

Annex 5



**In the Family Court
sitting at [Court name]**

Case No: [Case number]

**Disclosure Order for use in Family Law proceedings involving
litigants in person/no statutory agency**

Children Act 1989

The full name(s) of the child(ren)	Boy or Girl	Date(s) of Birth
[insert]	[insert]	[insert]
[insert]	[insert]	[insert]

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

The parties:

The applicant is [insert name] represented by [insert name]
[insert of counsel]

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

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

The parties email addresses and details for disclosure pursuant to this Order are:

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 to be provided to the Family court by [*insert police force*].
2. The reason this request is made is to enable the court to determine applications concerning the children.
3. The application for disclosure has been made on Form C2 dated /has been Ordered by the Court at a hearing on .
It is directed by the Court that the C2 application/Annex 1 request/order made by the Court on should be disclosed together with this Order.
4. This order was made at a hearing [without notice] / [on short informal notice] to [*insert 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 children is as follows:

(set out brief summary of applications, safeguarding issues raised by CAFCASS and parties' positions)

6. The issues to be determined by the Family Court within these proceedings are as follows:

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

7. The Family Court is considering/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:

(set out briefly the issues the Court is considering/needs to determine at the FFH)

8. The children's current circumstances are as follows:

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

9. The Court has reviewed the Family Court file and considers the following information should be disclosed in order to resolve the issues in these family proceedings:

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.

IT IS ORDERED [BY CONSENT] THAT:

Cases involving Litigants in person/Court ordered disclosure

10. The [*insert* Commissioner of the Metropolitan Police] / [Chief Constable 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 paras 5-9 above

Parties details should be listed below, 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.

Cases involving legal representatives

The solicitor for the Applicant, shall within 3 business days, submit an Annex 1 application to the police for the following information:

As set out pursuant to paras 5-9 above

11. Any material disclosed by the [*insert* Commissioner of the Metropolitan Police] / [Chief Constable of [*police force*]] in accordance with this order shall not disclose the personal details contained in any Annex to this order.
12. [The court] / [*insert 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.
13. [The court shall not serve the Annex on the parties to the proceedings.]
14. 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.
15. The 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
16. The party [*provide name and email address*] requesting this Order 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 any separate local or specific arrangement which is set out below: set out any details as to payment arrangements if different from the above
17. The timetable for the Family Court proceedings is as follows:

[Date of and purpose of next hearing, timetable for filing evidence etc](#)

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

Directions as to redaction

19. [*insert Police force*] must not redact any information without application to the court other than:
 - a. The details of children who are not involved in these proceedings;
 - b. The details of any person who declined to give witness statements; and
 - c. Any material that is considered by [*insert 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 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

20. The [*insert* Commissioner of the Metropolitan Police] / [Chief Constable 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 business days from the date of the order*].

21. 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 [*insert date*]

Case No: *[insert]*

ANNEX

TO THE POLICE DISCLOSURE ORDER MADE ON *[insert DATE]* BY *[insert 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]*