



Victoria Soeder  
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**Your ref: CAF 18-156**  
**Our ref: Gov/CAF 18-156**

Tel 0300 456 4000

24 January 2019

Dear Ms Soeder,

### **Re: Freedom of Information Request - Internal Review**

Thank you for your email of 07 January 2019. You requested an internal review of the response to your Freedom of Information request (CAF18-156) which was sent to you on 07 January 2019. An internal review involves a review of the decision on disclosure in the original response and the way in which the request was handled. The internal reviewer can either uphold or overturn the original decision.

Melanie Carew, Head of Legal, who was not party to the original decision on whether to release the information, has now conducted the internal review. Please see their response below.

In your request for an internal review, you stated:

'I am writing to request an internal review of Children and Family Court Advisory Support Service's handling of my FOI request 'How does a FCA identify malicious misstatement that the other party has a Personality disorder that is unsubstantiated'.

I am dissatisfied with your response therefore please provide me with the document/s Cafcass hold from 2012 year on year to January 2019 containing the words " the other parent has unmanaged mental health issues" and please state clearly when these words were in Cafcass document/s and what date they were removed or the specific document containing the words was changed.

Please quote specific mental health diagnosis held on Cafcass documents i.e personality disorder, dementia, or any other mental health diagnosis Cafcass refer to.

On 11 January 2019 you also contacted Cafcass in regards to your request for an internal review and asked for the following:

Edward Timpson CBE Chair  
Anthony Douglas CBE Chief Executive





Please also provide information as to whether these words were used in documents as part of a trial or any other capacity & supply dates and all details of the documents in whichever document Cafcass holds. Please supply clearly where Cafcass have published these words, which document they were held within and with which external agencies were they made available to.

In your original Freedom of Information request (CAF18-156) you asked for information about Cafcass 'distinguishing domestic violence and harmful conflict screening tool' where it states: "The other parent has unmanaged mental health issues/ substance and or alcohol misuses / Personality disorder or other factors that impact on their capacity to provide attuned and consistent care" and asked 'Therefore what precisely does Cafcass mean by UNMANAGED mental health issues?'

In our response, we stated that the distinguishing [domestic abuse and harmful conflict tool](#) does not mention unmanaged mental health issues. The tool is available on our [website](#) and a copy is attached to this response. This tool does not mention unmanaged mental health issues.

As part of the Child Impact Assessment Framework, Cafcass has a guide on [Children's resistance or refusal to spending time with a parent](#) which is available on our website, and a copy of which is attached. In this guide, under the 'Key practice points: appropriate justified rejection' there is a list of factors and this includes '*The other parent has unmanaged mental health difficulties, such as personality disorder, substance and/or alcohol misuse issues or other factors that impact on their capacity to provide attuned and consistent care.*' As this document is on our website, it is available to the public and external organisations.

The specific phrase 'the other parent has unmanaged mental health issues' is not used in any other Cafcass policies, procedures, tools or any other documents and is unique to this specific guide.

Cafcass does not have specific definition for unmanaged mental health issues but we would expect our practitioners to understand the general meaning of unmanaged to mean mental health issues which are not being addressed or treated with medical intervention or support which are having a negative impact on the individual and their capacity to provide attuned and consistent care to the child/children.

Cafcass does not have documents that diagnose mental health conditions in the adults or children we work with. Cafcass has tools and resources to assist our FCAs in their analysis and these may list factors or issues to consider in their assessment which may include mental health conditions. These tools and resources would not diagnose mental health conditions or be used to diagnose mental health conditions by our FCAs. The role of Cafcass is to assess children's needs and write reports or a case analysis to the court recommending how a child's welfare can best be promoted and safeguarded, with reference to the [Welfare](#)

Edward Timpson CBE Chair  
Anthony Douglas CBE Chief Executive





[Checklist](#). All practitioner advice and recommendations are case specific and are based on their professional judgement of the child's welfare.

We hope that you feel your question has been answered effectively. 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](mailto:casework@ico.org.uk)

Yours sincerely,

Governance Team  
Cafcass  
[Governance@cafcass.gov.uk](mailto:Governance@cafcass.gov.uk)

Edward Timpson CBE Chair  
Anthony Douglas CBE Chief Executive

