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16th December 2020

Dear Sir/Madam,

Freedom of Information Act (FOIA) Request – 201211031

Thank you for your request received 11th December for an Internal Review of FOI 201117002 in which you asked for the following information from the Ministry of Justice (MoJ):

Question 1. "Judicial Documents" please confirm this to mean Case Law, in particular: R (on the application of John McIntyre) Claimant- and -The Parole Board <http://www.bailii.org/ew/cases/EWHC/Admin/2013/1969.html>

Question 2. (A) If any complaints have been received by the HMCTS Fraud Department, with regard to the above case law's use, involving the allegation of forgery by any member of the Employment Tribunal judiciary and or HMCTS' Disclosure Team personnel between January 2016 and December 2018?

(B) If confirmed, was an investigation carried out by HMCTS Fraud in relation to any allegations of "forgery" appertaining to the above case law.

(C) If so, were any employees at any level referred to the Police/CPS for potential prosecution?

(D) Were any employees at any level in any department of HMCTS dismissed or disciplined as a result of any investigation carried out?

Question 3. I acknowledge your statement that "you do not accept that HMCTS' departments were involved in the forgery of any documents supplied to the Employment Tribunal during the case of Mr Ben Plaistow presided over by Judge Ord."

However, it is clear from Judge Ord's comments that somebody did.

HMPPS are currently considering the public interest test with regard to Judge Ord's comments and whether they can confirm if any of their staff were involved in the forgery of documents.

Question 4. The Government's Legal Department, who represent and advise (including Mr Plaistow's case) has a you tube 2 minute video, entitled "Lawyers in Government Film" an extract is detailed here:

"Ultimately we just don't interpret the law, we make it, re-imagine it and pilot it through areas it's never been before."

<https://www.youtube.com/watch?v=ugPxrWVwjI0&feature=youtu.be>

Please therefore advise if corrupting and forging (reference Judge Ord) could be defined as "making and re-imagining and pilot it through areas it's never been before"?

Your request is being handled under the FOIA.

A review is currently being conducted and a response will be issued to you in due course.

The MoJ aims to provide you with a response within 20 working days, in accordance with the Information Commissioner's Office's recommendation.

However, in view of the current public health situation, and its possible effect on resources and priorities, we may not be able to reply to you by this date; if this will be the case, we will write to you nearer the time with an update.

If you have any queries regarding this Internal Review, please do not hesitate to contact the above address quoting the reference number **201211031** in all correspondence.

Yours sincerely

Jennifer Mackinnon

Analysis and Performance Division, Her Majesty's Courts and Tribunals Service (HMCTS).