



Corporate Manslaughter and Corporate Homicide Act 2007

2007 CHAPTER 19

Relevant duty of care

7 Child-protection and probation functions

- (1) A duty of care to which this section applies is not a “relevant duty of care” unless it falls within section 2(1)(a), (b) or (d).
- (2) This section applies to any duty of care that a local authority or other public authority owes in respect of the exercise by it of functions conferred by or under—
 - (a) Parts 4 and 5 of the Children Act 1989 (c. 41),
 - (b) Part 2 of the Children (Scotland) Act 1995 (c. 36), or
 - [^{F1}(ba) the Children’s Hearings (Scotland) Act 2011,]
 - (c) Parts 5 and 6 of the Children (Northern Ireland) Order 1995 (S.I. 1995/755 (N.I. 2)).
- (3) This section also applies to any duty of care that a local probation board [^{F2}, a provider of probation services] or other public authority owes in respect of the exercise by it of functions conferred by or under—
 - (a) Chapter 1 of Part 1 of the Criminal Justice and Court Services Act 2000 (c. 43),
 - [^{F3}(aa) section 13 of the Offender Management Act 2007 (c. 21),]
 - (b) section 27 of the Social Work (Scotland) Act 1968 (c. 49), or
 - (c) Article 4 of the Probation Board (Northern Ireland) Order 1982 (S.I. 1982/713 (N.I. 10)).
- [^{F4}(4) This section also applies to any duty of care that a provider of probation services owes in respect of the carrying out by it of activities in pursuance of arrangements under section 3 of the Offender Management Act 2007.]

Changes to legislation: There are currently no known outstanding effects for the Corporate Manslaughter and Corporate Homicide Act 2007, Section 7. (See end of Document for details)

Textual Amendments

- F1** S. 7(2)(ba) inserted (24.6.2013) by The Children's Hearings (Scotland) Act 2011 (Consequential and Transitional Provisions and Savings) Order 2013 (S.I. 2013/1465), art. 1(2), **Sch. 1 para. 11**
- F2** Words in s. 7(3) inserted (1.4.2008) by The Offender Management Act 2007 (Consequential Amendments) Order 2008 (S.I. 2008/912), art. 1, **Sch. 1 para. 25(2)(a)(i)**
- F3** S. 7(3)(aa) inserted (1.4.2008) by The Offender Management Act 2007 (Consequential Amendments) Order 2008 (S.I. 2008/912), art. 1, **Sch. 1 para. 25(2)(a)(ii)**
- F4** S. 7(4) inserted (1.4.2008) by The Offender Management Act 2007 (Consequential Amendments) Order 2008 (S.I. 2008/912), art. 1, **Sch. 1 para. 25(2)(b)**

Commencement Information

- I1** S. 7 in force at 6.4.2008 by S.I. 2008/401, **art. 2** (with art. 2(3)(c))

Changes to legislation:

There are currently no known outstanding effects for the Corporate Manslaughter and Corporate Homicide Act 2007, Section 7.