



**In the Family Court at
Cardiff/Leeds/Carlisle**

Case no.

(Delete as appropriate)

The Children Act 1989

The Senior Courts Act 1981

The Inherent Jurisdiction of the High Court

TRANSPARENCY ORDER MADE BY [JUDGE] ON [DATE]

TO ANYBODY WHO HAS SEEN THIS ORDER OR IS AWARE OF ITS

CONTENTS: You must obey the terms of this order. If you do not, you may be held in contempt of court and punished by a fine, imprisonment, confiscation of assets or other punishment under the law.

Notice and Definitions:

1. This case has been included in the Reporting Pilot, which allows pilot reporters to, subject to the terms of this order, discuss certain aspects of the case with the parties, and report on what they see and hear in court hearings that they attend.
2. This order is an injunction, which means that you must do what the order says.
3. The point of contact for any pilot reporter is the Court Office. The details are at the foot of this order.
4. Nothing in this Order affects the ability of parties or their representatives to publish or communicate information as permitted by Family Procedure Rules 12.73, 12.75 or Practice Directions 12G (para 2.1) and 12E to the Family Procedure Rules 2010.
5. In this order, "pilot reporters" means duly accredited representatives of news gathering and reporting organisations and duly authorised lawyers attending for journalistic, research or public legal educational purposes (legal bloggers) (together

referred to in this order as ‘pilot reporters’) who are entitled to attend a hearing under r.27.11 of the Family Procedure Rules 2010 (‘FPR’).

6. Section 12 Administration of Justice Act 1960 continues to operate save and insofar as this Order varies it. This means that any publication of information relating to the proceedings which is not permitted by this Order is a Contempt of Court.

Who does this order apply to?

7. The Order applies to:
 - a. The parties and their lawyers;
 - b. Any witnesses in the case;
 - c. Anybody who attends some or all of a hearing in the case;
 - d. Any authority, body or organisation (and their officers, employees, servants and agents) for whom any such person works, is employed, engaged or is giving evidence.
 - e. Anybody who is served with a copy of this order or is aware of its contents.
8. This Order will be served on the parties and their lawyers, and any pilot reporter who attends a hearing and wishes to report on what they see, read, and hear.

It is ordered that:

9. This Order will remain in force until [date; usually the 18th birthday of the youngest child].
10. Except where allowed by this Order, no person is permitted to publish, or to communicate information relating to the proceedings except as already permitted under Family Procedure Rules 12.73, 12.75 or Practice Directions 12G (para 2.1) and 12E to the Family Procedure Rules 2010, or by discussion between a party to the proceedings (or their legal representative) and a pilot reporter as permitted under the terms of this order.
11. This order applies to any person who is aware of its contents, including those set out in paragraph 6.

What may and may not be published?

12. A pilot reporter may publish any information relating to the proceedings save to the degree restricted below.

13. No person may publish any information relating to the proceedings to the public or a section of it, which includes:

- a. The name or date of birth of any subject child in the case.
- b. The name of any parent or family member who is a party or who is mentioned in the case, or whose name may lead to the child(ren) being identified;
- c. The name of any person who is a party to, or intervening in, the proceedings;
- d. The address of any child or family member;
- e. The name or address of any foster carer;
- f. The school/hospital/placement name or address, or any identifying features of a school of the child;
- g. Photographs or images of the child, their parents, carer or any other identifying person, or any of the locations specified above in conjunction with other information relating to the proceedings;
- h. The names of any medical professional who is or has been treating any of the children or family member;
- i. In cases involving alleged sexual abuse, the details of such alleged abuse;
- j. For the purposes of s.97(2) Children Act 1989, any other information likely to identify the child as a subject child or former subject child.

14. This Order does not disapply s.97(2) Children Act 1989 unless expressly stated.

15. For the avoidance of doubt, no body, agency or professionals may be identified in any information relating to the proceedings published to the general public or a section of it by a pilot reporter, save for:

- a. The local authority/authorities involved in the proceedings;
- b. The director and assistant director of Children's Services within the LA (but usually not the social workers working directly with the family, including the Team Manager);
- c. Cafcass (but usually not the reporting officer, or a Guardian appointed for the Child);
- d. Any NHS Trust;
- e. Court appointed experts (but not treating clinicians or medical professionals);
- f. Legal representatives and judges;
- g. Anyone else named in a published judgment.

Documents

16. A pilot reporter who attends a hearing in family proceedings in accordance with FPR r.27.11, or who indicates in advance that they wish to attend a hearing, is entitled to see, quote from, or publish:

- a. Documents drafted by advocates (or litigants if a party is self-representing):
 - i.e. Case outlines, skeleton arguments, summaries, position statements threshold documents and chronologies.
 - b. Any indices from the Court bundle.
 - c. Any suitably anonymised Orders within the case.
17. Parties to the proceedings and their representatives may not disclose documents from the proceedings to pilot reporters, except as specified above, or with the specific permission of the court. This includes where a document is referred to or quoted from in court that the pilot reporter would not otherwise have access to.
18. Any such requests for copy documents must be made at or before a hearing which the pilot reporter has attended pursuant to FPR r.27.11.
- a. Upon a request being made, the author of the document shall as soon as practicable provide a copy of the document to the pilot reporter.
 - b. The pilot reporter may quote from or publish the contents of the document, save that the details at paragraphs 13 of this Order may not be published. Where any document referred to above quotes from a document to which the pilot reporter would not be entitled to see (such as source evidence), the passage quoted may not be reproduced or reported without permission of the court.
19. No other document may be provided to a pilot reporter without permission of the court.
20. A pilot reporter may share documents or information with their editorial team or legal advisor responsible for the publication of their proposed report of the case, providing that they also provide any such person with a copy of this order which will be binding upon that editorial team or legal advisor.

Discussions between pilot reporters and parties and their representatives

21. The parties to the proceedings and their representatives may disclose information from proceedings, and share any hearing dates, with a pilot reporter for the purpose of discussing the case and informing the pilot reporter of the circumstances of the case.
22. Where the parties or their representatives have invited reporters to attend a hearing, permission is given retrospectively for any discussions that took place with reporters.

Operation

23. Permission to report is not effective until [service of the order on the pilot reporter/the end of the hearing at which this Order is made. The end of the hearing takes place when the decision of the court is given].

Other Orders

24. Permission for this Order to be served by email. Email shall be effective service for the purposes of FPR Part 6 and FPR Part 37.
25. Liberty to the parties and any pilot reporter to apply on notice to vary or discharge this Order.
26. Any application to vary or discharge this Order should be made by way of C2 application, with the fact and nature of any objection being clearly set out in an accompanying position statement.
27. [For hearings where a TO has already been made...] At the start of the hearing, they must confirm that they have read and understand the terms of the Order.

Dated, etc.