

# Public Children Law: Shaping New Developments into Solution-Focused Advice for Your Clients

## Topic: Illegal placements

How are the courts dealing with “illegal placements” for older children now that residential units have to be registered?

### Resources

- **The Care Planning, Placement and Case Review (England) Regulations 2010**

URL: <https://www.legislation.gov.uk/uksi/2010/959/contents/made>

- **The Care Planning, Placement and Case Review (England) (Amendment) Regulations 2021**

URL: <https://www.legislation.gov.uk/uksi/2021/161/made>

- **Section 1(2) of the Care Standards Act 2000**

URL: <https://www.legislation.gov.uk/ukpga/2000/14/contents>

- **The Children Act 1989**

URL: <https://www.legislation.gov.uk/ukpga/1989/41/contents>

- **‘Use of unregulated and unregistered provision for children in care’, report**

URL:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/865184/Use of unregulated and unregistered provision for children in care.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/865184/Use_of_unregulated_and_unregistered_provision_for_children_in_care.pdf)

- **President’s Practice Guidance: Placements in unregistered children’s homes in England or unregistered care home services in Wales**

URL: <https://www.judiciary.uk/wp-content/uploads/2022/07/PG-Placements-in-unregistered-childrens-homes-in-Eng-or-unregistered-care-home-services-in-Wales-NOV-2019..pdf>

- **Government consultation : Regulating supported accommodation for looked after children and care leavers aged 16 & 17**

URL: [https://consult.education.gov.uk/regulating-supported-accommodation-team/regulating-supported-accommodation-looked-after/supporting\\_documents/Consultation%20on%20regulating%20supported%20accommodation%202022.pdf](https://consult.education.gov.uk/regulating-supported-accommodation-team/regulating-supported-accommodation-looked-after/supporting_documents/Consultation%20on%20regulating%20supported%20accommodation%202022.pdf)

## Cases

- **Re X (A Child) (No 3) [2017] EWHC 2036 (Fam)**

URL: <https://www.bailii.org/ew/cases/EWHC/Fam/2017/2036.html>

- ❖ **Lancashire County Council v G and N [2020] EWHC 2828 (Fam)**

URL: <https://www.bailii.org/ew/cases/EWHC/Fam/2020/2828.html>

- **Re T [2021] UKSC 35**

URL: <https://www.bailii.org/uk/cases/UKSC/2021/35.html>

- **Tameside MBC v AM & Ors (DOL Orders for Children Under 16) [2021] EWHC 2472 (Fam)**

URL: <https://www.bailii.org/ew/cases/EWHC/Fam/2021/2472.html>

- **Derby CC v CK & Ors (Compliance with DOL Practice Guidance) (Rev1) [2021] EWHC 2931 (Fam)**

URL: <https://www.bailii.org/ew/cases/EWHC/Fam/2021/2931.html>

- **Re X (Secure Accommodation: Lack of Provision) [2023] EWHC 129 (Fam)**

URL: <https://www.judiciary.uk/wp-content/uploads/2023/01/DE22C00016-RE-X-Judgment-25-January-2022-Approved.pdf>