



GUIDANCE NOTES

LONDON REQUEST FORM (LRF) FOR DISCLOSURE OF INFORMATION IN FAMILY PROCEEDINGS

1. THE AIMS OF THE LONDON REQUEST FORM (LRF) ARE:

- to provide the Family Court with early information to enable it to properly determine any necessary direction(s) which need to be made in relation to documents, records or other evidential material held by the police in relevant criminal proceedings or investigations which may inform the court (and the parties) in the determination of any factual or welfare issue within family proceedings
- To provide timely advance notice to the Directorate of Legal Services (DLS), Metropolitan Police Service (MPS), of the existence of the family proceedings and the nature and detail of the information sought from the police
- To enable the MPS to indicate in advance what documents, records or other evidential material (including both used and unused material) is or may be available to be disclosed to the family court and whether there is any objection to or difficulty in the immediate disclosure of the same
- To assist the court (and the parties) in the framing of standard directions directed to the MPS which will act (if necessary) as the conduit to process and deal with all such directions for disclosure affecting any division/borough of the Metropolitan Area without any undue delay
- To encourage early disclosure of full and frank information between the police, the parties and the court subject only to the avoidance of prejudice to the proper conduct of ongoing police enquiries at the time of the request.

2. UNDERSTANDING ON CONFIDENTIALITY

Police Information will not be disclosed unless there are important considerations of public interest to depart from the general rule of confidentiality. The protection of children is one of the areas where exceptions may be made.

Information supplied by the police in pursuance to this LRF is subject to the following implicit undertakings on the part of the parties and their legal representatives unless otherwise specifically directed by the court:

- Any material disclosed will only be used for the purposes of, and preparation for, the current proceedings unless the permission of the court and MPS is obtained;
- It will only be disclosed to professionals in the proceedings (and the parties) unless the permission of the court is obtained and early notification is given to the MPS;
- The material will otherwise be kept confidential and copying should be kept to the minimum necessary to avoid the proliferation of copies of sensitive material;
- Where there is an Attaining Best Evidence (ABE) or other audio/video evidence one copy will normally be made available on request as soon as police investigations allow **either** by providing one copy to the Local Authority (if a party to the proceedings) or to the solicitors acting for either party in private law proceedings. **Copies of video evidence will not be provided to unrepresented parties however this will be considered on a case-by-case basis, depending on the content of the information and the risk to third parties.** The copying of video evidence should be kept to a minimum and consideration should be given to the parties attending the appropriate police station or local authority premises in order to view the evidence at a mutually convenient time. Where this is not possible and the evidence has to be further copied, the party(ies) will meet the reasonable costs incurred by the MPS of copying unless alternative arrangements have been agreed between the MPS and the parties' legal representatives for making copies;
- In relation to any audio/video evidence, parties **must sign and abide by the terms of the MPS' Confidentiality Undertaking** in order to prevent the unauthorised dissemination / copying / use

of the evidence. See the Form of Undertaking attached to the LRF - this form can be suitably “adapted” to cover other evidence if necessary by either the MPS or relevant parties;

- That the MPS will not transcribe or make arrangements to transcribe any video interviews or tape-recorded interviews unless this has already been done in connection with a criminal prosecution/investigation.

3. PROPORTIONALITY

All parties should use the LRF proportionately having regard to what is reasonable, directly relevant and necessary when seeking disclosure from any third party.

This LRF may be departed from in exceptional circumstances and does not apply to genuine emergency situations.

