

Joined Parties and Intervenors in Care Proceedings

Only individuals with parental responsibility can be automatic parties to care proceedings at the time of their issue.

A father who does not hold parental responsibility will require permission of the court to be joined as party. This applies to fathers already involved in a child's life and individuals who have learned during the proceedings that they are the biological father.

Individuals who are granted an order (such as a Child Arrangements Order) during proceedings which enables them to care for a subject child will obtain parental responsibility for that child once the order is made. These individuals are then entitled to be joined as a party to those proceedings.

If an individual who does not have parental responsibility is mentioned within the local authority's reasons for applying for removal of a child, they are entitled to be joined to the proceedings as an intervenor. This allows that individual to defend themselves against the allegations made against them by the local authority.

Legal Aid for Joined Parties and Intervenors

Legal Aid is available for those individuals that wish to be joined as parties to care proceedings as long as they satisfy the criteria above.

Intervenors can apply for legal aid, however this will need to assess their income and the merits behind their application. Legal aid is not always guaranteed. If this is granted, it is possible that a contribution toward the funding is required.

Disclaimer: The material contained in this fact sheet is for general guidance only. It is specific to the law of England and Wales, and represents a brief outline of the law current as at the date of the fact sheet. It is not intended to constitute, or to be a substitute for, legal advice specific to your case. Information up to date as at 13 May 2019.

Margate

Hawley Street
01843 234000

Birchington

Station Road
01843 842356

Broadstairs

High Street
01843 868861

Canterbury

Broad Street
01227 207000

Ramsgate

Queen Street
01843 595990

Email: family@boysandmaughan.co.uk
www.boysandmaughan.co.uk

