

Obtaining Court Records for Access to Information and Intermediary Work during the Covid-19 Pandemic

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Before the Covid 19/coronavirus pandemic, some County Courts were expecting social workers or intermediary workers to collect adoption court records in person, and were refusing to send them by secure email. Since the introduction of Government public health measures to address the Covid 19 pandemic, some courts have issued instructions saying that social workers/intermediary workers will have to wait until after the pandemic is over before they can obtain any information from adoption court records.

There are four issues that impact on this:

1. the prioritisation of court resources to priority cases and hearings;
2. court staff with Covid-19 symptoms or under self-isolating measures;
3. court staff working from home without access to non-electronic records;
4. the closure of some court premises and, where the court buildings are open, a counter service not being available to facilitate the physical exchange of documents, either by social workers or by delivery from an archive.

Courts do not have access to Egress or similar secure forms of electronic communication. Where they have moved to the *gov.uk* platform, they are able to exchange emails with local authorities without any additional security needed. Where local authority social workers have a *gov.uk* address, the court could safely send files directly to social workers.

Independent adoption support agencies would not have that option, and so it is unlikely that a court would be able to email confidential information to them.

If an urgent issue arises where there is a need to prioritise a case due to an individual's age or ill health, a discussion with the local court may help identify a potential solution.