**PRESS RELEASE**

**Family court transparency charity publishes guidance on parents recording meetings with social workers**

**EMBARGOED UNTIL 06.00 17 DECEMBER 2015**

The Transparency Project\* has today published guidance about the recording of social workers by parents where there is local authority involvement with the family. The guidance is intended to be used by parents and their advisers and representatives, and by professionals – who might include social workers, social work managers, independent reviewing officers and local authority lawyers.

Earlier this year, The Transparency Project sent Freedom of Information Act requests to all local authorities in England and Wales to establish whether there was a consistent approach when parents ask to record their meetings with social workers. This project was prompted by discussion generated at a conference organised by The Transparency Project in June, when the topic of parents recording their interaction with social workers was raised by participants*.* Parents may feel that audio or video recording may give them some protection at a time when they feel threatened and vulnerable. Indeed they may have been advised by others to do so.\*\*

The responses to the FOI requests\*\* demonstrated that the attitude and approach of local authorities varied considerably. Reasons given for refusing to permit recording were not always underpinned by a correct understanding of the law. In addition, there appeared to be some evidence of a culture of suspicion, fear or hostility by professionals towards parents who wished to record their interactions, particularly where such recordings were covert (or suspected).

Transparency Project Chair, Lucy Reed says :

*“Our research suggests that the response of some local authorities to requests for recording or when suspecting or finding out that recordings are being made covertly, may be based on fear and distrust – professional anxiety appears to focus on the potential misuse of information or harassment of professionals. Our study suggested that social workers are not always assisted by clear policies or guidance as to the legal framework – and many local authorities did not have any written policy at all.*

*We worry that the current lack of guidance on this topic has the potential to exacerbate misunderstanding between parents and social workers, and is not helpful in promoting good communication and constructive working relationships.*

*There is a need for clear basic guidance so that professionals and parents can have informed discussions about the issue of recording and the* *underlying anxieties that may have led to the issue arising, so that appropriate arrangements based on the individual circumstances can be agreed. We hope that parents and professionals will use the document as a starting point or framework for their discussions about these issues.”*

The guidance explores the question of recording from the perspective of parents and professionals, and considers reasons for and against recording, including some common misapprehensions about what law does and does not apply. It includes general information about the potential issues arising from use of any recording, for example the distribution of a recording on the internet or the use of it in evidence at court.

A number of responses to the FOI requests indicated that particular local authorities were intending to review or develop policies in this area, and a small number indicated that the request itself had prompted them to give this area some thought. It is therefore hoped that the guidance will generate discussion and lead to some greater consistency of approach than appears to currently exist.

15 December 2015

Notes for editors

\*The Transparency Project is a charity launched in 2014, whose aims are

* *To advance the education of the public in the subject of family law and its administration, including the family justice system in England and Wales and the work of the family courts, in particular but not exclusively through the provision of balanced, accurate and accessible information about the work of family courts and the facilitating of public discussions and debates which encompass a range of viewpoints.*
* *To promote the sound administration and development of the law in England and Wales, in particular, family law, by encouraging and contributing to the transparency of processes in the family justice system, contributing to public legal education concerning family law and matters of family justice, enhancing access to justice in matters of family law and by such other means as the trustees may determine.*

The Transparency Project can be found at [www.transparencyproject.org.uk](http://www.transparencyproject.org.uk) or on twitter : @seethrujustice.

Press contact : [info@transparencyproject.org.uk](mailto:info@transparencyproject.org.uk) or 07967998226.

\*\* Relevant blog posts on the Transparency Project website set out the background to this project in more detail. See :

<http://www.transparencyproject.org.uk/whats-your-opinion-about-recording-interactions-between-social-workers-and-parents/>

<http://www.transparencyproject.org.uk/how-do-local-authorities-approach-parents-who-want-to-record-meetings/>

The guidance note is general guidance only and must not be treated as legal advice.