ACTION	PARTY	TIMING
<p>1. Written Requests for Disclosure</p> <p>It is incumbent on parties to give very early consideration to what material held by the MPS may be relevant to the care or family proceedings. Whenever possible an early request for documents should be made to police prior to any hearing or application being made to the court.</p> <p>The request should be made in writing and state precisely what evidence and information is sought and why in accordance with the LRF. The police will endeavour to acknowledge the request within 5 working days. The LRF should be sent to the DLS, Legal Support Team (for contact details please see the Schedule below) as the office to which any request is to be sent or upon which any order is to be served for the MPS.</p> <p>In the event the MPS are unable or unwilling to disclose the evidence or information requested without a court order it will be incumbent on the requesting party to make the appropriate application to court in accordance with the following procedure.</p>	<p>Party requesting disclosure</p>	<p>Prior to any proceedings</p>
<p><u>2. Preparation for Request for Disclosure</u></p>		
<p>2.1 <u>Preliminary Enquiries of Police</u></p> <p>No later than 20 working days before the relevant hearing the solicitors for any party who propose to ask the Court for a direction requiring the MPS to make disclosure, within family proceedings, shall send a written request by way of a completed LRF, as detailed above.</p> <p>The LRF should set out the following information:</p> <ul style="list-style-type: none"> • The names (and all aliases) and all known dates of birth of the parties including any relevant children and where possible, brief details of the circumstances of the incident(s) in respect of which the request is made 	<p>The party proposing direction for disclosure of police evidence</p>	<p>20 working days before relevant hearing</p>

<ul style="list-style-type: none"> • Any relevant addresses (including previous addresses) • The date and place of the specific incident or incidents upon which information is sought • The crime reference number (if known) • The nature and relevance of the documents, records or other evidential material sought. • The date of the hearing at which the formal direction is to be sought • The likely timetable of legal and social work steps • Whether, and if so, what date has been fixed by the court for any final hearing or fact finding hearing and whether the officer in the case is likely to be required at that hearing to give evidence. • Indicate whether each person named in the LRF is party to proceedings <p><i>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.</i></p> <p><i>Failure to do so may result in a delay in processing your request.</i></p>		
<p>2.2 <u>Police Response</u></p> <p>No later than 5 working days before the relevant hearing the solicitors for the party proposing the direction be made for disclosure, shall obtain by way of written reply or by acknowledgement letter from the nominated police disclosure officer or police representative identified in the Schedule below the following information:</p> <ul style="list-style-type: none"> • If the police are unable to disclose the evidence sought within the given deadline, the reason(s) why and if possible, when the MPS anticipate that the information can be provided • Whether the police require the direction in relation to disclosure to be amended as to its terms from the draft provided, and if so in what terms do the police propose that the direction should be framed • Where it is indicated that a police officer may be required to give evidence at any hearing, when that police officer is available to give evidence, and the dates and/or times to avoid. • The police response will always be filed with the court 	<p>The Party proposing direction for disclosure of police evidence</p>	<p>5 working days before relevant hearing</p>

<p>in advance of the hearing by both the police and the requesting party.</p> <ul style="list-style-type: none"> • The police and/or a representative of the Crown Prosecution Service (CPS) shall be permitted to attend the hearing at which any request for disclosure from the police is to be made to make oral representations on the issue of disclosure, with or without Counsel. 		
<p><u>3. Hearing</u></p>		
<p>At the hearing where the request is made for disclosure the court shall consider:</p> <ul style="list-style-type: none"> • Whether or not the LRF has been complied with • The necessity and relevance to the issues required to be determined by the court, of the information sought to be disclosed • The timing of any direction for disclosure with specific reference to any written representations by the police under 2.2 above. All disclosure directions should allow sufficient time for compliance which should in normal circumstances be 20 working days • The making of a request to the Family Section Manager that the court order be expedited in its preparation in accordance with the process described in the Schedule hereto. This must be served within 24 hours by the court upon the nominated police disclosure officer or police representative identified by DLS e.g. the MPS Disclosure Unit based within DLS or the relevant Borough Community Safety Unit (CSU). Any necessary direction to the party making the request for disclosure, as to notice and service of the court order in accordance with this LRF. 		
<p><u>4. Post-Hearing Action</u></p>		
<p>4.1 The solicitor is to notify the MPS Disclosure Unit, based within DLS, or the relevant Borough CSU dealing with the request, within 24 hours of the hearing of the terms of the direction made for disclosure.</p>	<p>The Party securing direction for disclosure</p>	<p>Within 24 hours of directions hearing</p>
<p>4.2 Upon receipt of the court order (or in the Magistrates Court on drawing up the order for the Court), the solicitor should serve a copy of the Order on the MPS Disclosure Unit, based within DLS, or the relevant Borough CSU dealing with the request, within 2 working days of the hearing.</p> <p>Please note any reference to an order in 4.1 & 4.2 above relates to an order even if yet to be sealed. However, disclosure will not be made by the MPS until a sealed order is received, except where a valid LRF has been correctly submitted.</p>	<p>The Party securing direction for disclosure</p>	<p>Within 2 working days of directions hearing</p>

