

DISCLOSURE IN FAMILY PROCEEDINGS

THE COMINGS AND GOINGS OF CONFIDENTIAL INFORMATION

The public interest in the workings of the family justice system has intensified the focus on the use of confidential information.

The mechanics of how child protection agencies gather information and subsequently use that information has been at the centre of many recent controversial and tragic cases.

Unlike other areas of child law the analysis of the competing issues will not always be resolved with the usual resort to the welfare of the child. Issues of disclosure require a careful balancing of competing rights and interests.

It is proposed to consider firstly the issues involved in disclosing documents and information prepared and gathered for care proceedings to individuals and organisations outside the confines of the family court.

We will then address the issues surrounding the disclosure of information and material into care proceedings.

A. Disclosure *out* of Care Proceedings

There are many individuals and organisations that may have an interest, legitimate or otherwise, in having access to material prepared in the course of care proceedings.

1. The Family Proceedings Rules 1991 control the disclosure of information relating to proceedings that:-

- a. relate to the inherent jurisdiction of the High Court when exercised with respect to minors
- b. are brought under the Children Act 1989
- c. otherwise relate to the maintenance or upbringing of a minor

Rule 4.23 of FPR 1991 was the original starting point:-

“(1) Notwithstanding any rule of the Court to the contrary no document other than a record of an order held by the Court and relating to proceedings to which this part applies shall be disclosed to other than:-

- (a) a party
- (b) the legal representative of a party
- (c) the children’s guardian
- (d) the Legal Services Commission
- (e) a welfare officer and children and family reporter
- (f) an expert authorised whose instruction by a party has been authorised by the Court

without leave of the judge or district judge.”

This rule applied to documents and of course was somewhat artificial. It also kept the goings on within family proceedings

in a vacuum one step from the reality of everyday life. It also did nothing to silence critiques of the secretive world of family proceedings.

2. The Family Proceedings (Amendment No4) Rules 2005

Rule 4.23 has of course now been superseded by The Family Proceedings (Amendment No4) Rules 2005 which came into force on October 2005. Rule 4.23 has been replaced with Rule 10.20A.

Para (2) of the new rules deals with disclosure of:-

“information relating to proceedings whether or not contained in a document filed with the court.”

The rules make clear that information relating to the proceedings can be disclosed as follows:-

- (a) where the Court gives permission
- (b) in accordance with the scheme established by rule 10.20A
or
- (c) a party
- (d) the legal representative of a party
- (e) a professional legal adviser
- (f) an officer of the service or a Welsh family proceedings officer
- (g) the welfare officer
- (h) the Legal Services Commission
- (i) a welfare officer and children and family reporter

- (j) an expert authorised whose instruction by a party has been authorised by the Court or
- (k) a professional acting in furtherance of the protection of children.

3. Rule 10.20A (3) provides a list of those to whom information may be communicated without the permissions of the Court.

The rule now applies to information and removes the artificiality of the previous rules and recognises that there are many more individuals with a legitimate interest in having access to confidential information.

The extension to spouses, counselling services were clearly overdue and reflect the reality of how information has been disseminated.

A person specified in the first column may communicate to a person listed in the second column such information as is specified in the third for the purposes or purposes specified in the fourth column. Where this table applies there is no need to obtain the permission of the Court before disclosing the information

Rule	Communicated By	To	Information	Purpose
	A Party	A lay adviser or McKenzie	Any information	To enable the party to obtain

		Friend	relating to the proceedings	advice or assistance in relation to the proceedings
	A party	The party's spouse, cohabitant or close family member	Any information relating to the proceedings	For the purposes of confidential discussions enabling the party to receive support from his spouse, cohabitant or close family member.
	A Party	A health care professional or a person or body providing counselling for children or families	Any information relating to the proceedings	To enable the party or any child to obtain health care or counselling
	A party or legal representative	A mediator	Any information relating to the proceedings	For the purpose of mediation in relation to the proceedings

	A party, a legal representative or a professional legal adviser	A person or body responsible for investigating complaints in respect of legal representatives	Any information relating to the proceedings	For the purposes of making a complaint or the investigation of a complaint
	A party	An elected representative or peer	The text or summary of the whole or part of a judgment given in the proceedings	To enable the elected representative or peer to give advice, investigate any complaint or raise any question of policy or procedure
	A party	The GMC	Any information relating to the proceedings	For the purposes of making a complaint
	A party	A police officer	Any information relating to the proceedings	For the purposes of a criminal investigation

4. Who is “a professional acting in furtherance of the protection of children”?

Rule 10.20A(5) sets out definitions to assist with the interpretation and identification of those to whom information may be disclosed to be read alongside the individuals included within the table.

A professional acting in furtherance of the protection of children includes:-

- a. an officer of the local authority exercising child protection functions,
- b. a police officer who is –
 - i. exercising powers under section 46 of the Children Act 1989
 - ii. serving in a child protection unit or a paedophile unit of a police force
- c. any professional person attending a child protection conference or review in relation to a child who is the subject of proceedings to which the information relates or
- d. an officer of the NSPCC.

5. The test where permission of the Court is needed

All straight forward so far but what happens when the individual you want to disclose information to is not included in the lists covered above.

In deciding whether to grant leave the Court has an unfettered discretion to consider the issue of disclosure to non parties. The

Courts have developed the principles originally formulated in wardship cases.

The test to be applied is the need to balance the public interest of ensuring frankness through confidentiality and the public interest of disclosure – a fair trial etc..

The balancing exercise involves the following factors:-

- a. the need to protect the interests of the children
- b. the need to encourage candour from all involved in the proceedings
- c. the public interest of free exchange of information between agencies;
- d. the public interest in protecting the vulnerable members of the community (***eg parents as defendants***)

[Cleveland County Council v F [1995] 1 FLR 797]

Mr Justice Munby conducted a detailed examination of the factors set out above in Re X (Disclosure of Information) [2001] 2 FLR 440.

This case involved the disclosure of a judgment in care proceedings in which findings of fact were made in relation to children who were not the subject of the proceedings. Leave was given to disclose the judgment to those children to enable them to obtain therapeutic help and claim compensation.

We can distil the following from the terms of the judgment:-

- i. there is an interest for any child to have the details of the proceedings remain confidential
- ii. there is also an interest for the individuals involved in family proceedings to know that the details of those proceedings will remain confidential ***Recourse to the Courts should not be deterred by the fear that very personal details will become public***
- iii. there is an important public interest in encouraging ‘frankness and co-operation’ in children’s cases not only on the part of professionals such as doctors, teachers, social workers but also family members, neighbours etc ***As we know from many recent cases anything that hinders co-operation can have tragic consequences***
- iv. there is an additional public interest in encouraging a similar level of frankness on the part of perpetrators of abuse [echoed by s98(2) Children Act 1989; Re C (A minor) (Care Proceedings: Disclosure) [1997] Fam 76 (at 85E) sub nom Re EC (Disclosure of Material) [1996] 2 FLR 725 (at 733)] ***The incentive of course that any admissions would not be admissible in a criminal trial***
- v. there is a public interest in reassuring those who have given evidence in children proceedings that their evidence will remain confidential. This is however, not the case in all circumstances. [Re C (A minor) (Care Proceedings: Disclosure) [1997] Fam 76 (at 85F) sub nom Re EC (Disclosure of Material) [1996] 2 FLR 725 (at 733)] ***section 98(2) does not give the added incentive of GUARANTEED confidentiality***

It needs to be remembered that the embargo on the disclosure of material is limited to documents held on the court file [Re W (Disclosure to Police) [1998] 2 FLR 135].

There is no bar on the exchange of information between those involved in the child protection arena. Good practice dictates that a social worker for example should disclose to the police information relevant to an investigation. The same is true for an investigating officer.

Social Work working papers used during an assessment which HAVE NOT been filed are therefore not covered by rule 10.20A and may be disclosed to the police without leave.

