



Home Office

Operational Systems
Transformations,
2 Marsham Street
London SW1P 4DF

020 7035 4848
(switchboard)

www.homeoffice.gov.uk

Ms Cathy Fox
[request-158579-
280af86c@whatdotheyknow.com](#)

25 October 2013

Dear Ms Fox

Reference number: 27254 – internal review

Thank you for your e-mail of 8 August in which you asked for an internal review of our response to your Freedom of Information (FOI) request about information passed from Geoffrey Dickens MP to the then Home Secretary, Leon Brittan MP, concerning alleged child abuses in 1983 and 1984.

I have now completed the review. I have examined all the relevant papers and have considered whether the correct procedures were followed. I confirm that I was not involved in the initial handling of your request.

My findings are set out in the attached report. My conclusion is that the original response was correct.

Yours sincerely

R Taylor
Information Access Team

Internal review of response to request under the Freedom of Information (FOI) Act 2000 by Ms Fox (reference 27254)

Responding Unit: Safeguarding & Public Protection Unit (SPPU)

Chronology

Original Fol/acknowledgement:	19 April 2013
Chaser letter/acknowledgement:	5 June 2013
Internal Review (Time complaint) lodged:	9 June 2013
Response to internal review (time complaint):	21 June 2013
Holding response from Direct Communications Unit:	27 June 2013
Clarification questions submitted by requester:	27 June 2013
Chaser letter:	30 July 2013
Safeguarding & Public Protection Unit response:	31 July 2013
Internal Review request:	8 August 2013

Subject of request

1. The request of 19 April is set out in full at **Annex A**.

The response

2. The response of 31 July is set out in full at **Annex B & (B1-3)**.

The request for an internal review

3. The Home Office received Ms Fox's request for an internal review on 8 August. The request is set out in full at **Annex C**.
4. Ms Fox requested an internal review on the SPPU response on the basis that her clarification questions of June 2013 had not been addressed. These questions can be found at **Annex D**

Procedural issues

5. The Home Office received Ms Fox's original request via email dated 19 April.
6. Ms Fox requested an internal review (time complaint) on 11 June, and a response was provided on 21 June.

7. Section 10(1) of the Act requires that the responding authority should inform requesters whether or not the authority holds the requested information, and if appropriate, to then provide this information within 20 working days of the request being received. The internal review (time complaint) response correctly identified the fact that this requirement was not met.
8. Section 10(3) of the Act requires that the responding authority should inform requesters within 20 working days if additional time is required to consider any public interest test arguments affecting the requested information. The internal review (time complaint) response correctly identified the fact that this requirement was not met.
10. On 31 July, the SPPU provided Ms Fox with a substantive response, (including findings from the independent investigation), which represents 71 working days after the initial request was received. Therefore, the SPPU failed to comply with section 10(1) of the Act by providing a response within the statutory deadline of 20 working days.
11. The SPPU also failed to comply with section 10(3) of the Act by informing the requester that additional time was needed to consider and then provide a response.
12. In its response to Ms Fox, the SPPU stated that it did not hold the information she had requested. Therefore the SPPU complied with the requirement of section 1(1)(a) of the Act.
13. Ms Fox was informed in writing of her right to request an independent internal review of the handling of her request, as required by section 17(7)(a) of the Act. Further, the response also informed Ms Fox of her right of complaint to the Information Commissioner, as set out in section 17(7)(b) of the Act.

Consideration of the response

14. I have reviewed the original FOI response and consulted the team responsible for handling the request, and can confirm that the Home Office does not hold the information which Ms Fox has requested.
15. Ms Fox's internal review request also drew attention to her correspondence of 27 June (enclosed within **Annex D**) which she claims remains unanswered: this correspondence was a series of additional questions.
16. For clarity and ease of reference, I have listed the questions, and provided a response to each based on my findings :
17. **(Q.1) Please could you reply as to why the Home Office contravened the law and failed to respond within the required time.**
18. I have established that the Home Office received a number of similar requests for information. As part of their consideration, the Home Office considered citing the exemption at **Section 12(2)** of the FOI Act – the **exemption where cost of compliance exceeds appropriate limit** - the Home Office was of the view that it would exceed the cost limit to determine if the requested information was even held. It would have been within the terms of the Act to adopt this approach, however in the interests of transparency, the Permanent Secretary took the decision to commission an independent review to ascertain what, if any, records, the Home Office was in possession of.

