



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

data.access@justice.gov.uk

B Maloney

15 March 2019

request-546325-9c6f76bd@whatdotheyknow.com

Dear B Maloney

Freedom of Information Act (FOIA) Request – 190219028

Thank you for your request dated 19 February 2019 in which you asked for the following information from the Ministry of Justice (MoJ):

“...I am asking for the elapsed time between the date of issue of an application for a Child Arrangements Order, Specific Issues Order or Prohibited Steps Order on for C100 and the date of the First Hearing Dispute Resolution Appointment (FHDRA).

I would like the information as the average time, minimum and maximum time and the number of applications which are listed for FHDRA more than 6 weeks after issue.

“...for the last 6 months, by calendar month if possible.”

Your request has been handled under the FOIA.

Given your previous FOIA requests, we have treated the above as a request for information about applications handled by the Peterborough Combined Court Centre and the Family Court at Cambridge, only.

I can confirm that the MoJ holds all the information that you have requested.

All the information is exempt from disclosure under Section 44 (1) (a) of the FOIA.

The data for the period you have asked for is exempt from disclosure under section 44 of the FOIA, because it is prohibited from disclosure due to enactments. In this case, the information you are seeking is prohibited by the Statistics and Registration Services (SRS) Act 2007 and the Pre-release Access to Official Statistics Order 2008. The information is a subset of published data which is intended for publication as part of the MoJ's Family Court statistics that are not due to be released until 28 March 2019. As such, we are required to consider your request in a manner compliant with the Pre-release Access to Official Statistics Order 2008 further to sections 11 and 13 of the (SRS Act 2007).

The MoJ is obliged under section 13 of the SRS Act to continue to comply with the Code of Practice for Official Statistics (the Code) for statistics designated as National Statistics. Section 11(3) of the SRS Act regards the Pre-Release Access to Official Statistics Order as being included in the Code. Protocol 2 of the Code reflects the requirements of the Pre-

Release Access to Statistics Order. Specifically, it requires producers of official statistics to ensure that no indication of the substance of a statistical report is made public, or given to the media or any other party not recorded as eligible for access prior to publication. I can confirm that the MoJ will publish information on Family Court statistics as part of National Statistics on 28 March 2019. Therefore, to now disclose as part of your FOI request, will violate the provisions of section 13 of the SRS Act and the Pre-Release Access Order to Official Statistics 2008 and as such engages the exemption under section 44(1)(a) of the FOIA.

Section 44 is an absolute exemption and does 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

Knowledge and Information Liaison Officer
London and South East Regional Support Unit | HM Courts & Tribunals Service