

ANNEX 1 - APPLICATION FOR DISCLOSURE OF POLICE INFORMATION IN FAMILY PROCEEDINGS

This form should only be completed by local authority or legal representatives. Local authority representatives should use this form for contemplated/ongoing family proceedings. In private law matters this form must be submitted with an Annex 5 which has been approved by the court. Any information disclosed must be treated as confidential and will not be used for any other purpose, nor shared outside of the remit of the family proceedings.

Should you require further guidance about the process for requesting information, please refer to the guidance notes.

All sections marked with an asterisk (*) mandatory and must be completed

Section 1

* Person Requesting Information	
Job Title/Organisation (e.g. solicitor/social worker/local authority representative)	
* Name of client	
* Please provide an email address as disclosure may be provided electronically.	
Case Proceeding at (if underway)	
Court Case number	
Enter the date of the next hearing	
Finding of fact hearing Disclosure request will be closed at this point unless advised otherwise	
The likely timetable of legal and social work steps	

* Purpose of the Information (tick as appropriate):

☐	Enquiries connected with Care Proceedings	☐	Other Family Proceedings	☐	Contemplated Proceedings
--------------------------	---	--------------------------	--------------------------	--------------------------	--------------------------

Legal representative and/or litigant details			
	Contact 1	Contact 2	Contact 3
Client/litigant			
Legal Representative			
Organisation name and address			
Your reference			
Direct telephone number			
Will they be given access to police disclosure? Yes/No			

Please complete only one of the following payment options. Charges are subject to local procedures.

Option 1: Advance Payment	
Please indicate the method of payment and quote the reference number	BACS payment ☐
	Card payment ☐
	GOV.pay ☐
	Reference

Option 2: Invoicing

* If the costs are to be split between parties, please provide details for all parties below.

	Contact 1	Contact 2	Contact 3
* Name			
* Billing address			
* Telephone Number			
* Email address			
* VAT number			
*Solicitors Reference			
*Solicitor agrees to pay invoice Yes/No			

Please ensure you provide details for those adults and children you are requesting information about, and details of the parties involved in the ongoing proceedings.

This information will be used to complete searches on police systems and therefore must be completed in full. Please highlight any information that must be redacted from police disclosure.

Section 2: Individuals who are key to the family proceedings

	Subject 1	Subject 2	Subject 3
* Forename			
* Family Name			
Other names			
* Date of Birth			
Place of Birth			
* Current Address & date of residency			

Please highlight any addresses which are confidential and should be redacted.			
Previous Address(es) & dates of residency			
* Are they a Party to Proceedings? Yes/No			
* What is their involvement in the intended/ongoing proceedings? e.g. mother, father, aunt etc			

	Child 1	Child 2	Child 3
* Forename			
* Family Name			
Other names			
* Date of Birth			
* Current Address & date of residency Please highlight any addresses which are confidential and should be redacted.			
Previous Address(es) & dates of residency			

* Are they a Party to Proceedings? Yes/No			
* What is their involvement in the intended/ongoing proceedings? e.g. mother, father, aunt etc			

If you are requesting information about more than three subjects and/or about more than three children, please continue on a separate sheet.

Please note in order to determine what information is relevant and necessary for proceedings you will be required to complete all fields applicable to your request. Failure to do so may result in a delay in processing your request.

Section 3: Nature of proceedings

* Please provide a summary of the issues/likely issues.
* Please explain why police material is both relevant and necessary to the resolution of those issues.

DISCLOSURE REQUIRED FROM THE POLICE

Section 4: LEDS records

Estimated timeframe for disclosure: 10 business days

Please note the LEDS record will detail any convictions, cautions, reprimands, or warnings held on file relating to a specific individual and therefore you will need to provide details of the subject(s) below.

Please confirm why disclosure of each LEDS is relevant to the ongoing proceedings.

Name of individual	*Explain why the LEDS is relevant for disclosure

Section 5: Summary report of criminal history

Estimated timeframe for disclosure: 15 business days

For example, the summary will detail the nature of any relevant incidents, dates, crime reference numbers, details of individuals involved in the matter and the outcome of each investigation.

This information will not be in the format of a full investigation report. Summary reports will only be provided for specified named individuals below.

Please provide the following information.

Time period for searches to be conducted (i.e. last 2 years)	
Maximum period will be 2 years unless deemed relevant and necessary.	
Name(s) of individual(s)	

Nature of incidents and allegations made (i.e. domestic violence, child abuse, violence)	
Specific documents, including investigation reports will not be provided unless requested at Sections 6/7	

Section 6: Investigation report

Estimated timeframe for disclosure: 20 business days If you are unaware of the specific details of the information sought, please return to section 5			
Please complete the section below indicating the documents required in relation to each specific incident. Blanket, wide reaching and non-specific requests will be rejected.			
Date of incident:		Reference number:	
Description of incident:			
Date of incident:		Reference number:	
Description of incident:			
Date of incident:		Reference number:	
Description of incident:			
Date of incident:		Reference number:	
Description of incident:			
Date of incident:		Reference number:	

Description of incident:			
Date of incident:		Reference number:	
Description of incident:			
If you are requesting information about more than six investigations, please continue on a separate sheet.			

