



Department of Health

23/01/2015

DE00000912446

Dear Mr Card,

Thank you for your request of 31 December 2014 under the Freedom of Information Act (2000). Your exact request was:

"I am writing to request an internal review of Department of Health's handling of my FOI request 'Please disclose any Association between Minister Sir Keith Joseph, his civil servant Celia Hensman and Peter Righton paedophile'.

Could you verify that you are saying that you have no Beeches child deaths records ? No Sue Ryder deaths and care standards records 1972 ? No records which would show how specific requests for care inquiry into Beeches child deaths diverted to academic debate about the theory of residential child care ?"

As per the Department's response of 31 December 2014 (our ref. DE00000904690), your previous correspondence was assessed as being for general information, rather than for recorded information. As a result, your previous correspondence was not treated as a Freedom of Information request and we are unable to conduct an Internal Review of our handling of it. Therefore, we are treating your current request as an initial request under the Freedom of Information regime.

The Department does not hold the information you have requested.

The Public Records Act 1958 does not allow the Department to hold records once they reach 30 years old, without permission of the Lord Chancellor. The 30 year period is being progressively reduced as a result of the Constitutional Reform and Governance Act - and currently (since 1 January 2015) stands at 27 years. There are no records retained by the Department under permission from the Lord Chancellor from this period, with the exception of a small number of civil servant HR files.

There is a reference in Hansard from 1973 about the appointment of a Study Group into The Beeches Ixworth, but the focus was on children placed outside their home area. The Hansard reference is at:

http://hansard.millbanksystems.com/written_answers/1973/apr/03/the-beeches-ixworth-inquiry#S5CV0854P0_19730403_CWA_144

The records for the Harvie Study Group have been deposited at The National Archives - the catalogue entries can be found at:

http://discovery.nationalarchives.gov.uk/results/r?_q=harvie&_p=1950&_hb=tna&_d=MH&Refine+departments=Refine

Other records from the 1970s that have been selected for permanent preservation have been deposited at The National Archives, and a searchable catalogue is available at:

<http://discovery.nationalarchives.gov.uk/>

The investigation of sudden deaths is not the responsibility of the Department of Health or predecessor departments, and would be the responsibility of the Coroner. You may, therefore, wish to approach the Coroner's Court for the area who has discretion to release information, as the files are generally closed for 75 years.

The Coroner's Court can be contacted at the following addresses:

11th Floor – Thomas More Building
Royal Courts of Justice
London
WC2A 2LL

chiefcoronersoffice@judiciary.gsi.gov.uk

If you have any queries about this email, please contact me. Please remember to quote the reference number above in any future communications.

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to:

Head of the Freedom of Information Team
Department of Health
Room 520
Richmond House
79 Whitehall
London
SW1A 2NS

Email: freedomofinformation@dh.gsi.gov.uk

If you are not content with the outcome of your complaint, you may apply directly to the Information Commissioner (ICO) for a decision. Generally, the ICO cannot make a decision unless you have exhausted the complaints procedure provided by the Department. The ICO can be contacted at:

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

Yours sincerely,

Jonathan Young

Freedom of Information Officer
Department of Health

freedomofinformation@dh.gsi.gov.uk