Wherever possible any application for the disclosure of documents should be made to the trial judge [A Health Authority v X [2002] 1 FLR 1045].

6. Disclosure to the Police

From the new rules it is clear that any party to proceedings is now entitled to disclose the terms of any judgment to a police officer or to the CPS without seeking the leave of the Court.

Additionally Rule 10.20A(2) provides that information may be disclosed to a police officer officer who is –

- i. exercising powers under section 46 of the Children Act 1989

- ii. serving in a child protection unit or a paedophile unit of a police force.

There is clearly an overlap between rule 10.20A(2) and rule 10.20(3). The one deals with a document (a text or summary of the judgment) and the other with information.

In a recently reported case Mr Justice Sumner considered the new rules and the interaction between the two rules. [A Local Authority v D (Chief Constable of a Police Authority Intervening)]

Insert facts of the case

During the course of care proceedings various documents were collected by the Local Authority. These documents were subsequently disclosed to the police child protection officer by the social worker. The social worker had not sought the permission of the family court. The social worker had disclosed:-

- i. medical reports
- ii. an unsigned statement of the mother alleging the father to be violent and had sole care of the child at the time of the injuries
- iii. a signed statement prepared by the father in which he accepted that there had been violence but denied causing the injuries to the child.

The complication was that the police officer was also involved in the criminal investigation. The police sought guidance as to whether leave of the court was required to use the documents.

It was held as follows:-

- a. Under the 2005 rules, documents including those filed with the court, can be disclosed to the child protection officer and once disclosed the police can use the **information** contained in the documents for **child protection purposes**
- b. Documents filed with the court and other documents such as social services records, having been disclosed for child protection purposes **could not** be used otherwise without the leave of the court
- c. There is a distinction between the use of documents and the use of information contained in the documents
- d. The new rules do not specifically permit the copying to the police of documents on the court file **However it is unrealistic to expect busy social workers to prepare a précis of complex medical reports etc and so documents may be disclosed**
- e. Police officers with a dual role could use the information but not the documents for both the criminal investigation and child protection purposes without the court's permission
- f. To use the documents the leave of the court was still required.

In this case leave was granted to disclose and use the documents.

Additionally the Court made clear the following

SW's should identify the source of the info and tell all parties

The 2005 rules did not permit disclosure to a defence lawyer without leave

No irregularity in a child protection officer becoming involved in the resulting criminal investigation

So to be clear the police still require the permission of the Court for the use of documents in a criminal investigation apart from a summary or the text of the judgment.

7. Section 98 Children Act 1989

A further point to bear in mind is that the Court does have the power to direct the disclosure of material covered by s98(2) CA 1989.

S98(2) CA1989 only protects statements from being admissible in criminal proceedings except for offences of perjury – s98(2) does not prevent the use of the disclosed material in cross-examination in criminal proceedings [Re L (Care: Confidentiality) [1999] 1 FLR 165]

The Court of Appeal considered the issue of disclosure in these circumstances in the case of Re EC (Disclosure of Material) [1996] 2 FLR 725.

The facts – the case involved injuries to a child who subsequently died – the father's evidence was that he had thrown the child on a sofa..

An application was made by police for:-

- a. statements made in the proceedings by the parents
- b. the medical reports and evidence of the doctors in the proceedings

- c. such parts of the transcripts that related to the babies injuries and their causation (including the medical evidence and the evidence of the family members)

Some of this information we know could be disclosed without permission ie the judgment.

The Court of Appeal decided that the factors for the Court to consider before disclosing such material are ***somewhat unsurprisingly*** :-

- a. welfare of child
- b. maintenance of confidentiality
- c. public interest in the administration of justice
- d. the gravity of the alleged offence
- e. the desirability of co-operation between agencies
- f. the fairness to the person who has incriminated themselves any others
- g. any other material disclosure which has taken place.

