

**FREEDOM OF INFORMATION REQUEST**

**Ref: DPT 20/21/203**  
**Review**  
**Date: 16/02/2021**

Thank you for your request under the Freedom of Information Act.

**QUESTIONS**

Please pass this on to the person who conducts Freedom of Information reviews.

I am writing to request an internal review of Devon Partnership NHS Trust's handling of my FOI request 'Hare PCL:SV 2003'.

It appears that you have responded to the FOIA request but have not answered each of the the specific requests that have been asked. Some of the replies do not make sense and do not confer with the manual or the facts.

If Psychopathy is not a clinical diagnosis then there would be no basis to inform anyone about any treatment as none exists, and you would also need the persons full knowledge of the intended situation and consent.

Can you please confirm if Devon Partnership NHS Trust deems the Hare PCL:SV a form of treatment, or a factor of the assessment process?

The PCL:SV is a 12-item checklist as part of an assessment process which may inform treatment.

You seem to think that the role an employee is undertaking is personal information when that wouldn't be the case as there is nothing personal about what role you pay an employee to undertake.

I own a Hare PCL:SV manual and matters were not conducted in accordance with the manual as you are claiming would be the case.

The test publishers require that you have relevant policies in place. Robert Hare's Without Conscience book states:

Proper diagnostic procedure, as defined by the standards of practice of psychological and psychiatric associations, requires a careful examination and testing of the individual and adherence to widely accepted, reliable diagnostic criteria.

There is zero widely accepted norms and generalizability, cross-cultural or otherwise, to support the 2003 application of the Hare PCL:SV in clinical NHS, and Devon Partnership NHS Trust and the Secretary of State for Health should be liable for this abuse and the injustice that has been caused by this arbitrary application of the Hare PCL:SV by Devon Partnership NHS Trust.

Can you please confirm if Devon Partnership NHS Trust/Waverley House holds a policy applicable to the consent required to administer the Hare PCL:SV and whether it was in place in 2003?

Administration of the PCL:SV is conducted in accordance with the guidance set by the test publishers.

The publisher requires that those who use the PCL tools have a policy in place, and you had no policy in place in 2003.

## RESPONSES

Under Section 14(1) this request is refused. Devon Partnership NHS Trust is not obliged to comply with a Freedom of Information Request whereby we reasonably believe the request to be Vexatious, inappropriate or an improper use of formal procedure.

Devon Partnership NHS Trust believe this request to now be closed and would add the following regarding our use of section 14(1)

The initial response to this FOI was sent to you on 14/12/2020

We received a request for an internal review on 14/12/2020 and a response was sent on 21/12/2020

We the received a further request relating to the same on 21/12/2020 to which a response was sent on 08/02/2021

As per part 7.7 of the Freedom of Information Act Code of Practice, the trust has consider other request made by yourself to Devon partnership NHS trust. We have received several overlapping Freedom of Information request since the 14/12/2020 on a similar topic and contained language of a hostile nature and has been constituted as harassing particular staff as part of a campaign against the organisations. An example of previous language used:

“As the the Hare PCL:SV was not valid for use in the UK in 2003, let alone that no consent was sought, do you mind now addressing the matter of this perfidious incompetence and abuse of dignity, autonomy, liberty and well-being, Melanie Walker MBE needs to start to address the matter as abuse has taken place and there is evidence of incompetence.”

## APPEALS PROCEDURE

Any appeal against this decision should be made in writing to:

Chief Information Officer,  
Devon Partnership NHS Trust,  
Prentice Building,  
Langdon Hospital,  
Dawlish,  
EX7 0NR.

The decision will be reviewed and a response provided within 20 working days. If you remain unsatisfied by the decision a complaint may be made in writing to the Complaints/Litigation Administrator at the above address for the matter to be dealt with in accordance with the Trust complaints policy.

Alternatively, you have the right to complain to the Information Commissioner at: Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Tel: 0303 123 1113. For further information please refer to [www.ico.org.uk](http://www.ico.org.uk)

We are monitoring how people making Freedom of Information requests are experiencing the process and would value your feedback in order to improve the service as necessary. If you wish to provide feedback please respond via the following link: <https://www.surveymonkey.com/s/BC6QXBM>