



Children Act 2004

2004 CHAPTER 31

PART 4

ADVISORY AND SUPPORT SERVICES FOR FAMILY PROCEEDINGS

CAFCASS functions in Wales

37 Welsh family proceedings officers

- (1) The Assembly may authorise a Welsh family proceedings officer of a description prescribed in regulations made by the Secretary of State—
 - (a) to conduct litigation in relation to any proceedings in any court,
 - (b) to exercise a right of audience in any proceedings in any court,in the exercise of his functions.
- (2) A Welsh family proceedings officer exercising a right to conduct litigation by virtue of subsection (1)(a) who would otherwise have such a right by virtue of section 28(2)(a) of the Courts and Legal Services Act 1990 (c. 41) is to be treated as having acquired that right solely by virtue of this section.
- (3) A Welsh family proceedings officer exercising a right of audience by virtue of subsection (1)(b) who would otherwise have such a right by virtue of section 27(2)(a) of the Courts and Legal Services Act 1990 is to be treated as having acquired that right solely by virtue of this section.
- (4) A Welsh family proceedings officer may, subject to rules of court, be cross-examined in any proceedings to the same extent as any witness.
- (5) But a Welsh family proceedings officer may not be cross-examined merely because he is exercising a right to conduct litigation or a right of audience granted in accordance with this section.
- (6) In this section, “right to conduct litigation” and “right of audience” have the same meanings as in section 119 of the Courts and Legal Services Act 1990.