

HANDLING INSTRUCTIONS FOR POLICE
MATERIAL SHARED UNDER THE 2024
PROTOCOL

UPON [FIRM OR ORGANISATION] AGREEING TO HANDLE THE POLICE MATERIAL AS FOLLOWS IN LINE WITH ITS OBLIGATIONS AS THE DATA CONTROLLER:

1. Police material once securely accessed and downloaded is in their possession and control for the purposes of data protection legislation.
2. Police material obtained and used as evidence within family court proceedings will be subject to the same strict rules of confidentiality as prescribed by s12 Administration of Justice Act 1960 and Rule 12 Family Procedure Rules.
3. The organisation will ensure that all of its staff who will be handling the police material are adequately trained and aware of the handling instructions for the police material.
4. Police material will only be accessed using and downloaded to an authorised computer/device operated for business/judicial use with adequate security access controls compliant with the organisations data protection policies.
5. Police material will only be shared with professionals and/or organisations as is strictly necessary for the conduct of the prospective proceedings or issued court proceedings. Police material should only be shared with professionals or organisations who will be equally bound by their own data protection obligations and duties as joint controllers or processors of the material. This will include their duties under data minimisation which requires the material is not retained for longer than is strictly necessary. Examples of professionals and organisation who may require access to the material are:
 - i) The Court
 - ii) The legal representatives of the parties
 - iii) Appointed Counsel
 - iv) An expert pursuant to Part 25 Family Procedure Rules instructed both in pre-proceedings or live proceedings
 - v) The children's guardian
 - vi) The allocated social worker and any other member of children's services deemed necessary
 - vii) An authorised member of the Tape Transcription Panel
 - viii) Any other person only with the leave of the court and early notification has been given to the police
6. Where access is granted to police material as outlined above, that access will

only be granted for as long as is strictly necessary in line with the organisations data protection duties and retention policies.

7. In the absence of a Court Order, lay clients and non-professionals will not be provided with copies of the police material. In the course of family court proceedings or prospective proceedings they may be permitted to view the material under the supervision of a legal representative.
8. In the event the Court directs that the police material is to be shared with legally unrepresented parties/interveners/witnesses, the material will only be shared in strict compliance with that order.
9. Police material will be securely retained with adequate security access controls and in accordance with the terms of an adequate data retention policy subject to regular review which clearly defines the period for which and how the video material will be securely retained and disposed of.
10. In the event anyone other than an employee or agent of the local authority/solicitor makes a request to view police material after the conclusion of the proceedings, then the views of Police force who provided the material shall first be sought.
11. That any identified breach of data protection legislation involving the police material is responded to in line with the organisations' data protection duties and where appropriate notice provided to the information commissioner's office within 72 hours. The breach is also formally notified to Police's Data Protection Officer at the same time.

Signed on behalf
of the organisation:

Dated:

Case Name:

Court Reference: