

Richard Buttrey
request-517749-d3616d9d@whatdotheyknow.com

1 October 2018

Dear Mr Buttrey

Freedom of Information Act (FOIA) Request – 180904011

Thank you for your request dated 4 September 2018 in which you asked for the following information from the Ministry of Justice (MoJ):

How many prosecutions under the Bye Laws that apply to Liverpool Airport have taken place in respect of breaches of the Bye Laws at the airport, (now known as Liverpool John Lennon Airport), between 1990 and 2010?

Your request has been handled under the FOIA.

I can confirm the MoJ holds all of the information you have requested. However, to provide as the request currently stands would exceed the cost limit set out in the FOIA.

Section 12(1) of the FOIA means public authorities are not obliged to comply with a request for information if it estimates the cost of complying would exceed the appropriate limit. The appropriate limit for central government is set at £600. This represents the estimated cost of one person spending 3.5 working days determining whether the department holds the information, and locating, retrieving and extracting the information.

We believe that the cost of locating, retrieving and extracting the information from the courts in England and Wales, by reviewing individual case files to establish whether the breaches of the Byelaws specifically related to Liverpool airport, would exceed the appropriate limit. Consequently, we are not obliged to comply with your request.

Although we cannot answer your request at the moment, we may be able to answer a refined request within the cost limit. You may wish to consider, for example, requesting offences as defined in statute with reference to the specific legislation in which the offence is defined, without specifying additional information on airport. Please be aware that we cannot guarantee at this stage that a refined request will fall within the FOIA cost limit, or that other exemptions will not apply. You may find it useful to consult published legislation to identify the specific offences of interest to you at the below link:

<http://www.legislation.gov.uk/>

For guidance on how to structure successful requests please refer to the ICO website on the following link: http://ico.org.uk/for_the_public/official_information

http://www.legislation.gov.uk/ukxi/2004/3244/pdfs/ukxi_20043244_en.pdf

On a discretionary basis, outside the scope of the Act, please note that criminal justice statistics for England and Wales from 2007 to 2017 are in the public domain and the information can be accessed via the below link, whereupon you will need to select the **Outcomes by offence tool**. Published Statistics on contravene of all byelaws under airports act can be viewed in the pivot table by selecting the following offence code from the 'Offence' drop down list:

Select '195 Airports Act 1986 S.63' from the offence drop down menu.

<https://www.gov.uk/government/statistics/criminal-justice-system-statistics-quarterly-december-2017>

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

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

Kunjal Amin
Justice Statistics