01	150
Total		1555:34	2:53	540

⁸ A court sitting is counted as any day where the judiciary sit in court. It does not include time in chambers or days where the judiciary are sitting in chambers.

⁹ Children Order sittings refer to a sitting where any Children Order business is heard and the venue it was heard in.

APPENDIX 2 - EXPLANATORY NOTES

Adjourn Generally

A putting off or postponing of proceedings.

Appointment of Guardian ad Litem

Appointment of a guardian by the court - The High Court or a county court may appoint an individual to be a child's guardian if the child has no parent with parental responsibility for him or a residence order has been made with respect to the child in favour of a parent or guardian of his who has died while the order was in force. A person appointed as a guardian under this Article shall have parental responsibility for the child.

Article 53 Contact with a child in care

Where a child is in care of an authority, the authority shall (subject to the provisions of this article) allow the child reasonable contact with: (a) parents; (b) any guardian; (c) persons named in residence orders made immediately prior to the child being placed in care; and (d) persons who had care of the child by virtue of an order made in the exercise of the High Court's inherent jurisdiction immediately before the care order was made.

Article 8 Contact

Relates to Article 8 of the Children (Northern Ireland) Order 1995. A 'contact order' means an order requiring the person with whom a person lives, or is to live, to allow the child to visit or stay with a person named in the order, or for that person and the child to have contact with each other.

Care Order

A care order places a child in the care of a designated authority. A court may only make a care order if it is satisfied the child is suffering or at risk of harm etc.

Child Assessment

Application by an authority to request an order to authorise an assessment of a child's circumstances.

County court judge

A judge who sits in the county court and the Crown Court.

Day sat

This is a day on which a judge sat to hear court business. The information is organised into the various types of court business that a judge hears. The judge's day may consist of one or more sittings, at one or more court venues.

Declaration of Parentage order

Order made to determine parentage on the foot of an application for maintenance in respect of a person who denies that he/she is a parent of the child.

District judge

A judge who sits in the county court or the magistrates' court.

Education Supervision order

Puts the child under the supervision of a designated education and library board. The education and library board may make an application in respect of a child of compulsory school age who is not being educated properly.

Emergency Protection order

Gives the applicant parental responsibility for a child under the age of 18. It authorises the removal of the child at any time to accommodation provided by or on behalf of the applicant, and being kept there. The court may make 'an emergency protection order' if it is satisfied that there is reasonable cause to believe that the child is likely to suffer significant harm.

Family Assistance order

This is a short term order made by agreement, under which an authority is required to make available a suitably qualified person to advise, assist and (where appropriate) befriend any person named in the order.

Family Business

Non-criminal court proceedings generally relating to matters between a husband and wife, common-law partners, or children.

Family Care Centre

A county court which generally hears appeals from Family Proceedings Courts, or family cases which are more complex in nature.

Family Proceedings Court

A court of summary jurisdiction (constituted as a Youth Court) which hears proceedings under the Children (Northern Ireland) Order 1995 e.g. residence, contact with children.

Financial Provision order

An order requiring either or both parents to make periodical payments or a lump sum payment to the applicant (the person with whom the child resides) for the benefit of the child.

High Court Judge

A judge who sits in the High Court and the Crown Court to hear and determine civil, family, and criminal business.

Leave to change surname by which child is known

An application for leave (permission) to change a child's name without a parent's consent. The court will give permission if it believes it is in the child's best interests to allow the name change.

Non molestation order

This order prevents a person from molesting another person with whom they have had a relationship or they are related to.

Molestation encompasses any form of serious pestering or harassment and applies to any conduct which could properly be regarded as such a degree of harassment as to call for the intervention of the court. A 'non-molestation' order may contain one or both of the following:

- (a) A provision prohibiting a person from molesting another person.
- (b) A provision prohibiting the respondent from molesting a child.

Occupation order

Occupation orders declare, confer or regulate occupation (not ownership) rights in the family home between those in certain family or domestic relationships. These orders, if combined with a non-molestation order, may be used for protective purposes. Alternatively, they may be used to declare or regulate the right of occupation in the home in cases where protection is not an issue. An occupation order is available between parties who have had a relationship or are related.

Parental Responsibility order

Outlines the rights, duties, powers, responsibilities and authority which by law a parent of a child has in relation to the child and his / her property. It may also include certain rights which a guardian may exercise.

Prohibited steps order

An order which prevents a parent from taking specific actions as part of their normal parental responsibilities to a child.

Recovery order

An order which generally directs the return of a child who has been taken away unlawfully; has run away or is missing. The order may permit certain actions to be taken (like entering property) to enable it to be carried out.

Residence order

An order detailing with whom a child shall live. This is generally following the breakdown of a relationship, but can arise in other circumstances e.g. if the child's parents have died.

Secure Accommodation order

Accommodation provided for a continuous period of more than 24 hours, designed to restrict liberty.

Sitting

This is a period of work by a judge in a single courtroom on a single day. Several types of business may be heard at one sitting. Business heard in different courtrooms, whether at the same venue or elsewhere, is counted as separate sittings.

Specific issue order

An order which addresses a specific matter that has arisen relating to the parental responsibility of a child e.g. which school shall they attend; what religion shall they be brought up in.

Strike out order

Striking out means the court ordering written material to be deleted so that it may no longer be relied upon.

Supervision Order

Puts a child under the supervision of a designated authority. A supervision order may require a child:

- (i) To comply with direction given by a supervisor as regards residence, reporting and participating in activities.
- (ii) To keep the supervisor informed of any change in address and allow the supervisor to visit at the place where he is living.

Withdrawn

An order which removes a case from court, for a variety of reasons. The court action then ceases.

Analytical Services Group,

Northern Ireland Courts and Tribunals Service,

Department of Justice

4th Floor, Laganside House

23-27 Oxford Street,

Belfast BT1 3LA

Email: caroline.darragh@courtsni.gov.uk

Telephone: 028 9072 8927