



# Children's Hearings (Scotland) Act 2011

## 2011 asp 1

### PART 5

#### CHILD ASSESSMENT AND CHILD PROTECTION ORDERS

##### *Ancillary measures*

#### **40 Information non-disclosure directions**

- (1) This section applies where the sheriff makes a child protection order in respect of a child.
- (2) The sheriff must consider whether to include an information non-disclosure direction in the order.
- (3) An information non-disclosure direction is a direction that—
  - (a) the location of any place of safety at which the child is being kept, and
  - (b) any other information specified in the direction relating to the child,must not be disclosed (directly or indirectly) to any person or class of person specified in the direction.
- (4) An information non-disclosure direction ceases to have effect when—
  - (a) it is terminated by a children's hearing under section 47(1)(a)(ii) or the sheriff under section 51(5)(b), or
  - (b) the child protection order in which it is included ceases to have effect.

#### **41 Contact directions**

- (1) This section applies where the sheriff makes a child protection order in respect of a child.
- (2) The sheriff must consider whether to include a contact direction in the order.
- (3) A contact direction is a direction—
  - (a) prohibiting contact between the child and a person mentioned in subsection (4),

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*Status: This is the original version (as it was originally enacted).*

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- (b) making contact between the child and such a person subject to any conditions which the sheriff considers appropriate to safeguard and promote the welfare of the child,
  - (c) making such other provision as the sheriff considers appropriate about contact between the child and such a person.
- (4) The persons are—
- (a) a parent of the child, person with parental responsibilities for the child or other person specified in the direction,
  - (b) a person falling within a class of person specified in the direction.
- (5) A contact direction ceases to have effect when—
- (a) it is terminated by a children's hearing under section 47(1)(a)(ii) or the sheriff under section 51(5)(b), or
  - (b) the child protection order in which it is included ceases to have effect.

#### **42 Parental responsibilities and rights directions**

- (1) A person applying to the sheriff for a child protection order in respect of a child may, at the same time, apply to the sheriff for a parental responsibilities and rights direction.
- (2) A parental responsibilities and rights direction is a direction about the fulfilment of parental responsibilities or exercise of parental rights in relation to—
- (a) the treatment of the child arising out of any assessment authorised by the child protection order, or
  - (b) any other matter that the sheriff considers appropriate.
- (3) A parental responsibilities and rights direction ceases to have effect when—
- (a) it is terminated by a children's hearing under section 47(1)(a)(ii) or the sheriff under section 51(5)(b), or
  - (b) the child protection order in which it is included ceases to have effect.