



Ministry of Justice

Human Rights Policy
Law and Access to Justice Group
Postpoint 3.20
Ministry of Justice,
102 Petty France
London
SW1H 9AJ

Mr Cross

Ehumanrights@justice.gsi.gov.uk

www.justice.gov.uk

Sent by email to: request-327366-4640c482@whatdotheyknow.com

Our Reference: FOI 104531

27 April 2016

Freedom of Information Request

Dear Mr Cross,

Thank you for your email of 9 April 2016, in which you asked for the following information from the Ministry of Justice (MoJ):

The single departmental plan 2015-2020 for the Ministry of Justice includes the following within its objectives "restore historic freedoms".

Please provide the following recorded information:

- (1) A list of historic freedoms the Ministry of Justice is planning to restore.*
- (2) A list of historic freedoms the Ministry of Justice is considering restoring.*
- (3) A list of historic freedoms that the Ministry of Justice has considered and decided not to restore.*
- (4) Any plans and timetables held in connection with this objective.*

Your request has been handled under the Freedom of Information Act 2000 (FOIA).

I have assessed your request for information, and unfortunately I will not be able to answer it without further clarification.

Please note that the Department does not hold a "list of historic freedoms" based on the categories you have outlined above, nor does the Act oblige us to generate one for the purposes of answering a request. However the department's policy work in respect of the Bill of Rights (BoR), does cover some aspects of historic freedoms.

If this is the information that you are interested in, in order to help ensure that I provide you with the right information. I would be grateful if you could clarify whether the information you are interested in relates specifically to the work on the BoR.

Section 1(3) of the Freedom of Information Act does not oblige us to answer requests where we require further clarification to identify and locate the information requested.

We are unable to answer your request unless you provide us with further information. Upon receipt of this information we will be in a position to continue with the processing of your request.

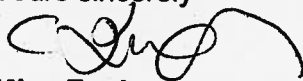
Further reading and guidance:

- The full text of the Act: <http://www.legislation.gov.uk/ukpga/2000/36/section/1>.
- Information about the agencies and organisations of the Ministry of Justice: <http://www.justice.gov.uk/information-access-rights/foi-requests>
- ICO guidance: http://www.ico.org.uk/for_organisations/guidance_index/freedom_of_information_and_environmental_information
- Section 1(3) extract from the Act and some guidance points we consider when applying this exemption, is available at the end of this letter.

Disclosure Log

You can also view information that the Ministry of Justice has disclosed in response to previous Freedom of Information requests. Responses are anonymised and published on our on-line disclosure log which can be found on the MoJ website: <https://www.gov.uk/government/organisations/ministry-of-justice/series/freedom-of-information-disclosure-log>

Yours sincerely



Miss Eneh

**EXPLANATION OF FOIA – SECTION 1(3) - FURTHER INFORMATION
REQUIRED IN ORDER TO IDENTIFY AND LOCATE THE INFORMATION
REQUESTED.**

We have provided below additional information about Section 1(3) of the Freedom of Information Act. We have included some extracts from the legislation, as well as some of the guidance we use when applying it. We hope you find this information useful.

The legislation

Section 1: General right of access to information held by public authorities.

- (1) Any person making a request for information to a public authority is entitled—
- (a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and
 - (b) if that is the case, to have that information communicated to him.
- (2) Subsection (1) has effect subject to the following provisions of this section and to the provisions of sections 2, 9, 12 and 14.
- (3) Where a public authority—
- (a) reasonably requires further information in order to identify and locate the information requested, and
 - (b) has informed the applicant of that requirement,
- the authority is not obliged to comply with subsection (1) unless it is supplied with that further information.

Guidance

Is the request clear and specific?

If the request is unclear or vague, the public authority is obliged to provide reasonable assistance to the person who made the request.

This means more than simply telling them that their request is not specific enough, the public authority should take reasonable steps to provide assistance to the requester. The aim should be to assist the requester to refine their request so that it becomes specific enough for the public authority to identify the information they want. Once the original request has been clarified, the public authority can continue to process the request in line with the Freedom of Information Act.