



PRESIDENT OF THE
FAMILY DIVISION

PRACTICE DIRECTION

**ENFORCEMENT OF CHILDREN ACT 1989 CONTACT ORDERS:
DISCLOSURE OF INFORMATION TO OFFICERS OF THE NATIONAL
PROBATION SERVICE**

6th November 2008

This Practice Direction is issued by the President of the Family Division with the agreement of the Lord Chancellor.

1. This Practice Direction applies to proceedings in the High Court or a county court where:
 - a) the court is considering an application for an enforcement order¹ or for an order following an alleged breach of an enforcement order² and asks an officer of the Service or a Welsh family proceedings officer to provide information to the court in accordance with section 11L(5) of the Children Act 1989; or
 - b) the court makes an enforcement order or an order following an alleged breach of an enforcement order and asks an officer of the Service or a Welsh family proceedings officer to monitor compliance with that order and to report to the court in accordance with section 11M of the Children Act 1989.
2. In all cases in which paragraph 1 applies, the officer of the Service or Welsh family proceedings officer will need to discuss aspects of the court case with an officer of the National Probation Service.
3. In order to ensure that the officer of the Service or Welsh family proceedings officer will not potentially be in contempt of court by virtue of such discussions, the court should, when making a request under section 11L(5) or section 11M of the Children Act 1989, give leave to that officer to disclose to the National Probation Service such information (whether or not contained in a document filed with the court) in relation to the proceedings as is necessary.
4. This Practice Direction comes into force on 8th December 2008.

The Right Honourable Sir Mark Potter
President of the Family Division and Head of Family Justice

¹ under section 11J of the Children Act 1989.

² under paragraph 9 of Schedule A1 to the Children Act 1989.