

STATUTORY INSTRUMENTS

2010 No. 2955

The Family Procedure Rules 2010

PART 12

[^{F1}CHILDREN PROCEEDINGS] EXCEPT PARENTAL ORDER PROCEEDINGS AND PROCEEDINGS FOR APPLICATIONS IN ADOPTION, PLACEMENT AND RELATED PROCEEDINGS

CHAPTER 7

COMMUNICATION OF INFORMATION: [^{F1}CHILDREN PROCEEDINGS]

Textual Amendments

- F1** Words in Pt. 12 Ch. 7 heading substituted (31.1.2013) by [The Family Procedure \(Amendment\) \(No.5\) Rules 2012 \(S.I. 2012/3061\)](#), rules 1, **5(a)**

Interpretation

12.72. ^{F2}In this Chapter “independent reviewing officer” means a person appointed in respect of a child in accordance with regulation 2A of the Review of Children's Cases Regulations 1991 ^{M1}, or regulation 3 of the Review of Children's Cases (Wales) Regulations 2007 ^{M2}.

Textual Amendments

- F2** Rule 12.72(1) renumbered as rule 12.72 (6.4.2012) by [The Family Procedure \(Amendment\) Rules 2012 \(S.I. 2012/679\)](#), rules 1, **22** (with rule 30)

Marginal Citations

- M1** [S.I. 1991/895](#).
M2 [S.I. 2007/307](#).

Communication of information: general

12.73.—(1) For the purposes of the law relating to contempt of court, information relating to proceedings held in private (whether or not contained in a document filed with the court) may be communicated—

- (a) where the communication is to—
- (i) a party;
 - (ii) the legal representative of a party;
 - (iii) a professional legal adviser;

- (iv) an officer of the service or a Welsh family proceedings officer;
 - (v) the welfare officer;
 - (vi) [^{F3}the Director of Legal Aid Casework (within the meaning of section 4 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012)];
 - (vii) an expert whose instruction by a party has been authorised by the court for the purposes of the proceedings;
 - (viii) a professional acting in furtherance of the protection of children;
 - (ix) an independent reviewing officer appointed in respect of a child who is, or has been, subject to proceedings to which this rule applies;
- (b) where the court gives permission; or
 - (c) subject to any direction of the court, in accordance with rule 12.75 and Practice Direction 12G.

(2) Nothing in this Chapter permits the communication to the public at large, or any section of the public, of any information relating to the proceedings.

(3) Nothing in rule 12.75 and Practice Direction 12G permits the disclosure of an unapproved draft judgment handed down by any court.

Textual Amendments

F3 Words in rule 12.73(1)(a)(vi) substituted (1.4.2013) by [The Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(Consequential, Transitional and Saving Provisions\) Regulations 2013 \(S.I. 2013/534\)](#), reg. 1, **Sch. para. 22(a)** (with reg. 14(2))

Instruction of experts

^{F4}**12.74.**

Textual Amendments

F4 [Rule 12.74](#) omitted (31.1.2013) by virtue of [The Family Procedure \(Amendment\) \(No.5\) Rules 2012 \(S.I. 2012/3061\)](#), rules 1, 4

Communication of information for purposes connected with the proceedings

12.75.—(1) A party or the legal representative of a party, on behalf of and upon the instructions of that party, may communicate information relating to the proceedings to any person where necessary to enable that party—

- (a) by confidential discussion, to obtain support, advice or assistance in the conduct of the proceedings;
- [^{F5}(b) to attend a mediation information and assessment meeting, or to engage in mediation or other forms of non-court dispute resolution;]
- (c) to make and pursue a complaint against a person or body concerned in the proceedings; or
- (d) to make and pursue a complaint regarding the law, policy or procedure relating to a category of proceedings to which this Part applies.

(2) Where information is communicated to any person in accordance with paragraph (1)(a) of this rule, no further communication by that person is permitted.

(3) When information relating to the proceedings is communicated to any person in accordance with paragraphs (1)(b),(c) or (d) of this rule—

- (a) the recipient may communicate that information to a further recipient, provided that—
 - (i) the party who initially communicated the information consents to that further communication; and
 - (ii) the further communication is made only for the purpose or purposes for which the party made the initial communication; and
- (b) the information may be successively communicated to and by further recipients on as many occasions as may be necessary to fulfil the purpose for which the information was initially communicated, provided that on each such occasion the conditions in sub-paragraph (a) are met.

Textual Amendments

F5 Rule 12.75(1)(b) substituted (22.4.2014) by [The Family Procedure \(Amendment No. 3\) Rules 2014 \(S.I. 2014/843\)](#), rules 1, **29**

Changes to legislation:

There are currently no known outstanding effects for the The Family Procedure Rules 2010, CHAPTER 7.