



**Maria Kavanagh**  
**Secretary to the Family Justice**  
**Council**

David Gale  
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**E: [fjc@justice.gsi.gov.uk](mailto:fjc@justice.gsi.gov.uk)**

**Our Reference: FOI-Dec-2020**

1<sup>st</sup> March 2021

Dear Mr Gale,

**Freedom of Information Act (FOIA) Request – FOI-Dec-2020**

Thank you for your clarification of 2 February 2021 regarding your FOI request (and subsequent Internal Review request) in which you asked for the following information from the Family Justice Council (FJC):

“Following confirmation from the General Medical Council that it has received complaints from medical professionals of identity theft and fraud related to court-appointed medical expert witnesses:

1. Please provide sight of all records from 2018 onwards that include reference to fraud or other criminal conduct related to court-appointed expert witnesses, to include recorded entries of complaints, concerns and whistle blowing.
2. Please provide sight of all records for 2018 onwards relating to due diligence / governance procedures for court-appointed expert witnesses, to include communications from or to third parties including the General Medical Council (personal details may be redacted if individuals are not acting in their professional capacities).
3. Please provide sight of all proposals to amend judicial practice directions to deliver scrutiny and governance over expert witnesses, as well as any proposed authentication mechanisms to verify the identity of expert witnesses.”

You subsequently provided clarification of your request in which you confirmed that the timeframe for point 3 above should be from 2018 onwards, in keeping with points 1 and 2. You also asked that if allocated FOI response time remains available after furnishing that request, we use the remaining time to add significant cases prior to 2018.

Your request has been handled under the FOIA.

The purpose of an Internal Review is to assess how your FOI request was handled in the first instance and to determine whether the original decision given to you was correct. This is an independent review: I was not involved in the original decision.

The response to your original request confirmed that the information requested was not held. After careful consideration, I believe the original response was incorrect and I have therefore overturned the decision.

I can confirm that the FJC holds information which is exempt from disclosure under section 21 of the FOIA, because it is reasonably accessible to you. The information can be accessed in section 5: Regulations and codes of conduct; section 6: Issues in relation to competencies and section 8: Quality of service via the following link: [Paediatricians as Expert Witnesses in the Family Courts in England and Wales: Standards, competencies and expectations | Courts and Tribunals Judiciary.](#)

I can confirm that a search has been made of all relevant records within the specified parameters of the request and that members of the FJC have been consulted in this search.

### **Appeal Rights**

If you are not satisfied with this response you have the right to apply to the Information Commissioner's Office (ICO). The Commissioner is an independent regulator who has the power to direct us to respond to your request differently, if she considers that we have handled it incorrectly.

You can contact the ICO at the following address:

<https://ico.org.uk/Global/contact-us>

Yours sincerely

A handwritten signature in dark ink, appearing to read 'M Kavanagh', with a stylized flourish at the end.

**Maria Kavanagh**  
**Secretary to the Family Justice Council**