In the case the Court of Appeal decided the following:-

- a. transcripts of an admission made by the father when giving evidence should be disclosed to the police
- b. the police could use the information when questioning the father
- c. section 98(2) only gives protection against statements being admissible in evidence in criminal proceedings and does not protect their use in a police enquiry
- d. a judge cannot give a witness in care proceedings an absolute guarantee as to confidentiality.

The Judges warning often given to witnesses is not a guarantee that the information will not be used at some point. Additionally the CA advised legal advisors that this should be pointed out to witnesses.

Mr Justice Wall (as he was then) further considered the issue of section 98(2) in AB (Care Proceedings: Disclosure of medical evidence to the police) [2003] 1 FLR 579.

The case concerned a mother suspected of causing the death of two of her children. During the course of the proceedings the mother agreed to be interviewed by an expert conducting a paediatric overview.

The expert gave an assurance to the mother that he would not agree to the report being disclosed to the police. The police sought disclosure of the report.

Mr Justice Wall ordered disclosure of the report stating that absolute confidentiality within public law care proceedings was impossible. Clear from the decision is that the terms of s98(2) CA 1989 extends beyond statements made in oral evidence and includes statements made in the course of the proceedings. This includes statements made to experts during the course of assessment.

This was a case where the public interest in the prosecution of serious crime and the punishment of offenders prevailed

over the desirability of encouraging frankness...Wall J made clear that the court was more likely to refuse an application for disclosure to police where there has been a frank acknowledgement of responsibility..

And it is possible for the balance to tip the other way

A case in which the factors were found to balance against disclosure was Re M (Care Proceedings: Disclosure: Human Rights) [2001] 2 FLR 1316.

The Court applied the criteria set out in Re EC [1996] 2 FLR 725 and identified the following as factors that mitigated against a disclosure of admissions to the police:-

- a. the issue in the proceedings was whether or not the child could be returned to the parents ***an intensive psychiatric and social work assessment was being undertaken and the window of opportunity was very narrow for the parents to demonstrate sufficient progress***
- b. the stress of a re-opening of the criminal investigation would compromise the parents ability to concentrate on the assessment ***although if there was little chance of reunification then this factor would have less significance***
- c. due to the medical and mental health problems being experienced by the parents a further criminal investigation would prevent the mother from engaging in therapeutic work
- d. the mother's frankness had been crucial to the resolution of the proceedings and that had been in the interests of the child and justice

- e. as the mother had been compelled to give evidence it was unfair to turn her frankness against her.

Section 98 does not apply to private law proceedings. [Re D and M (Disclosure: Private Law) [2003] 1 FLR 647]

Reports and statements filed in the proceedings remain confidential and may not be disclosed without leave of the Judge.

[A Local Authority v (1) W (2) A Police Authority [2003] 2 FLR 1023
Re L (Police investigation: Privilege) [1996] 1 FLR 731 HL]

8. Disclosure to a Defendant

Permission is still necessary in order to disclose documents in these circumstances

It was held by the Court of Appeal that it is in the interests of justice that a defendant in a criminal trial should have available all relevant and necessary material for the proper conduct of his or her defence [Re D (Minors)(Wardship: Disclosure) [1994] 1 FLR CA]. ***Insert facts of case***

In deciding the issue of disclosure a balance is to be struck in each case between the importance of maintaining confidentiality in family cases, the interests of any children involved and the public interest in making relevant information for other proceedings. The interests of any child are not paramount and simply put into the balance. [Re A (Criminal Proceedings: Disclosure) [1996] 1 FLR 221]

The balance will almost always fall in favour of disclosure where the information has a significant value to the defence

Mr Justice Munby held that it would be an exceptional case where a family court could properly deny a criminal defendant access to material which might enable him to defend himself against a serious criminal charge. [Re Z (Children)(Disclosure: Criminal Proceedings) [2003] 1 FLR 1194]

Insert facts of the case

In the instant case the learned judge ordered the disclosure of the mother's statement in the children act proceedings to the lawyers acting for the father in the criminal proceedings. In so ordering the Judge made the following clear:-

