

Re G (Minors) (Interim Care Order) (1993)

(1993) 2 FCR 557 : (1993) Fam Law 672 : Times, August 2, 1993

21/07/1993

Barristers

Sam King KC

Court

Court of Appeal

Summary

Nature of an interim care order and its effect.

Facts

Local authority's appeal against refusal of its application for an interim care order, the making of a prohibited steps order that the children concerned should not be moved from the foster parents with whom they were with pending the final hearing and the joinder of the foster parents as parties.

Held

HELD: The judge had intended to preserve the status quo pending the final hearing but had fallen into error in regarding an interim care order as in some way an inhibiting move. Far from inhibiting the status quo an interim order was neutral and arguably the best way of preserving it. The making of such an order was an impartial step. Appeal allowed to the extent of making the interim care order and that conclusion automatically led to the discharge of the prohibited steps order.

Permission

Lawtel 