



# Freedom of Information Act 2000

## 2000 CHAPTER 36

### PART II

#### EXEMPT INFORMATION

#### **32 Court records, etc.**

- (1) Information held by a public authority is exempt information if it is held only by virtue of being contained in—
  - (a) any document filed with, or otherwise placed in the custody of, a court for the purposes of proceedings in a particular cause or matter,
  - (b) any document served upon, or by, a public authority for the purposes of proceedings in a particular cause or matter, or
  - (c) any document created by—
    - (i) a court, or
    - (ii) a member of the administrative staff of a court,for the purposes of proceedings in a particular cause or matter.
- (2) Information held by a public authority is exempt information if it is held only by virtue of being contained in—
  - (a) any document placed in the custody of a person conducting an inquiry or arbitration, for the purposes of the inquiry or arbitration, or
  - (b) any document created by a person conducting an inquiry or arbitration, for the purposes of the inquiry or arbitration.
- (3) The duty to confirm or deny does not arise in relation to information which is (or if it were held by the public authority would be) exempt information by virtue of this section.
- (4) In this section—
  - (a) “court” includes any tribunal or body exercising the judicial power of the State,

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**Changes to legislation:** There are currently no known outstanding effects for the Freedom of Information Act 2000, Section 32. (See end of Document for details)

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- (b) “proceedings in a particular cause or matter” includes [<sup>F1</sup>any investigation under Part 1 of the Coroners and Justice Act 2009, any inquest under the Coroners Act (Northern Ireland) 1959 and any] post-mortem examination,
- (c) “inquiry” means any inquiry or hearing held under any provision contained in, or made under, an enactment, and
- (d) except in relation to Scotland, “arbitration” means any arbitration to which Part I of the <sup>M1</sup>Arbitration Act 1996 applies.

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#### Textual Amendments

- F1** Words in s. 32(4)(b) substituted (25.7.2013) by [Coroners and Justice Act 2009 \(c. 25\)](#), s. 182(4)(e), [Sch. 21 para. 44](#) (with [s. 180](#)); [S.I. 2013/1869](#), art. 2(o)(xvi)

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#### Modifications etc. (not altering text)

- C1** S. 32(2) excluded (7.6.2005) by [Inquiries Act 2005 \(c. 12\)](#), [ss. 18\(3\)](#), 51(1) (with [ss. 44](#), 50); [S.I. 2005/1432](#), [art. 2](#)

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#### Marginal Citations

- M1** [1996 c. 23](#).

**Changes to legislation:**

There are currently no known outstanding effects for the Freedom of Information Act 2000, Section 32.