19. The nature of this independent review meant that it was not possible for the Home Office to respond within the 20 working day period; however as per my findings in paragraph 8 and 11, the requester should have been informed of this approach in good time.
19. **(Q.2) Please could you detail when the independent internal investigation was commissioned and who commissioned it.**
20. The answer to this question was contained as part of the original response of 31 July 2013. I wish to direct Ms Fox to the Executive Summary paragraph 1.1 (**Annex B1**).
21. **(Q.3) Please could you state who is carrying out this investigation.**
22. Please revert to paragraph 20 above.
23. **(Q.4) Please could you explain what you mean by an “independent investigation.”**
24. In this context, “independent investigation” means an investigation that was independent of the Home Office. In this case one led by an investigator from HM Revenue & Customs.
25. **(Q.5) Please could you state when this investigation is expected to report and to whom.**
26. The answer to this question can be found within the Terms of Reference (**Annex B3**).
27. I have concluded that Q.s 2,3, & 5 were answered by the responding unit in their response of 31 July 2013; and that following this internal review, I have now been able to answer the remaining questions 1 & 4 as per the above.
28. In light of the above, I conclude that the original response by SPPU was correct: the Home Office does not hold the requested information.
29. I also note the additional comments in the request for internal review, (**Annex D**); however as these issues fall outside the scope of this internal review I will not offer comment. Nevertheless, I would like to draw attention to the Information Commissioner’s guidance on making requests to public authorities which states that a person making a request should not use offensive or threatening language, or level unfounded allegations at the authority or its staff. This guidance can be found at the following link: http://www.ico.org.uk/for_the_public/official_information

Conclusion

30. The response was not sent within 20 working days; consequently the Home Office failed to comply with section 10(1) of the FOI Act.
31. The requester was not sent any correspondence informing her that the Home Office needed additional time beyond the 20 working days to consider her request; consequently the Home Office also failed to comply with section 10(3) of the FOI Act.
32. Section 1(1)(a) of the Act was complied with as the response clearly stated that the requested information was not held.

33. The response complied with the requirements in section 17(7)(a) and 17(7)(b) as it provided details of the complaints procedure.

Information Access Team

Home Office

25 October 2013

Annex A – FOI request 19 April 2013

Dear Home Office,

Please could you provide the dossiers on child sexual abuse that Geoffrey Dickens handed to Leon Brittan.

November 1983 Dossier apparently contained information about Paedophile Information Exchange and Buckingham Palace Staff.

The January 1984 dossier apparently contained information about sexual assaults at a children's home and named prominent paedophiles including a television executive.

These are very serious and concerning matters and the dossiers obviously of high importance. They should have been kept secure for the future by Mr Leon Brittan.

A redacted copy of each will suffice.

Yours faithfully,

Cathy Fox

Annex B – SPPU response dated 31 July 2013

Dear Ms Fox

I am writing further to our/my interim response to you on 27 June and the fact that the Department was researching all papers that are available to us and had commissioned an independent internal investigation to establish whether any information is held in response to your Fol request relating to reports about child sex abuse and the Paedophile Information Exchange.

In the interests of transparency the Permanent Secretary commissioned a two-phase independent review. The Independent Reviewer appointed to conduct this exercise has now completed their review and I can confirm that the information you have requested is not held. I attach the Executive Summaries in respect of the interim and final reports for your information as well as the Terms of Reference of the Review. A copy of these will also be placed on the Gov.uk website.

The Permanent Secretary has accepted all of the recommendations from the Independent Reviewer and the Department has implemented all of them.

If you are dissatisfied with this response you may request an independent internal review of our handling of your request by submitting a complaint within two months to the address below, quoting reference CR27254. If you ask for an internal review, it would be helpful if you could say why you are dissatisfied with the response. I am happy to talk to you about our response if you wish to contact me at the telephone number given above.

Information Access Team
Home Office
Ground Floor, Seacole Building
2 Marsham Street
London SW1P 4DF
e-mail: info.access@homeoffice.gsi.gov.uk

As part of any internal review the Department's handling of your information request will be reassessed by staff who were not involved in providing you with this response. If you remain dissatisfied after this internal review, you would have a right of complaint to the Information Commissioner as established by section 50 of the Freedom of Information Act.

Yours sincerely

Leepika Dutta
Safeguarding and Public Protection Unit

Annex B1 of SPPU letter dated 31 July 2013

Executive Summary

1.1. In February 2013 the Home Office Permanent Secretary commissioned an Independent Review of all Home Office files from 1979 to 1999 to identify any information received about organised child sex abuse. An experienced investigator from HM Revenue and Customs (HMRC) is leading the Review with additional oversight provided by HMRC's Director of Criminal Investigation.

1.2. The Independent Investigator has produced an Interim Report based on the examination of over 400 Home Office files and a targeted search for material directly relevant to contacts on child abuse between the late Geoffrey Dickens MP and the Home Office. The findings will be updated if the Review identifies additional relevant material in the ongoing wider search of Home Office files which is expected to be completed by June 2013.

1.3. The Independent Review has confirmed that the Home Office did receive information from Mr Dickens in November 1983 and in January 1984 about alleged child abuse. Copies of the material have not been retained but a Home Office file contains a copy letter dated 20th March 1984 from the Home Secretary in response to Mr Dickens. The letter confirms that the information was considered at the time and that any matters requiring investigation were referred to the Police.

