



Data Access & Compliance Unit
Ministry of Justice
102 Petty France
London
SW1H 9AJ

Natasha Phillips
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data.access@justice.gsi.gov.uk

6 February 2017

Dear Natasha

Freedom of Information Act (FOIA) Request – 109623

Thank you for your request dated 12 January in which you asked for the following information from the Ministry of Justice (MoJ):

In 2014, the government pledged to make sure that children as young as ten involved in Family Court proceedings could have access to judges in order to share their wishes and feelings about their case.

- **How was this pledge implemented in practice (policy documents/judicial guidelines/practice directions etc)?**
- **How many judges or courts were contacted/ informed about this policy decision?**
- **Since 2014, how many children used this policy and spoke to a judge about their wishes and feelings?**
- **Where children spoke to judges, how were their wishes and feelings recorded?**

Your request has been handled under the FOIA.

The MoJ does not hold any information which is within scope of your request. This is because the policy in relation to children aged 10 years and over was one that was announced by the Coalition Government but was not implemented during the administration.

You may however find it helpful to review the following links:

The speech given by former minister for justice and civil liberties, Simon Hughes, at the Voice of the Child Conference in 2014:

<https://www.gov.uk/government/speeches/simon-hughes-speech-at-the-voice-of-the-child-conference>

The final report of the Vulnerable Witnesses and Children Working Group, which made recommendations in relation to the involvement of children in family proceedings:

<https://www.judiciary.gov.uk/publications/final-report-of-the-vulnerable-witnesses-and-children-working-group/>

Family Procedure Rule Committee minutes, where progress on the issue has been discussed:

<https://www.gov.uk/government/organisations/family-procedure-rule-committee/about#minutes>

The FOIA does not oblige a public authority to create information to answer a request if the requested information is not held. The duty is to only provide the recorded information held.

Appeal Rights

If you are not satisfied with this response you have the right to request an internal review by responding in writing to one of the addresses below within two months of the date of this response.

data.access@justice.gsi.gov.uk

Data Access and Compliance Unit, Ministry of Justice, 10.38, 102 Petty France, London, SW1H 9AJ

You do have the right to ask the Information Commissioner's Office (ICO) to investigate any aspect of your complaint. However, please note that the ICO is likely to expect internal complaints procedures to have been exhausted before beginning their investigation.

Yours sincerely

Joanna Furlong
Family Justice Policy Division