ADDITIONAL INFORMATION

4. Proof of identity

The MPS needs to be satisfied that disclosure is being sent to the individual detailed on the form. Consequently unrepresented parties are required to provide evidence of their identity and address by supplying:

- Two separate documents, one of which must be a driving licence, passport or identity card. Please note we only accept originals.
- Other documents can include utility bills or bank statements, pay slips (dated within the last 6 months)
- One of your two documents must have a form of photo ID

Together both documents must provide sufficient information to prove your **name** (if the contact you have had with the MPS is in your maiden/other name, please provide additional documents in that name, i.e. marriage certificate, deed poll, etc); **date of birth**; **current address** and **signature**.

For example, a combination of driving licence, with a utility bill or bank statement.

Please note: We do not accept responsibility for any loss or damage to official documents. We highly recommend that official documents are sent via recorded delivery. Copies of all documents will be retained for the duration of the case and will be destroyed in line with MPS Retention and Disposal policies.

Please note: there is no facility to accept the LRF if delivered in person.

5. GENERAL FEES AND CHARGING

In accordance with the ACPO guidelines, there are set charges for dealing with any request for disclosure under this LRF. These costs will cover the time worked on the case, requests for specific items and cancellation fees as appropriate. For further information about the MPS General Fees and Charges, please visit https://www.met.police.uk/SysSiteAssets/foi-media/metropolitan-police/services_we_offer/corporate/general_fees_and_charges_2018_2019.pdf

ACPO guidance allows the MPS to appropriately charge for the disclosure of information in respect of private law matters. In these cases the requester will be required to provide an initial disclosure fee or provide a written undertaking to discharge the Directorate's Standard Disclosure Fees prior to any work being undertaken on the request.

Unrepresented parties will be required to make payment by cheque to 'Mayors Office for Policing and Crime (MOPAC)' prior to any work being undertaken on the request. Cash payments will not be accepted.

Additional fees may apply, please refer to the MPS General Fees and Charges link for further details.

The Standard Disclosure Fee will be reviewed annually.

6. CONTACT DETAILS

All correspondence in respect of Child Care disclosure matters **should be referred to the DLS, Legal Support Team**, in the first instance.

All queries MUST come through this address.

Unrepresented parties will be required to submit their request in writing to the address below.

Directorate of Legal Services
Metropolitan Police Service
10 Lamb's Conduit Street
London
WC1N 3NR

Legal Representatives: If you are submitting the request via email, please use the subject box and title the email 'Request for Disclosure - (family name)'.

The mailbox address is as follows: -

DLSMailbox-LegalSupportDisclosure@met.police.uk

If you submit your request via email, we would ask that you **DO NOT** send through a hard copy by post unless it is requested. DLS will consider the requests on receipt and if applicable, will reallocate these to the appropriate department for processing.

All parties: should you be advised by DLS that your request has been forwarded to the local CSU, please contact them directly should you have any queries relating to that matter. An address list for the local CSU can be found in Appendix A, below.

