



Mr G Jessel

3 September 2015

Via e-mail: request-287207-3c641622@whatdotheyknow.com

Our ref: FOI 2015/30

Dear Mr Jessel,

Thank you for your email of 20 August 2015, in which you request the following information from the UK Supreme Court (UKSC):

Under the FOI ACT can you provide all information you hold relating to how one would access a Chancellor sitting as a judge.

All Chancellor's are judges but not all judges are Chancellor's.

The Lord Chancellor no longer sits as a judge, therefore is the Chancellor of the Chancery Division still able to sit as a Chancellor in the inherent jurisdiction of the High Court.

Who holds the position of Vice-Chancellor and can they sit as a Chancellor, and is any other position available within any of the courts to hear inherent Equity cases.

I should explain that the Freedom of Information Act 2000 (FOIA) can be used to access recorded information held by a public body. It cannot be used to obtain guidance, opinions, conjecture or legal advice.

Section 84 of the Act states that in order for a request for information to be handled as a Freedom of Information (FOI) request, it must be for recorded information. For example, a Freedom of Information request would be for a copy of a policy, rather than an explanation as to why we have that policy in place.

Having assessed your question I have determined that it does not constitute a valid FOI request, and I am unable to deal with it under the terms of the Act. This is because you are not asking for recorded information, but are seeking an opinion or legal advice.

It might help if I explain that the role of the Supreme Court is to act as the final court of appeal in the UK for civil cases, and for criminal cases from England, Wales and Northern Ireland. It hears cases of the greatest public or constitutional importance affecting the whole population. The UKSC is not able to offer advice, legal or otherwise.

Outside of the FOI Act, I can inform you that the position of Vice Chancellor ceased to exist in 2005 and has been replaced by the Chancellor of the High Court. The Chancellor of the High Court is the head of the Chancery Division of the High Court of Justice of England and Wales. Sir Terence Etherton has been in this post since 2013.

I hope you find this information helpful.

Yours sincerely



Rebecca Lowson
Information Officer