**In the Family Court Case No: [*Case number*]**



**sitting at [*Court name*]**

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Order**  **Children Act 1989**  **Police Disclosure Order for use in Family Law proceedings involving litigants in person/no statutory agency**  **Disclosure of Information Between Family and Criminal Agencies and Jurisdictions: 2024 Protocol** | | |
|  |  |  |  |
|  | The full name(s) of the child(ren) | Boy or Girl | Date(s) of Birth |
|  |  |  |  |
|  | [*insert*] | [*insert*] | [*insert*] |
|  | [*insert*] | [*insert*] | [*insert*] |
|  |  |  |  |

Before [*name of judge*] in private on [*date*] at a [*type of hearing*].

**The parties:** The applicant is [*name*] represented by [*name*] [of counsel]

The 1st respondent is [*name*], the [*relationship to child*], represented by [*name*] [of counsel]

The 2nd respondent is [*name*], the [*relationship to child*], represented by [*name*] [of counsel]

The 3rd [[and] / [to][*insert* **(number so that each child is identified as a separate respondent)**] respondent[s] [is] / [are] the child[ren] (by their children’s guardian [*name*]) represented by [*name*] [of counsel]

The intervenor is [*name*] [in person] / [represented by [*name*] [of counsel]]

The parties email addresses and details for disclosure pursuant to this Order are: [*insert*]

**Important Notices**

## Confidentiality warnings

**During the proceedings and after they have concluded no person shall publish information related to the proceedings including accounts of what has gone on in front of the judge, documents filed in the proceedings, transcripts or notes of evidence and submissions, and transcripts and notes of judgments (including extracts, quotations, or summaries of such documents). Any person who does so may be in contempt of court.**

**Until the conclusion of the proceedings no person shall publish to the public at large or any section of the public without the court’s permission any material which is intended or likely to identify the child[ren] as being involved in these proceedings or an address or school as being that of the child[ren]. Any person who does so may be guilty of an offence.**

**The exceptions to this are in Rules 12.73 or 12.75 or Practice Direction 12G of the Family Procedure Rules 2010.**

**RECITALS**

1. This is an order for disclosure to be provided to the Family Court by [*name of police force*].
2. The reason this request is made is to enable the court to determine applications concerning the child[ren].
3. The application for disclosure has been made [on Form C2 dated [*date*]] / [orally at this hearing].
4. This order was made at a hearing [without notice] / [on short informal notice] to [*name of police force*]. They have the right to apply to vary or discharge this order as set out below.
5. The nature of the proceedings concerning the child[ren] is as follows:
   1. [*insert*]

**(set out brief summary of applications, safeguarding issues raised by cafcass and parties’ positions)**

1. The issues to be determined by the Family Court within these proceedings are as follows:
   1. [*insert*]

**(set out briefly what issues need to be determined within proceedings and why)**

1. The Family Court [is considering whether] / [has determined that] it is necessary to hold a fact-finding hearing to determine the following issues between the parties which are relevant to the issues in the case:
   1. [*insert*]

**(set out briefly the issues the Court is considering/needs to determine at the fact-finding hearing)**

1. The child[ren]’s current circumstances are as follows:
   1. [*insert*]

**(brief summary of children’s circumstances/who they live with/what intervention may have occurred/whether having contact/etc)**

1. The court has reviewed the Family Court file and considers the following information should be disclosed by the police to resolve the issues in these family proceedings:
   1. [*insert*]

**(detail:  
1) types of information required from police for example: pnc records; summary report or investigation reports. if the parties require investigation reports, the order must be specific in terms of the nature and date of allegation. should the court require digital/audio evidence, the parties will need to sign the undertaking attached to the Annex 1 before disclosure can be made.   
2) nature of allegations which are key to these proceedings for example: domestic violence, complaints made between parties/others concerning issues/information concerning children’s involvement with police, assistance given by police to parties in relation to relevant issues;   
3) timeframe for completing intelligence searches for example ‘01 january 2022 to date’)**