7. DUPLICATION WITH OTHER MPS UNITS

DLS will act as the initial point of contact for all request forms under this LRF. Where the information or documents sought relate solely to domestic violence incidents, DLS will pass the request form to the unit or units holding, or likely to hold, the information or documents requested and will supply the contact details of this unit to the requesting party. It is then for that unit and the requesting party to liaise co-operatively over disclosure of the material sought and all further correspondence or contact should pass between them.

In order to avoid duplication, delays and unnecessary use of MPS resources requests should **only** be submitted to the Legal Support Team above. If you have submitted your request to another location within the MPS or have been provided with disclosure from another unit, please clearly detail this on the LRF as failure to do so may result in a delay in processing your request.

8. PROCESSING TIMEFRAMES

These figures provide an indication of the time required by the MPS when processing a request for disclosure. Please note these figures should only be used as a guide, as they are dependant on various factors (e.g. specificity of the request, multiple incidents, location of documents etc) and can not be relied on for every request for disclosure.

Summary of incidents	15 working days
CRIS report - one incident	10-15 working days
CRIS reports - multiple incidents	Up to 45 working days
PNC reports	Up to 5 working days
PNC international	20 working days + (not in MPS control)
Merlin(s)	15 - 20 working days
CAD	5 - 10 working days
ABE	10 - 20 working days from receipt of undertaking
Audio tape	10 - 20 working days from receipt of undertaking
Photographs	10 - 20 working days
Existing statements	10 - 20 working days
Existing third party statements	20 - 45 working days
Retrieving and processing archived files	10 - 20 working days (possibly longer - depending on location and content of the file)

9. PROPORTIONALITY

It is to be understood by all parties that this LRF should be used proportionately and is designed to facilitate only requests for items of evidence which the requesting party cannot, or cannot easily, obtain for itself, which only the police have and which are of central and not peripheral importance to the issues and incidents under consideration by the Family Court.

10. CPS

Guidance for disclosing information during ongoing criminal investigations and ongoing criminal proceedings can be found in the CPS Memorandum of Understanding (MOU). It will be expected that once the CPS is involved in advising the police about a prosecution or potential prosecution, it will ensure that a CPS lawyer will be responsible for responding to disclosure applications in the family court referred to them by the police, unless the CPS has advised no further action. If the CPS has advised no further action, then it will be expected that the designated disclosure unit will deal with the request. For the contact details of the CPS please see www.cps.gov.uk.

11. Permission for the local authority to release information for use in Family Proceedings

In order to maintain a good working relationship with the MPS, and to reduce any potential risk caused by onward disclosure of MPS material (such as 87d forms; case conference notes, Merlin reports etc), the Local Authority should seek DLS' permission to share any information with the Court and the parties involved in the ongoing proceedings.

Any documents that need to be considered for disclosure must be attached to the LRF and forwarded to the Legal Support address. Please note failure to provide DLS with a copy of the relevant documents will result in a delay in processing your request.

12. WITNESS SUMMONS IF NECESSARY

Any requesting party who wishes to use the witness summons procedure, should only do so as a last resort, where the MPS has been unable to comply with a request for disclosure, or if an officer is required to personally attend court to give evidence. The requesting party must liaise with DLS prior to using this procedure. **Parties should not witness summons the Commissioner since he will have no personal knowledge of the documents sought.**

13. DISCLOSURE BARRING SERVICE (DBS)

In accordance with the procedure for requesting criminal record checks, any request for information should be sent directly to DBS. If you have any queries regarding an application that you have submitted, we would advise that you refer to the DBS website or use their online enquiries form.