- a. it would be an exceptional case where a family court could properly deny a criminal defendant access to material which might enable him to defend himself against a serious criminal charge
- b. it was only necessary to satisfy the court that the information sought might undermine the credibility of a relevant witness
- c. any judge dealing with such an application should be cautious before concluding that any information should not be disclosed on the basis that it could not assist a defendant
- d. the interests of justice pointed strongly in favour of disclosure, a refusal to disclose may lead to a miscarriage of justice
- e. ***conversely*** it was in the interests of the Crown to ensure that the husband should be allowed to secure a wrongful

acquittal by persuading a jury that he would have been able to discredit the mother's evidence with the statement – this would have been an equal miscarriage of justice

- f. the court was powerless to protect the privacy of children as their tragic family circumstances would be made public in any event
- g. the children had an important interest in ensuring that there was no miscarriage of justice and that the truth be known.

Insert Comment

Where an application is made for the disclosure of information and documents filed in family proceedings, there is a distinction between those cases where the two sets of proceedings are factually connected and those where they are not.

Explain the distinction

[Re A (Criminal Proceedings: Disclosure) [1996] 1 FLR 221; Re D (Minors)(Wardship: Disclosure) [1994] 1 FLR CA; Oxfordshire County Council v L and F [1997] 1 FLR 235]

9. Disclosure to the the Media

There has been a growing desire amongst all elements of the media to expose of the workings of the family courts to public scrutiny. Some have sought to highlight miscarriages of justice and failings of the system others to merely scandalise and sensationalise. A significant degree of protection from publicity is however, afforded by section 97 Children Act 1989 and section 12 Administration of Justice Act 1960.

In Re B (A Child) (Disclosure) [2004] 2 FLR 142 Mr Justice Munby made clear that,

“The workings of the Family Justice System are matters of public interest which can and should be discussed publicly...We cannot afford to proceed on the blinkered assumption that there have been no miscarriages of justice in the Family Justice System. This is something that has to be addressed with honesty and candour if the Family Justice System is not to suffer further loss of public confidence. Open and public debate in the media is essential.”

But how open and how public?

This view was echoed in BBC v Rochdale [2005] EWHC 2862 (Fam) [2007] 1 FLR 101 by Mr Justice Ryder who stated,

“I recognise that there are clear distinctions to be drawn between the administration of criminal justice and family justice but just as there are differences so there are certain minimum protections and expectations that ought to be common to both. Reflecting this particularly against the background of frequently expressed concerns about secrecy in the family division, there is increasing recognition of the need to permit greater openness in family cases.”

Insert facts

The judge held that there would need to be convincing evidence of a pressing social need for the restrictions upon freedom of expression – in this case the continuation of orders preventing the identification of social workers. The learned judge was not so convinced.

The HRA 1998 has had a decisive impact upon this area of disclosure. In *Re S (FC) (A Child)* [2005] 1 FLR 591 HL Lord Steyn set out the considerations necessary in deciding whether to disclose material as follows:-

- a. neither article 8 nor Article 10 has precedence over the other
- b. where values under the two articles are in conflict an intense focus on the comparative importance of the specific rights being claimed in the individual case is necessary
- c. the justifications for interfering with or restraining each right must be taken into account and
- d. the proportionality test must be applied to each.

[See also *Re S (Identification: Restrictions on Publication)* 2005 1 FLR 591]

In *Clayton v Clayton* [2006] EWCA Civ 878 the Court of Appeal dealt with the appropriateness of a restriction upon a parent from publicising matters relating to his child. ***Insert facts***

The President made clear that

- a. the prohibition contained in s97 Children Act ceased to have effect after the conclusion of proceedings
- b. this did not mean that the best interests of a child might not require an order to protect his/her privacy beyond the conclusion of proceedings
- c. in so deciding the court had to balance the Article 8 rights of the child and the Article 10 rights of the other party.

