



Victoria Soeder
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London
WC1B 3HF

Your ref: CAF 19-006
Our ref: Gov/CAF 19-006

Tel 0300 456 4000

15 January 2019

Dear Ms Soeder

Re: Freedom of Information Request

Thank you for your email of 07 January 2018. You made the following requests for information:

Please provide me with the following information contained within your records under FOIA:

Any documents Cafcass hold containing the words or phrase (FCA's have the) :
“...complex task of assessing whether allegations made within these proceedings are true, exaggerated or fabricated to inform the decisions of the family court”

Please see below for our response.

The draft version of the Child Impact Assessment Framework (previously titled the High Conflict Pathway) contained the phrase ‘FCAs have the complex task of assessing whether allegations made within these proceedings are true, exaggerated, or fabricated to inform decision-making of the Family Court’. However, this phrase was removed during the redrafting and development of the Child Impact Assessment Framework (CIAF) and is not in the final version of the framework or any of the guides within the framework.

Draft materials concerning the CIAF and draft versions of the CIAF are considered exempt from disclosure under section 36 of the Freedom of Information Act, as in our view disclosure would be likely to “inhibit” the provision of advice or the free and frank exchange of views for the purposes of deliberation between those involved with developing the Framework and would be likely to prejudice the effective conduct of public affairs (see this exemption set out below – section b(ii)).

Edward Timpson CBE Chair
Anthony Douglas CBE Chief Executive





In this case it has been decided that the public interest in maintaining this exemption outweighs the public interest in disclosing the information. Compromising the safe space for developing ideas, debating issues and making decisions would damage the effective working of Cafcass which is a public body necessary to the effective working of the family justice system. This outweighs the public interest in transparency and accountability of the activities and topics discussed, which can be provided once final decisions have been made.

Prejudice to effective conduct of public affairs – [Section 36 of the Freedom of Information Act](#) provides that:

- (2) Information to which this section applies is exempt information if, in the reasonable opinion of a qualified person, disclosure of the information under this Act—
 - (b) would, or would be likely to, inhibit—
 - (i) the free and frank provision of advice, or
 - (ii) the free and frank exchange of views for the purposes of deliberation, or
 - (c) would otherwise prejudice, or would be likely otherwise to prejudice, the effective conduct of public affairs.

The final version of the CIAF is available on our [website](#).

We hope that you feel your question has been answered effectively. If you are unhappy with the decisions made in relation to your request, you may ask for an internal review to be undertaken. If you are dissatisfied with the way the internal review is handled or with the final decision made at that review about the information released, you are free to contact the Information Commissioner's Office (<https://ico.org.uk/>):

Post

Information Commissioner's Office
Wycliffe House, Water Lane,
Wilmslow,
Cheshire
SK9 5AF

Fax

01625 524 510

Tel

0303 123 1113

E-mail

casework@ico.org.uk

Yours sincerely,

Governance Team

Cafcass

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Edward Timpson CBE Chair
Anthony Douglas CBE Chief Executive





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Cafcass, the Children and Family Court Advisory and Support Service, is a non-departmental body of the Ministry of Justice
Cafcass National Office, 3rd Floor, 21 Bloomsbury Street, London, WC1B 3HF