

**EXPLANATORY MEMORANDUM TO  
THE CHILDREN (ALLOCATION OF PROCEEDINGS)(AMENDMENT) ORDER  
2006**

**2006 No. 1541**

**1.** This explanatory memorandum has been prepared by the Department for Constitutional Affairs and is laid before Parliament by Command of Her Majesty.

**2. Description**

2.1 This Order provides for the new Shoreditch & Clerkenwell County Court to be a family hearing centre. The instrument also effects changes to arrangements for family justice in Wales consequent on changes to local justice areas contained in the Local Justice Area (No 2) Order 2005 (S.I. 2005/2949).

**3. Matters of special interest to the Joint Committee on Statutory Instruments**

3.1 None..

**4. Legislative Background**

4.1 Part 1 of schedule 11 to the Children Act 1989 provides a power for the Lord Chancellor, after consulting with the Lord Chief Justice, to specify that certain proceedings under the Children Act 1989 (in this case family proceedings) may only be commenced in specified courts. This statutory instrument is made under Schedule 11 and specifies the Clerkenwell & Shoreditch County Court as a family hearing centre.

4.2 The requirement to consult the Lord Chief Justice is a new requirement provided by the Constitutional Reform Act 2005 (c.4).

**5. Extent**

5.1 This instrument applies to England and Wales

**6. European Convention on Human Rights**

6.1 As this instrument is subject to negative resolution procedure and does not substantively amend primary legislation, no statement is required.

**7. Policy background**

7.1 Clerkenwell & Shoreditch County Court is a new purpose built court to replace the former Shoreditch County Court and Clerkenwell County Court, both of which are to close. Unlike the old courts, the new court is to be a family hearing centre.

7.2 After informal consultation with members of the Judiciary a consultation paper on the merger was issued in 2004. The response was positive.

## **8. Impact**

8.1 A Regulatory Impact Assessment has not been prepared for this instrument as it has no impact on business, charities or voluntary bodies. In establishing the location for the new courthouse, transport link surveys were undertaken. The building is DDA compliant. There are better facilities for staff, customers and the judiciary.

## **9. Contact**

9.1 Stephanie Oxendale at the Department for Constitutional Affairs, Tel 020 7073 4768 or email [Stephanie.Oxendale@dca.gsi.gov.uk](mailto:Stephanie.Oxendale@dca.gsi.gov.uk) can answer any queries regarding the instrument.