- d. The protection afforded by section 12 Administration of Justice Act 1960 ***the limitation on reporting information relating to the decisions themselves*** remained after the conclusion of any proceedings.

The Court of Appeal discharged the original injunction as being too wide and a more limited prohibited steps order was put in its place.

This analysis was further developed by Mr Justice Munby in *Norfolk County Council v Webster and Others* [2006] EHC 2733 (Fam). Mr Justice Munby dealt with section 12 as follows,

“..the effect of section 12 is to prohibit the publication of accounts of what has gone on in front of the Judge sitting in private, as also the publication of documents (or extracts of quotations from documents) such as affidavits, witness statements, reports, position statements, skeleton arguments or other documents filed in the proceedings, transcripts or notes of the evidence or submissions or transcripts of notes of the Judgment. On the other hand section 12 does not as itself prohibit publication of the fact that a child is the subject of proceedings under the Children Act 1989; of the dates, times and places of past or future hearings; or the nature of the dispute in the proceedings; or of the text or summary of any order made in such proceedings.”

He continued,

“so much for the automatic restraints which apply in cases of this kind. But it is clear that the Court has power both to relax and to increase these restrictions. A judge can authorise disclosure of what would otherwise be prohibited and a Judge can impose

additional restrictions. This involves the exercise of discretion – the carrying out of a balancing exercise – where a number of often conflicting rights and interests have to be balanced.”

How does the learned judge suggest that the balance be resolved?

In the instant case Mr Justice Munby directed in a judgment given in open court that the media should be allowed to attend forthcoming hearings in ongoing care proceedings and that the parents should be allowed to tell their story in public.

B. Disclosure into Care Proceedings

(1) Information obtained in police investigations

The Courts are regularly confronted with requests for orders requiring the police to disclose information into care proceedings.

Where the police are not agreeable to disclosing a document to a local authority or any other party in care proceedings an application must be made to court for an order.

Again in considering whether or not to order the disclosure the court must embark on an evaluation of competing public interests;

- a. in maintaining the confidentiality of documents, the disclosure of which may prejudice or undermine a pending prosecution or investigation ***against***

- b. the public interest in ensuring that a local authority has all material that may assist it in a making proposals for the future of a child.

[Nottinghamshire County Council v H [1995] 1 FLR 115]

Clearly the situation will differ markedly between applications brought in respect of concluded criminal proceedings and ongoing investigations.

Where a decision for no further action has been taken then it is unlikely to be controversial – but when there is an ongoing investigation or trial there may need to be an opportunity for the Chief Constable to argue against disclosure.

Importantly the court must be mindful of the practice in criminal proceedings as to how statements are disseminated and be cautious before departing from this practice to ensure that a children's case is properly prepared and presented. The integrity of the criminal ought to be preserved if at all possible.

[In Re P (Disclosure: Criminal Proceedings) [2004] 1 FLR 407]

Of concern is that any disclosure to parents or intervenors involved in the care proceedings will give potential witnesses in the criminal proceedings access to material which they would not otherwise be entitled or expect to see and that as a consequence the prospect of the defendant having a fair trial may be compromised.

(2) Statements in conciliation

Statements made by either party involved in a conciliation ***this includes meetings or communications*** may not be disclosed into Children Act proceedings.

Only in the exceptional case where such a statement indicates that the maker has caused or is likely to cause serious harm to the well being of a child would such statements be disclosed.

[Re D (Minors)(Conciliation:Disclosure of information) [1993] 1 FLR 932]

(3) Home Office / Passport Office

A protocol has been agreed between the Family Division and the Home Office to cover cases where a request for information from or an order is made against the Home Office ***immigration status*** [2004] Fam Law 608

C. What comes and what goes?

It seems from the above that the following documents are likely to be disclosed from care proceedings to the police:-

- a. medical reports dealing with injuries or other abuse
- b. statements filed by the parents ***edited as appropriate***
- c. The transcripts of any judgment given by the Judge in care proceedings – ***now automatic under the 2005 rules but query anonymising parts of the judgment etc***
- d. Statements of social workers where they contain factual matters relevant to the issues in the criminal proceedings
- e. The transcripts of medical witnesses ***as appropriate***

