

SCHEDULE

AMENDMENTS TO THE CROWN COURT RULES 1982

7. After Rule 10 there shall be inserted the following Rules:

“Applications by grandparents to be parties to appeals

10A.—(1) Where in any such proceedings as are mentioned in section 32A(1)(d), (e) or (f) of the Children and Young Persons Act 1969 a grandparent of the relevant child or young person makes an application under section 32C of that Act, the circumstances in which the court may give leave for that grandparent to be made a party to the appeal are those in which either —

- (a) that grandparent was a party to the proceedings in the juvenile court to which the appeal relates and the court is satisfied that making him a party to the appeal is likely to be in the interests of the welfare of the relevant child or young person, or
- (b) that grandparent was not a party to those proceedings but the court is satisfied that both of the criteria specified in the following paragraph are met.

(2) The criteria mentioned in sub-paragraph (b) of the preceding paragraph are —

- (a) that the grandparent had, before the date on which the proceedings to which the appeal relates were begun in the juvenile court, a substantial involvement in the child or young person’s upbringing at any time during his lifetime; and
- (b) that making the grandparent a party to the proceedings is likely to be in the interests of the welfare of the relevant child or young person.

Written reports

10B.—(1) In the case of an appeal against a decision of a juvenile court in proceedings to which Part III of the Magistrates' Courts (Children and Young Persons) Rules 1988 applies, any written report of a guardian *ad litem*, probation officer, local authority, local education authority, educational establishment or registered medical practitioner shall be given to the appropriate officer of the Crown Court before the date fixed for the hearing of the appeal, unless it is not practicable to do so.

(2) In the case of such an appeal, the appropriate officer of the Crown Court shall make available copies of any such report, so far as practicable before the hearing of the appeal, to:

- (a) the relevant child or young person, except where the court otherwise directs on the ground that it appears to it impracticable to do so having regard to his age and understanding or undesirable to do so having regard to serious harm which might thereby be suffered by him;
- (b) the legal representative, if any, of the relevant child or young person;
- (c) the guardian *ad litem* of the relevant child or young person;
- (d) the parent or guardian of the relevant child or young person (whether or not he is a party to the appeal); and
- (e) any other person who is a party to the appeal.

(3) In the case of such an appeal, copies of any such report may, if the court considers it desirable to do so, be shown to any other person who is not a party to the appeal but was required to be given notice of the appeal under Rule 7(2)(d).”