1.4. The letter is not suitable for publication as it contains details of one case of alleged child abuse from which it would be possible to identify the victim. However, the following extract explains how the information which Mr Dickens provided was handled at the time.

"Dear Geoff,

You drew my attention to a number of allegations concerning paedophilia when you called here on 23 November and in subsequent letters.

I am now able to tell you that, in general terms, the view of the Director of Public Prosecutions is that two of the letters you forwarded could form the basis for enquiries by the police and they are now being passed to the appropriate authorities. In other cases there either seems to be inadequate evidence to pursue prosecution, for example the lady who wrote about PIE1 advertising but did not secure any example of the material complained of, or they have already been dealt with in some way by the courts or the police."

1.5. Mr Dickens was a robust campaigner on child protection issues and used Parliamentary Privilege to name alleged offenders if he believed appropriate action was not being taken. He challenged his own Government on child protection issues in Parliament and in the media when he disagreed with policies or decisions. The Independent Review has found no evidence of Mr Dickens expressing dissatisfaction about the action taken in respect of the information he had passed on.

1.6. On 17th March 1986 in his response to a debate in Parliament about the use of Parliamentary Privilege, and referring to information he had received about alleged child abuse, Mr Dickens said:

“I always sent the files to the Home Office, which investigated the cases for me, and in many cases to the chief constables concerned.”

1.7. On 31st March 1987 during his speech in a Parliamentary debate on the admissibility of video evidence in court proceedings Mr Dickens said:

“I should like to place on record my thanks to the Home Office and the departments within the Home Office for following up the many cases that I keep sending to it. I should also like to thank the Attorney-General. They have been very helpful and a strength to me in my campaigns.”

1.8. Full details of these statements are publicly available via www.parliament.uk in Hansard reports of Parliamentary business.

1.9. The Independent Investigator’s Interim Report and a full copy of the relevant Home Office file have been passed to the Metropolitan Police Service for information in relation to their current investigations of allegations of historic child abuse.

Annex B2 of SPPU letter dated 31 July 2013

Executive Summary (Final Report)

1.1. In February 2013 the Home Office Permanent Secretary commissioned an Independent Review of all Home Office files from 1979 to 1999 to identify any information received about organised child sex abuse. An experienced investigator from HM Revenue and Customs (HMRC) led the Review with additional oversight provided by HMRC's Director of Criminal Investigation.

1.2. In April 2013 the Independent Investigator produced an Interim Report on contacts on child abuse between the late Geoffrey Dickens MP and the Home Office. This Final Report addresses the remaining terms of reference of the Review and covers all relevant material held by the Home Office for the period 1979 to 1999. The Review has not identified any additional material relating to matters covered in the Interim Report.

1.3. The Independent Investigator has had all necessary access to Home Office records and has received full co-operation from Home Office personnel.

1.4. The Independent Review carried out an extensive analysis of a central database containing details of over 746,000 files for the 1979-1999 period and identified 527 potentially relevant files which had been retained. These 527 files plus 46 personnel files (573 in total) were all physically examined by the Independent Review.

Information provided to the Home Office in relation to alleged child abuse

1.5. This work identified 13 items of information about alleged child abuse, including 4 cases involving Home Office staff. Nine of these items of information, including all of the cases involving Home Office staff, were either already known to the Police or were reported to them by the Home Office at the time.

Recommendation 1. The Investigator considers that the remaining 4 items of information are likely to be of limited value, as they are either of doubtful credibility or involve the use of a single profile indicator to identify a potential offender. However it is recommended that the information is passed to the Police for a proper assessment as this falls within their remit.

Involvement of Home Office staff

1.6. The 4 cases involving Home Office staff relate to offences in the period 1996 to 1998. None of the cases contain evidence of the direct physical abuse of children. The Investigator found no evidence of any connection between the cases, or that Home Office equipment or facilities were used in the offences. All 4 staff were dismissed.

1.7. However, there is no central record of the detail of disciplinary offences for the 1979 to 1999 period. It is therefore possible that there may be additional cases of dismissals, or other disciplinary action short of dismissal, which relate to relevant 2

offences and which have not been identified. This also means that there is no central record of any cases where false allegations have been investigated and disproved.

Recommendation 2. That the Home Office review its current system for centrally recording details of disciplinary cases to ensure that it meets current business needs.

Paedophile Information Exchange

1.8. The Review identified 11 centrally recorded files from the 1980s relating to the Paedophile Information Exchange, all of which had been destroyed. The recorded file titles, together with media reports of events at the time, give some indication of the probable contents of these files from which the Investigator has concluded that their destruction was consistent with applicable record retention policies.

