

**Human Tissue Authority**  
151 Buckingham Palace Road  
London  
SW1W 9SZ

**Tel** 020 7269 1900  
**Web** [www.hta.gov.uk](http://www.hta.gov.uk)  
**Web** www.hta.gov.uk  
**Email** enquiries@hta.gov.uk  
**Date** 16 December 2016

Dear [REDACTED]

### **Freedom of Information request**

Thank you for your request for information under the Freedom of Information (FOI) Act, which was received by the Human Tissue Authority (HTA) on 21 November 2016. Your email outlined the following request:

*Mr Justice Peter Jackson, a High Court judge in the Family Division, made a recent ruling in the case of JS, a 14-year-old child seeking to have her body cryo-preserved after her death. The child died on October 17 this year and her body was preserved in accordance with her wishes.*

*In his public ruling, the judge said the NHS Trust for the hospital where JS was treated and where she died had written to the Human Tissue Authority about its concerns about that process.*

*I would like to request a copy of that note and its accompanying documents.*

### **Response**

I can confirm that we do hold this information.

The information you have requested is exempt from disclosure under section 44(1)(c) of the FOI Act. This is because the documents provided to us relate to private proceedings and therefore the Family Procedure Rules 2010 apply. Rule 12.73 prohibits the disclosure of information relating to proceedings unless in specific defined circumstances (for instance the disclosure is to a party in the case or with the permission of the court). Any disclosure that is in breach of rule 12.73 would constitute contempt of court.

Section 44 is an absolute exemption and there is therefore no requirement for us to consider the public interest.

## Further information

The HTA generally provides an internal review procedure to enable you to complain to us if you are dissatisfied with our response to your request. However, on this occasion the decision to apply the section 44 exemption has been taken at a senior level and therefore we do not believe an internal review would be appropriate. Accordingly, if you are dissatisfied with the handling of your request, you may apply directly to the Information Commissioner for a decision.

The Information Commissioner can be contacted at:

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

Telephone: 08456 30 60 60 or 01625 54 57 45

Website: [www.ico.gov.uk](http://www.ico.gov.uk)

Yours sincerely

[Redacted signature]

[Redacted contact information]