



Data Access & Compliance Unit
Ministry of Justice
102 Petty France
London
SW1H 9AJ

data.access@justice.gsi.gov.uk

Mr Thomas Reynolds

request-384682-bccd44xx@xxxxxxxxxxxxxxxxxxx

Our reference: FOI - 109874

21 February 2017

Dear Mr Reynolds

Freedom of Information Act (FOIA) Request – 109874

Thank you for your request dated 26 January 2017 in which asked for the following information from the Ministry of Justice (MoJ):

Deputy District Judge Eyley ticketed for family cases in Kent ?

Q1. Can you please confirm if DDJ Eyley is ticketed for public family cases in Kent.

Q2. Please provide a yearly breakdown of all of public family case dates and the name of the court involved

Your request has been handled under the FOIA.

I can confirm the MoJ holds some 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.

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

We believe that the cost of searching to obtain the information asked for Q2 would exceed the appropriate limit. This is because public [law] family cases are listed at 18 courts in Kent. The cases are heard by Circuit Judges, plus District Judges and Magistrates' who are authorised to hear public law proceedings. We would need to go through the hearing lists for those 18 Courts to identify the exact dates and courts where Public Law cases were heard. For one year alone, we estimate this will take approximately 64 hours to obtain hearing lists and search for the information held. 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, asking for information for a specific court, or for a reduced time period. 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.

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/uksi/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
- 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 and Information Liaison Officer
South East Regional Support Unit | HM Courts and Tribunals Service