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

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

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Order**  **Children Act 1989**  **The Protocol concerning the disclosure of information in cases of alleged child abuse and linked criminal care directions hearings dated 17 October 2013 (“The Protocol”)**  **The Family Procedure Rules 2010 Rule 12 and Practice Direction 12G** | | |
|  |  |  |  |
|  | The full name(s) of the children | 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 [*local authority*] 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]]

**Also present:** [*Police force*] represented by [*name*] [of counsel]

**Important Notices**

## Confidentiality warnings

**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 is guilty of an offence.**

**Further, during the proceedings or 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.**

**Information related to the proceedings must not be communicated to any person other than as allowed by Rules 12.73 or 12.75 or Practice Direction 12G of the Family Procedure Rules 2010.**

**RECITALS**

1. This is an order for disclosure from these proceedings to be provided to [*police force*] to assist the investigation and potential prosecution of criminal offences.

(Only include the appropriate paragraphs in respect of the investigation, charge, and what applications have been made in respect of disclosure)

1. [*Police force*] are investigating an allegation of [*offence(s)*] by [*name(s)*].
2. [*Name*] has been charged on [*date*] with [*offence(s)*]. That matter is listed for [*hearing* *type in criminal proceedings*] on [*date*].
3. [*Police force*] applied within these proceedings for disclosure on [*date*], and such application was served on the parties.
4. [*Name*] applied for an order restraining any party from disclosing the judgments dated [*date(s)*] to the police.
5. [*Police force*] have requested disclosure from these proceedings pursuant to paragraph 11.7 of The Protocol, and the local authority gave notice to the parties on [*date*].

(If a party consents to the disclosure that fact should be recited)

1. [*Name(s)]* [has] / [have] consented to the documents listed in this order being disclosed to [*police force*].
2. This order is made without prejudice to section 12 of the Administration of Justice Act 1960 (as amended by chapter 7 of Part 12 of the Family Procedure Rules 2010 and Practice Direction 12G: and section 98(2) of Children Act 1989 as amended).
3. It is recorded that any unauthorised disclosure of the judgments named in this order would be a contempt of court.

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

1. The application by [*name*] for an order restraining any party from disclosing the judgment[s] dated [*date(s)*] is refused.
2. The local authority may disclose to [*police force*] for use in relation to the current criminal investigation the following:
   1. The judgments in these proceedings of [*date(s)*].
   2. All documents in the court bundle for case number [*case number*] as listed in the index [*dated*] / [to the bundle for the hearing on [*date*]].
   3. [*Or insert a list of specific documents*]
3. [*Police force*] are permitted to disclose the information and documents listed at paragraph [*para number*] to the Crown Prosecution Service to inform any charging decision and for use in any ensuing criminal prosecution.
4. Should there be a prosecution of a party in these proceedings, [*police force*] and the Crown Prosecution Service are permitted to disclose the information and documents listed at paragraph [*para number*] to the defence solicitors of that party.
5. The information and documents listed in paragraph [*para number*] may be used only for the purposes of the criminal investigation/prosecution by [*police force*] and the Crown Prosecution Service and must not be disclosed to any third party not mentioned in this order without the express permission of this court.
6. Pursuant to rule 12.73(1)(c) of the Family Procedure Rules 2010 and paragraph 1.2 of Practice Direction 12G, the disclosure of the judgment[s] in these proceedings of [*date(s)*] to the police and any subsequent disclosure by the police to the Crown Prosecution Service, is subject to the following directions:
   1. none of the said judgments, nor any information contained therein, shall be disclosed to or discussed with [[*names of respondents or intervenors*] or] any other person outside the [*police force*] or the Crown Prosecution Service, without further permission of this court;
   2. a copy of this order shall be given to any individual within the [*police force*] or the Crown Prosecution Service to whom any of the said judgments are shown or given;
   3. the [*police force*] and the Crown Prosecution Service shall require any individual within the [*police force*] or the Crown Prosecution Service to whom copies of any of the said judgments are shown or given to sign a written document confirming that they have received a copy of this order and understand its terms and effects, and shall deliver copies of the said signed documents to the local authority.
7. Nothing shall be published, read into the public record or otherwise put into the public domain that might lead to the identification of the [*names of parents*] or the subject children as being the persons referred to in the judgment[s] of [*date(s)*] without the further permission of this court.
8. The [*police force*] and Crown Prosecution Service shall have liberty to apply for any variation of the terms of this order on 7 days' notice to the parties in the care proceedings.
9. All applications concerning disclosure of the said judgments, or any information relating to these proceedings, are reserved to [*judge*].
10. The children shall be represented by [Cafcass] / [CAFCASS Cymru] as before on any applications concerning disclosure of the said judgments, or any information relating to these proceedings.
11. No order for costs save public funding assessment of the costs of the legally aided parties.

Dated [*date*]