

Placement is a matter for the LA not the courts.

Re A (A Child) [2009] EWHC 865 (Fam)

“It is a cardinal principle of the Children Act 1989 (the 1989 Act) that once a care order has been made, **whether interim or final**, it is for the local authority, and not the court, to decide how to meet its parental responsibilities for the child. The decision-making power as to the care, **residence** and general welfare of the child is vested in the local authority, not in the court.” – Munby J

23. It is a ‘cardinal principle’ of the 1989 Act that, once a final care order has been made, it is for the local authority, and not the court, to decide how to meet its parental responsibilities for the child: see the speech of Baroness Hale of Richmond in *Re G (Interim Care Order: Residential Assessment)* [\[2005\] UKHL 68](#), [2006] 1 FLR 601, at para [44], referring to the speech of Lord Nicholls of Birkenhead in *Re S (Minors) (Care Order: Implementation of Care Plan)*; *Re W (Minors) Care Order: Adequacy of Care Plan*) [\[2002\] UKHL 10](#), [2002] 1 FLR 815.

24. The same principle applies in relation to interim care orders. As Lord Browne-Wilkinson said in *Re C (Interim Care Order: Residential Assessment)* [1997] 1 FLR 1 at page 6:

“Under the interim care order the decision-making power as to the care, residence and general welfare of the child is vested in the local authority, not in the court.”

