

DWP Central Freedom of Information Team  
e-mail: [freedom-of-information-request@dwp.gsi.gov.uk](mailto:freedom-of-information-request@dwp.gsi.gov.uk)

Our Ref: Fol 0915

Date: 04 April 2018

Dear Ms Cócera,

Thank you for your Freedom of Information request of 8 March. You asked:

*Could you, please, tell me:*

*- Which are the new grounds on which you rely (after losing all the proceedings in Tolley case) to hold the related cases?*

*I must aware you about «res judicata» and abuse of process that presumably can be guess due to the DWP behaviour.*

*- Which are the new lead cases that you want to use now to hold the related cases?*

*- What importance has a lead case if after the resolution the outcome is ignored? Why do you insists on staying proceedings over time if when the outcome does not suit you, you stretch the process?*

*- Why are not informed the people involved in the stayed cases about your knew strategy to conduct their cases?*

### **DWP Response**

Q1 -2 The Department has decided not to disclose the information you requested. This information is exempt from disclosure under section 32 of the Freedom of Information Act. This exemption covers information held solely by virtue of the fact that it is contained in documents filed with, or placed in the custody of, a court; or served upon, or by, the Department for the purposes of proceedings; or created by a court.

Q3 Every legal case is different and involves a number of factors, therefore it is important to consider each individually. DWP and the Upper Tribunal are working together for the handling of these cases, with the Upper Tribunal dictating the timetable.

Q4 It is the responsibility of Her Majesty's Courts and Tribunal Service to inform all parties involved in court proceedings about the case management.

If you have any queries about this letter please contact me quoting the reference number above.

Yours sincerely,

DWP Strategy Fol Team

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## **Your right to complain under the Freedom of Information Act**

If you are not happy with this response you may request an internal review by e-mailing [freedom-of-information-request@dwp.gsi.gov.uk](mailto:freedom-of-information-request@dwp.gsi.gov.uk) or by writing to DWP, Central Fol Team, Caxton House, Tothill Street, SW1H 9NA. Any review request should be submitted within two months of the date of this letter.

If you are not content with the outcome of the internal review you may apply directly to the Information Commissioner's Office for a decision. Generally the Commissioner cannot make a decision unless you have exhausted our own complaints procedure. The Information Commissioner can be contacted at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow Cheshire SK9 5AF  
[www.ico.gov.uk](http://www.ico.gov.uk)