

C. Smith-Byrne  
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Tel: 0844 353 3317  
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**Your ref: CAF328**

**Our ref: JJ/CAF328**

**Date:** 18<sup>th</sup> May 2010

Dear Mr or Ms C. Smith-Byrne

### **Re: Freedom of Information Request**

Thank you for your email received on 9<sup>th</sup> April 2010 via the "whatdotheyknow.com" website to Cafcass web enquiries requesting the following information:

- 1 On how many occasions has Pauline Lloyd, solicitor (Ewings & Co.Solicitors, London) been appointed by CAFCASS, year by year since 1995, comprising of all cases where the Guardian(s) Amanda Barden and/or Linda Clark has/have also been appointed.
- 2 Please state in how many cases Pauline Lloyd has seen the children she was appointed to represent prior to the court hearing and in how many cases she has never met them.

Your email was received without any proof of identity and as I informed you in my earlier email, Hansard indicates that an email address alone is insufficient to satisfy section 8(1)(b) of the Freedom of Information Act. In addition, legal commentary points out that section 8(1)(b) requires "the" name of an applicant, rather than "a" name. I have previously explained to you my reasons for questioning the name you have given.

Though there is commentary on the interpretation of section 8(1)(b), I am not aware of any case law on it so I have taken the opportunity of consulting with the Information Commissioner's office. They were also unable to refer me to any previous cases on this. I can only conclude therefore that there is no case law as yet on whether an emailed application without proof of name or address is either valid or invalid under the Act. Until such time as case law determines the issue therefore, I have taken the view that there is no legal precedent to prevent me from treating your email as a valid request under section 8(1)(b).

I am able to respond to the second part of your request but before I can respond to the first part, I would be grateful for clarification as indicated below

- 1 On how many occasions has Pauline Lloyd, solicitor (Ewings & Co.Solicitors, London) been appointed by CAFCASS, year by year since 1995, comprising of all cases where the Guardian(s) Amanda Barden and/or Linda Clark has/have also been appointed.

Before I can answer this request, I should be grateful if you would please provide clarification. Please note that Cafcass does not appoint solicitors in cases, but the court does this in cases where there is a delay before a guardian is appointed. Cafcass officers do instruct solicitors to act on behalf of children however where a guardian is appointed before a solicitor for the child has been appointed by the court. Can you therefore please clarify: are you requesting “the number of cases in which Amanda Barden and/or Linda Clark have instructed Pauline Lloyd, solicitor with Ewings and Co., to act as solicitor for the child”?

- 2 Please state in how many cases Pauline Lloyd has seen the children she was appointed to represent prior to the court hearing and in how many cases she has never met them.

Cafcass does not hold this information.

If you are unhappy with the decision made in relation to your request, you may ask for an internal review to be undertaken. 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 ([www.informationcommissioner.gov.uk](http://www.informationcommissioner.gov.uk))

**Post**

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Wycliffe House, Water Lane, Wilmslow, Cheshire  
SK9 5AF

**Fax**

01625 524 510

Yours sincerely,

Miss Jasvinder Jassal

**Information Assurance & Data Handling Officer**

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