Allegation of Historic Child Abuse

1.9. The Review identified one file containing copies of details of allegations relating to a previous Police investigation into alleged child sex abuse. It is clear that the documents were considered by both Police and Prosecutors at the time but they may have some relevance to an ongoing Police investigation into historic cases of abuse.

Recommendation 3. That material from one file containing details of allegations previously investigated by Police is referred to a current Police investigation into allegations of historic child sex abuse.

Conclusions

1.10. The Independent Investigator is satisfied that the Home Office did pass on to the appropriate authorities any information received about child abuse in the period 1979 to 1999 which was credible and which had any realistic potential for further investigation. The Investigator believes that the risk of any undisclosed material remaining in files from that period is extremely low.

1.11. The Home Office took appropriate and proportionate action in the identified cases involving Home Office staff. In the absence of detailed central records of disciplinary cases for the period it is not possible to give an assurance that all relevant cases have been identified. The Investigator found no evidence of any unresolved allegations against Home Office staff or of any related complaints.

Annex B3 of SPPU letter dated 31 July 2013

Terms of Reference

To review all relevant Home Office files, records and other papers from the period 1979-99 and establish a picture of:

1. what, if any, material was provided to the Department in relation to alleged organised child abuse; and
2. what, if any, action was taken in relation to such allegations and whether relevant materials were passed to the police or law enforcement body to investigate; and
3. whether any member of Home Office staff was alleged or found to be involved or implicated in organised child abuse and what action was taken.

In particular the review should establish a full picture in respect of:

- Correspondence, reports or papers from, and to, the former Member of Parliament Geoffrey Dickens in relation to child abuse, or any related matter;
- Any correspondence, reports or papers received or sent relating to the Paedophile Information Exchange as an organisation or topic;
- Any correspondence, reports or papers relating to any Home Office employee alleged to have been involved or implicated in organised child abuse.

(i) Where materials or papers or reports cannot be located or accounted for, the review should establish the reasons why they cannot be located and, if destroyed, whether this was within the Government guidance on retention and disposal of files and papers at that time.

(ii) Consider whether anything found would merit further investigation, including criminal investigation.

The review should report to the Permanent Secretary within 4 weeks. An executive summary suitable for publication should be provided together with any relevant recommendations or findings.

In relation to point (ii), the review should draw immediately to the attention of the Permanent Secretary (without waiting for the final report) any matters considered to merit police investigation.

Annex C – Request for Internal Review dated 8 August 2013

Dear Murphy Rob D,

Please could I have the Internal Review and response.

Please could you abide by the law and answer my questions under advice and assistance section 16 FOI acts

Yours sincerely,

Cathy Fox

Annex D – Chaser letter from Ms Fox dated 30 July 2013 (with additional questions dated 27 June)

Dear L Ingram, FOI Responses,

You stated in your reply of 27 June that I would receive a reply within 4 weeks, I have not.

I remind you that your reply of 27th June was a holding reply to an Internal Review request of 11 June which should have been answered by 2nd July.

The Internal review request was because I had received no substantive response to my original request on 19th April despite holding replies on 19th April stating I would get a response by 10th May, a reminder from me on 5th June stimulated an immediate response that I would get a reply by 3rd July.

Furthermore on 27th June I asked you these questions to which I have received no reply.

Dear L Ingram,

Thank you for your reply.

I note that although you apologise for the delay, you have not given a reason for the lack of response.

Please could you reply as to why the Home Office contravened the law and failed to respond within the required time.

Please could you detail when the independent internal investigation was commissioned and who commissioned it.

Please could you state who is carrying out this investigation.

Please could you explain what you mean by an "independent" investigation.

Please could state when this investigation is expected to report and to whom.

A reasonable individual may draw the conclusion that the Home Office is not fit for purpose, lies and is covering up child sexual abuse? Unless I receive a full reply to all my questions many will assume this is the case. They may also speculate from a variety of evidence around that the political parties are also involved in this cover up of child sexual abuse and hence the lack of action by Government.

I await your full response to my questions, my internal review and my reasonable individual conclusions.

I personally find the Home Offices actions outrageous and despicable and by its actions it condones child sexual abuse.

However the Home Office is made up of individuals, and as such you (L Ingram) must take your share of responsibility for your non replies, as must L.Galarza who was due to carry out the Internal Review. As well all the other unnamed people involved, including the Home Secretary Rt Honourable Theresa May, and the Prime Minister David Cameron must take their share of responsibility for this

despicable state of affairs that undermines any semblance of truly democratic government.

Shame on you all. Is it not reasonable to assume that you are just puppets of the paedophiles who are really in control and no one has the courage to stand up to them?

Annex E – Further information (complaint procedure)

This completes the internal review process by the Home Office. If you remain dissatisfied with the response to your FOI request, you have the right of complaint to the Information Commissioner at the following address:

The Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF