
STATUTORY INSTRUMENTS

2010 No. 2955

The Family Procedure Rules 2010

PART 12

**PROCEEDINGS RELATING TO CHILDREN EXCEPT PARENTAL
ORDER PROCEEDINGS AND PROCEEDINGS FOR APPLICATIONS
IN ADOPTION, PLACEMENT AND RELATED PROCEEDINGS**

CHAPTER 7

COMMUNICATION OF INFORMATION: PROCEEDINGS RELATING TO CHILDREN

Interpretation

12.72.—(1) 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⁽¹⁾, or regulation 3 of the Review of Children’s Cases (Wales) Regulations 2007⁽²⁾.

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) the Legal Services Commission;
 - (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.

(1) S.I. 1991/895.

(2) S.I. 2007/307.

(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.

Instruction of experts

12.74.—(1) No party may instruct an expert for any purpose relating to proceedings, including to give evidence in those proceedings, without the permission of the court.

(2) Where the permission of the court has not been given under paragraph (1), no evidence arising out of an unauthorised instruction may be introduced without permission of the court.

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;
- (b) to engage in mediation or other forms of alternative 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.