Section 7: Other documents

Estimated timeframe for disclosure: 20 business days If you are unaware of the specific details of the information sought, please return to section 5			
Please complete the section below indicating the documents required in relation to each specific incident. Blanket, wide reaching and non-specific requests will be rejected. If you are requesting information about more than one investigation, the investigation report only should be requested in the first instance (see section 6). If you are requesting digital, audio or video evidence, please complete the Handling Instructions section at the end of this document.			
Date of incident:		Reference number:	
*Requested information: Investigation Report ☐ Statement ☐ Interview ☐ Other ☐ please specify: Specify names of any interviewees or persons providing the statement: Explain why the disclosure is both relevant and necessary:			
Date of incident:		Reference number:	
*Requested information: Investigation Report ☐ Statement ☐ Interview ☐ Other ☐ please specify: Specify names of any interviewees or persons providing the statement:			

Explain why the disclosure is both relevant and necessary:

Date of incident:

Reference number:

*Requested information: Investigation Report ☐ Statement ☐ Interview ☐

Other ☐ please specify:

Specify names of any interviewees or persons providing the statement:

Explain why the disclosure is both relevant and necessary:

Date of incident:

Reference number:

*Requested information: Investigation Report ☐ Statement ☐ Interview ☐

Other ☐ please specify:

Specify names of any interviewees or persons providing the statement:

Explain why the disclosure is both relevant and necessary:

Date of incident:

Reference number:

*Requested information: Investigation Report ☐ Statement ☐ Interview ☐

Other ☐ please specify:

Specify names of any interviewees or persons providing the statement:

Explain why the disclosure is both relevant and necessary:

Date of incident:

Reference number:

*Requested information: Investigation Report ☐ Statement ☐ Interview ☐

Other ☐ please specify:

Specify names of any interviewees or persons providing the statement:

Explain why the disclosure is both relevant and necessary:

If you are requesting information about more than six investigations, please continue on a separate sheet.

Section 8: Permission to release documents held by your client

Estimated timeframe for disclosure: 15 business days

* Are you requesting permission to release records? (i.e. Case Conference Reports / Merlin Reports/Public Protection Notice/ Section 47/17 checks)

Yes ☐ No ☐

Please note the records must be attached to the application so that police can review the content of each report and consider obtaining permission to release from the investigating officer. Failure to provide copies of the relevant reports will result in a delay in processing your request.

Section 9

An indication of the proposed directions for disclosure likely to be made (including the date by which actual documents will be required)

(List of Directions or attach Draft Order for Directions).

The likely timetable of legal and social work steps:	
--	--

*Signature - Please insert an electronic signature or record initials	
---	--

* Print name	
--------------	--

* Date	
--------	--

HANDLING INSTRUCTIONS FOR DIGITAL POLICE MATERIAL SHARED UNDER THE 2024 PROTOCOL

UPON [FIRM OR ORGANISATION] AGREEING TO HANDLE THE POLICE MATERIAL AS FOLLOWS IN LINE WITH ITS OBLIGATIONS AS THE DATA CONTROLLER:

1. Police material for the purpose of these handling instructions is any digital video or audio files provided by the police.
2. Police material once securely accessed and downloaded is in their possession and control for the purposes of data protection legislation.
3. Police material obtained and used as evidence within family court proceedings will be subject to the same strict rules of confidentiality as prescribed by s12 Administration of Justice Act 1960 and Rule 12 Family Procedure Rules.
4. The firm or organisation will ensure that all of its staff who will be given access to the police material are aware of the handling instructions for the police material.
5. Police material will only be accessed using, and downloaded to, an authorised computer/device operated for business/judicial use with security access controls compliant with the organisations data protection policies.
6. Police material will only be shared with professionals and/or organisations as is strictly necessary for the conduct of the pre-proceedings or issued court proceedings. Police material must only be shared with professionals or organisations who will be equally bound by their own data protection obligations and duties as controllers, joint controllers or processors of the material. This will include their duties under data minimisation which requires the material is not retained for longer than is strictly necessary in line with the organisations data protection duties and retention policies. Onward disclosure is only permitted to the following professionals and organisations:
 - i) The Court
 - ii) The legal representatives of the parties
 - iii) Appointed Counsel
 - iv) An expert pursuant to Part 25 Family Procedure Rules instructed both in pre-proceedings or live proceedings
 - v) The children's guardian
 - vi) The allocated social worker and any other member of children's services deemed necessary
 - vii) An authorised member of the Tape Transcription Panel

viii) Parents, Parties or Intervenors who are named on the Annex 1 application form and known to the police at the point disclosure is made by the police, are permitted to view the material, without taking copies, under the supervision of one of the professionals outlined above. For any other individuals not listed above, the police must be put on notice and specific permission sought first before they can view the material (without taking copies) under professional supervision, to avoid the risk of jeopardising any ongoing investigation.

7. If it is considered necessary to share copies of the police material directly to any individuals who fall outside the remit of paragraph 6, prior to sharing copies, permission from the police must be obtained. In the event that an agreement cannot be reached, your firm or organisation must ask the Court to grant the police at least -5 business days notice, with a direction permitting them to file written submissions and if applicable, request a disclosure hearing be listed. If a Court order is made, the material will only be shared in strict compliance with that order.
8. Police material will be securely retained with security access controls and in accordance with the terms of a data retention policy subject to regular review which clearly defines the period for which and how the police material will be securely retained and disposed of.
9. In the event anyone other than an employee or agent of the local authority/solicitor or CAFCASS makes a request to view police material after the conclusion of the proceedings, then the views of Police force who provided the material shall first be sought.
10. That any identified breach of data protection legislation involving the police material is responded to in line with the organisations' data protection duties and where appropriate notice provided to the information commissioner's office within 72 hours. The breach is also formally notified to Police's Data Protection Officer at the same time.

Signed on behalf of the organisation:

Dated:

Case Name:

Court Reference: