



# Children, Schools and Families Act 2010

## 2010 CHAPTER 26

### PART 2

#### FAMILY PROCEEDINGS

#### **11 Restriction on publication of information relating to family proceedings**

- (1) This section applies in relation to any relevant family proceedings at which the public are not (or, in the case of proceedings which have already taken place, were not) entitled to be present.
- (2) The publication of information relating to the proceedings is a contempt of court committed by the publisher unless the publication of the information is—
  - (a) an authorised publication of the text, or a summary, of the whole or part of an order made or judgment given by the court in the proceedings (see section 12),
  - (b) an authorised news publication (see section 13), or
  - (c) authorised by rules of court.
- (3) Nothing in this section makes it a contempt of court to publish information with the permission of the court.
- (4) “Family proceedings” means family proceedings within the meaning of—
  - (a) section 65 of the Magistrates’ Courts Act 1980, or
  - (b) section 32 of the Matrimonial and Family Proceedings Act 1984.
- (5) Where proceedings are family proceedings at the time they are commenced and, but for this subsection, would later cease to be family proceedings, for the purposes of this section they continue to be family proceedings.
- (6) “Relevant family proceedings” means family proceedings other than—
  - (a) matrimonial causes and matters;
  - (b) applications under Part 3 of the Family Law Act 1986 (declarations of status);
  - (c) applications under section 27 of the Matrimonial Causes Act 1973 (financial provision where failure to maintain);

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*Status: This is the original version (as it was originally enacted).*

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- (d) civil partnership causes and matters;
  - (e) applications under section 58 of the Civil Partnership Act 2004 (declarations relating to civil partnerships);
  - (f) applications under Part 9 of Schedule 5 to that Act (financial provision where failure to maintain);
  - (g) causes and matters relating to non-contentious or common form probate business (within the meaning of section 128 of the Senior Courts Act 1981).
- (7) The Lord Chancellor may, by order made by statutory instrument, amend the definition of “relevant family proceedings” in subsection (6).
- (8) An order under subsection (7) may make transitional provision or savings.
- (9) A statutory instrument containing an order under subsection (7) may not be made unless a draft of the instrument containing the order has been laid before, and approved by a resolution of, each House of Parliament.