



Disclosure Team
Ministry of Justice
102 Petty France
London
SW1H 9AJ

E Jenkinson
request-497210-e9a41aec@whatdotheyknow.com

data.access@justice.gov.uk

8 August 2018

Dear E Jenkinson

Freedom of Information Act (FOIA) Request – 180713011

Thank you for your request dated 13 July 2018 in which you asked for the following information from the Ministry of Justice (MoJ):

Can you please confirm legal aid being claimed by parties in family case TR18P00346

Your request has been handled under the FOIA.

I can neither confirm nor deny if the MoJ holds the information that you have requested. Under sections 32(3) and 40(5) of the FOIA we are not obliged to confirm or deny whether we hold information that relates to court records and if to do so would contravene any of the principles set out in Article 5(1) of the General Data Protection Regulation and section 34(1) of the Data Protection Act 2018.

FOI is a public disclosure regime, not a private regime. This means that any information disclosed under the FOIA by definition becomes available to the wider public. If any information were held, confirming this could reveal to the world at large that an individual was involved in the justice system; this would constitute the personal data of that individual. To disclose this fact would breach the General Data Protection Regulation and/or the Data Protection Act 2018 principles; individuals have a clear and strong expectation that their personal data will be held in accordance with data protection laws and not disclosed to the public under the FOIA.

The fact sections 32(3) and 40(5) have been cited, should not be taken as an indication that the information you have requested is or is not held by the MoJ. These are absolute exemptions and do not require a public interest test.

Appeal Rights

If you are not satisfied with this response you have the right to request an internal review by responding in writing to one of the addresses below within two months of the date of this response.

data.access@justice.gov.uk

Disclosure Team, Ministry of Justice, 10.38, 102 Petty France, London, SW1H 9AJ

You do have the right to ask the Information Commissioner's Office (ICO) to investigate any aspect of your complaint. However, please note that the ICO is likely to expect internal complaints procedures to have been exhausted before beginning their investigation.

Yours sincerely

**Information Governance
Legal Aid Agency**