



J. TORODE  
HER MAJESTY'S  
GREFFIER

REGISTRAR-GENERAL  
BIRTHS, MARRIAGES, DEATHS

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**PRACTICE DIRECTION NO 1 OF 2016**

**FAMILY PROCEEDINGS - DISCLOSURE OF ORDERS OF COURT**

1. I am directed to issue the following Practice Direction to take immediate effect in The Royal Court, The Guernsey Magistrate's Court and The Guernsey Juvenile Court.
2. Rules 58 and 60 of the Family Proceedings (Guernsey and Alderney) Rules, 2009 together provide that, subject to any direction of the relevant court to the contrary, Acts of Court and other information relating to family proceedings must not be disclosed to any person who is not a party to the proceedings. The Courts recognise that the frequency where some direction for further disclosure of an Act of Court is sought by a party to the proceedings warrants the giving of a general direction permitting limited disclosure unless the relevant court, following representations made by the parties, directs otherwise.
3. Subject to any contrary direction, without requiring any party to the proceedings to apply for permission to disclose an Act of Court (or information contained in such an Act of Court), upon the sealing or signing of every Act of Court, a relevant court will be deemed to have given a direction that disclosure of the Act of Court (or information contained within it) is permitted to the extent set out in this Practice Direction. This general permission applies only to information contained in the written Act of Court and does not extend to any other information which for the avoidance of doubt includes any written judgment issued with, or attached to, an Act of Court as that is not deemed to be part of the Act of Court and hence must not be disclosed without leave of the relevant court in respect of which an application for directions pursuant to rule 58(2) will continue to be a requirement.
4. The information permitted to be disclosed by such a general direction is strictly limited to what is necessary for the purposes of the furtherance of the protection of the child(ren) involved in the proceedings, or children generally, or for the protection of other persons.
5. The person making the disclosure of the Act of Court (or information contained within it) is required (a) to make the person or agency to which it is disclosed aware of the purposes for which disclosure is being made, (b) to require the recipient of the information to store it only in such a way that the confidentiality of the information disclosed is maintained, and (c) to remind the recipient that the usual data protection principles apply.
6. The persons or agencies to whom disclosure by a party to the proceedings is permitted are:-
  - the Children's Convenor
  - the Child, Youth and Community Tribunal
  - the Committee *for* Health and Social Care

- the Guernsey Legal Aid Service
- the Guernsey Probation Service
- the Safeguarder Service
- the Islands Child Protection Committee
- the Guernsey Child Contact Centre
- the Guernsey Police and Guernsey Border Agency
- the Guernsey Prison Service
- medical professionals
- educational professionals
- any Advocate acting for any of the above.

7. Subject to complying with paragraphs 4 and 5, a person or agency listed in paragraph 6 is permitted to disclose further the Act of Court (or information contained within it) received, in whole or in part, to another person or agency listed in paragraph 6.

8. Disclosure of an Act of Court (or information contained within it) to any person or agency not listed in paragraph 6 or for any purpose not specified in paragraph 4 will not be permitted unless application for leave to disclose is granted by the relevant court.



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