

Robert Thomas
request-439869-965e2ea@whatdotheyknow.com

16 November 2017

Dear Mr Thomas,

Freedom of Information Act (FOIA) Request – FOI **171020009**

Thank you for your request of 20 October 2017 in which asked for the following information from the Ministry of Justice (MoJ):

- (1) the average waiting times in the Court of Appeal (Civil Division) from the filing of an appeal to a permission to appeal decision for each year since 2005.**
- (2) the average waiting times in the Court of Appeal (Civil Division) from the filing of an appeal to the issuing of a judgment for each year since 2005. If possible, please could the above information be broken down into the types/categories of cases received by the court.**
- (3) the number of public law cases that have been expedited each year since 2005 and the average amount of time taken in such cases.**

Your request has been handled under the FOIA.

I can confirm the MoJ holds 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.

The court's database does not hold all the information requested. To obtain accurate information would require manually checking all of the court records in the scope of the request to identify the required data. We believe that the cost of locating, retrieving and extracting the data would exceed the appropriate limit. Consequently, we are not obliged to comply with your request.

Where section 12 applies to one part of a request we refuse all of the request under the cost limit as advised by the Information Commissioner's Office.

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, reducing the time period or the scope of your request. 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. Information held in court records is one such exemption under section 32 of the FOIA.

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

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

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