- f. The transcripts of the parents/lay witnesses **as above**

Less likely to be disclosed:-

- a. psychological and/or psychiatric assessments
- b. The report of the children's guardian

Although we know that if admissions have been made these to may be disclosed in whole or in part

Documents that may now be subject to disclosure applications:-

- a. position statements of the parents or intervenors
- b. threshold documents
- c. responses to threshold documents

Also clear is that where there is a chance of rehabilitation ***whether yet to be decided or in the process of assessment*** the court will have to consider carefully whether there should be disclose of any admissions. Where there is a chance that may be a strong reason not to order disclosure or at the very least delay adjudication of the issue.

Ordering the disclosure may undermine the possibility of rehabilitation before the issue is decided within the care proceedings and would certainly involve delay to the care proceedings – all this would of course depend upon the stage at which admissions are made...

What is also clear is that there needs to be effective liaison between all the professionals involved in the care proceedings and those involved in any criminal investigation and/or proceedings.

Protocols

We also need to look beyond the traditional concepts of disclosure
- limited as they are to documents and information.

We must now be conscious that the clamour to lift the veil of
secrecy perceived to surround the family justice system means
that the workings of family proceedings may more and more often
be opened up to public scrutiny.

Case List

Permission of the Court to Disclose

Cleveland County Council v F [1995] 1 FLR 797

Re X (Disclosure of Information) [2001] 2 FLR 440.

Re C (A minor) (Care Proceedings: Disclosure) [1997] Fam 76 sub
nom Re EC (Disclosure of Material) [1996] 2 FLR 725

Re W (Disclosure to Police) [1998] 2 FLR 135

Re L (Care: Confidentiality) [1999] 1 FLR 165

AB (Care Proceedings: Disclosure of medical evidence to the
police) [2003] 1 FLR 579

Re EC (Disclosure of Material) [1996] 2 FLR 725

Disclosure to the Police

A Local Authority v D (Chief Constable of a Police Authority
Intervening)

Re D 2006 EWHC 1465 (Fam) [2006] 2 FLR 1053

Cleveland County Council v F [1995] 1 FLR 797

Re X (Disclosure of Information) [2001] 2 FLR 440

Re EC [1996] 2 FLR 725

Re AB (Care Proceedings: Disclosure of Medical Evidence to
Police) [2003] 1 FLR 579

Re M (Care Proceedings: Disclosure: Human Rights) [2001] 2 FLR 1316

Disclosure to a defendant

Re A (Criminal Proceedings: Disclosure) [1996] 1 FLR 221

Re D (Minors)(Wardship: Disclosure) [1994] 1 FLR CA

Re Z (Children)(Disclosure: Criminal Proceedings) [2003] 1 FLR 1194

Disclosure of information held by police

Nottinghamshire County Council v H [1995] 1 FLR 115

In Re P (Disclosure: Criminal Proceedings) [2004] 1 FLR 407

Media Cases

Re B (A Child) (Disclosure) [2004] 2 FLR 142

X v Dempster [1999] 1 FLR 894

Re S (FC) (A Child) [2005] 1 FLR 591 HL

Re S (Identification: Restrictions on Publication) 2005 1 FLR 591

BBC v Rochdale [2005] EWHC 2862 (Fam) [2007] 1 FLR 101

Clayton v Clayton [2006] EWCA Civ 878

Norfolk County Council v Webster and Others [2006] EHC 2733 (Fam)

Legal Professional Privilege

Re L (Police investigation: Privilege) [1996] 1 FLR 731 HL

S County Council v B [2000] 2 FLR 161

Private Law Cases

Re D and M (Disclosure: Private Law) [2003] 1 FLR 647

A Local Authority v (1) W (2) A Police Authority [2003] 2 FLR 1023

Re L (Police investigation: Privilege) [1996] 1 FLR 731 HL

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May 2007