1. The timetable for the Family Court proceedings is as follows:
   1. [*insert date and purpose of next hearing, timetable for filing evidence etc*]

**IT IS ORDERED [BY CONSENT] THAT:**

**(cases involving litigants in person/court ordered disclosure)**

1. The [Commissioner of the Metropolitan Police] / [Chief Constable of [*name of police force*]] shall by 4.00pm on [*date*] disclose to the court and to the parties relevant information as to the following:

The issues to be determined by the Family Court

The issues to be determined at the fact finding hearing

Specifically:

As set out pursuant to paragraphs 5-9 above

In respect of:

1. [*List parties’ details, to include names, date of birth and any known addresses including email addresses* **(without this information the police will not be** **in a position to complete intelligence searches and comply with the order.)**]
2. [[*Name*] whose confidential details are contained in the annex to this order.]

**(cases involving legal representatives)**

1. The solicitor for [*name of party*], shall within 3 business days, submit an Annex 1 application to the police for the following information:

As set out pursuant to paragraphs 5-9 above.

1. The [C2 application] / [Annex 1 request] / [order made by the court on [*date*]] shall be served on the police together with this order.
2. Any material disclosed by the [Commissioner of the Metropolitan Police] / [Chief Constable of [*name of police force*]] in accordance with this order shall not disclose the personal details contained in any Annex to this order.
3. [The court] / [*Name of party*] is responsible for serving a copy of this order (including any Annex) on [*specify the relevant officer or disclosure unit*] together with a letter providing details for service of all parties.
4. [The court shall not serve the Annex on the parties to the proceedings.]
5. The information when disclosed may only be used for the purposes of these proceedings and must not be disclosed to any third party without permission of the court.
6. [*Name of party requesting this order*] must undertake to pay all reasonable expenses of the police in complying with this order and must undertake to do so when this order is served.
7. The party requesting this order ([*insert name and email address*]) shall be deemed to have agreed to pay all reasonable expenses of the police, and the police shall request payment either before or after disclosure as they see fit [subject to the separate local or specific arrangement which is set out below:

[*set out any details as to payment arrangements if different from the above*]].

1. Permission to the police/Officer in Case as appropriate to [request attendance at the hearing set out above in order to make representations] / [inform the Family Court as to relevant issues concerning the family proceedings] / [attend remotely at any further hearing if requested].

**Directions as to redaction**

1. [*Name of police force*] must not redact any information without application to the court other than:
   1. The details of children who are not involved in these proceedings;
   2. The details of any person who declined to give witness statements; and
   3. Any material that is considered by [*name of police force*] to be “sensitive PNC material” save that if such information would need to be disclosed in any criminal proceedings it must not be redacted.

The parties are referred to Annex 2 section 6 of the Disclosure of Information Between Family and Criminal Agencies and Jurisdictions: 2024 Protocol in relation to the guidelines followed for redaction. In the event of an issue not covered by the above the Judge may contact the police representative by email for further clarification.

**The right to seek variation or discharge of this order**

1. The [Commissioner of the Metropolitan Police] / [Chief Constable of [*name of police force*]] may apply to vary or discharge this order on 2 business days’ notice to the parties, such application to be made not later than 4.00pm on [*insert* *date no later than 14 days from the date of the order*].
2. Permission to the police to request in writing by email an urgent response from the Family Court Judge in the event that this request may impede and/or impact on any criminal investigation/proceedings with an explanation as to the basis of the request. This will not be disclosed to the parties, the Judge must inform the parties of any decision taken in relation to such a request.

Dated [*date*]

**Case No: [*insert*]**

**ANNEX**

**TO THE POLICE DISCLOSURE ORDER MADE ON [*DATE*] BY [*NAME OF JUDGE*]**

**This annex contains personal details that a party has given notice of a wish to be kept confidential.**

Applicant [*applicant name*]: [*insert confidential details*]

Respondent [*respondent name*]: [*insert confidential details*]