

Gwynne Davies
request-445319-8a5afc43@whatdotheyknow.com

data.access@justice.gsi.gov.uk

27 November 2017

Dear Ms Davies,

Freedom of Information Act (FOIA) Request – 171110009

Thank you for your request dated 10 November 2017 in which you asked for the following information from the Ministry of Justice (MoJ):

1. A copy of the policy or guidance for providing, or appeal staff obtaining, for the judge sitting the bench memorandum and any other details of other and previous Court of Appeal proceedings between the parties [behind the back of litigants/parties] when determining PTA applications in the Court of Appeal.

2. Any information on why Court of Appeal judiciary are provided with [secret] documents from proceedings, where those documents have never been published or disclosed to the parties and which may have an adverse or otherwise influence on the judge.

Your request has been handled under the FOIA.

The MoJ does not hold any information in the scope of your request. This is because there is no legal or business requirement for MoJ to do so.

The FOIA does not oblige a public authority to create information to answer a request if the requested information is not held. The duty is to only provide the recorded information held.

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.gsi.gov.uk

Data Access and Compliance Unit, 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

Knowledge Information and Liaison Officer
London & South East Regional Support Unit