14. LONDON CHILD PROTECTION PROCEDURES 87B FORM (LOCAL AUTHORITIES ONLY)

As per the London *Child Protection Procedures V4 2010*, a request can be made to the Child Abuse Investigation Team (CAIT) via a form 87B. There are six circumstances in which police will conduct the checks within CAIT, these are:

- (1) S47 Child Protection referral
- (2) Inter-Agency Risk Management (MAPPA)
- (3) Initial or Core assessment to justify S47
- (4) Children's Social Care carrying out Child In Need Assessment under S17 and written consent from the subject obtained.
- (5) Child is subject of Child Protection Plan where additional concerns exist re other person(s) in the household connected with the child (this DOES NOT include checks for persons the child may visit for short periods unless urgent placement)
- (6) Children's Social Care faces immediate need to place a child with family member or friend in an emergency and has the necessary consents.

If you require information via the 87B route, please liaise with the local referrals team on Borough.

If your request is for personal information unrelated to Family proceedings, please see the following link: <https://www.met.police.uk/rqo/request>.

Appendix A

	CSU address
Barking & Dagenham	Fresh Wharf Patrol Base, Unit 24, Muirhead Quay, Barking, IG11 8BG
Barnet	Colindale Police Station, Grahame Park Way, Hendon, NW9 5TQ
Bexley	Bexleyheath Police Station, 2 Arnsberg Way, Bexleyheath, Kent, DA7 4ES
Brent	Kilburn Police Station, 38 Salisbury Road, London, NW6 6LT
Bromley	Bromley Police Station, High Street, Bromley, Kent, BR1 1ER
Camden	Holborn Police Station, 10 Lambs Conduit Street, London, WC1N 3NR
Croydon	Croydon Custody Centre, Room 1.01, 90 Windmill Road, Croydon, CRO 2XP
Ealing	Acton Police Station, 250 High Street, Acton, W3 9BH
Enfield	Edmonton Police Station, 462 Fore Street, London N9 0PW
Greenwich	Plumstead Police Station, 200 Plumstead High Street, London, SE18 1JY
Hackney	Stoke Newington Police Station, 33 Stoke Newington High Street, London, N16 8DS
Hammersmith & Fulham	Hammersmith Police Station, 226 Shepherds Bush Road, London, W6 7NX
Haringey	Hornsey Police Station, 94 - 98 Tottenham Lane, London, N8 7EJ
Harrow	Harrow Police Station, 74 Northolt Rd, Harrow, Middlesex, HA2 0DN
Havering	Romford Police Station, 74 Station Lane, Hornchurch, Essex
Hillingdon	West Drayton Police Station, Station Road, Uxbridge, UB7 7JQ
Hounslow	Chiswick Police Station, 205-211 High Road, Chiswick, W4 2DU
Islington	Islington Police Station, 2 Tolpuddle Street, London, N1 0YY
Kensington & Chelsea	Notting Hill Police Station, 99-101 Ladbroke Road, London, W11 3PL

	CSU address
Kingston Upon Thames	Kingston Police Station, 3-5 High Street, Kingston, KT1 1LB
Lambeth	Brixton Police Station, 2nd Floor, 367 Brixton Road, London, SW9 7DD
Lewisham	Lewisham Police Station, Lewisham High Street, London, SE13 5JZ
Merton	Wimbledon Police Station, 15-23 Queens Road, London, SW19 8NN
Newham	Plaistow Police Station, 444-448 Barking Road, London, E13 8HJ
Redbridge	Ilford Police Station, 270-294 High Road, Ilford, IG1 1GT
Richmond Upon Thames	Teddington Police Station, 18 Park Road, TW11 0AG
Southwark	Peckham Police Station, 177 Peckham High Street, London, SE15 5SL
Sutton	Sutton Police Station, 6 Carshalton Road West, Sutton, SM1 4RF
Tower Hamlets	Limehouse Police Station, 27 West India Dock Road & 5 Birchfield Street, London, E14 8EZ
Waltham Forest	Waltham Forest Custody Centre, Boreham Close, Leyton, E10 6RN
Wandsworth	Wandsworth Police Station, 146 Wandsworth High Street, Wandsworth, SW18 4JJ
Westminster	Charing Cross Police Station, Room D126, Agar Street, London, WL2N 4DH