

2 August 2018

Dear Sir/Madam,

**Freedom of Information Act (FOIA) Request – 180705021**

Thank you for your request received on 5 July 2018, in which you asked for the following information from the Ministry of Justice (MoJ):

**I would like to know how many judicial misconduct / corruption cases have been recorded in the last 12 months (from 30th June 2017 through to 1st July 2018):**

**How many of those complaints were upheld / investigated?**

**How many of those cases resulted in action being taken against a member of the Judiciary?**

Your request has been handled under the FOIA.

I confirm that the MoJ holds some of the information you have requested.

This information is exempt from disclosure under sections 21 (reasonably accessible) and 22 of the FOIA (intended for future publication on the JCIO website).

The information in respect of sanctions is reasonably accessible to you (please see links below).

<https://judicialconduct.judiciary.gov.uk/disciplinary-statements/2017/>  
<https://judicialconduct.judiciary.gov.uk/disciplinary-statements/2018/>

The information in respect of the remainder of your request will be available in the 2017-2018, 2018-2019 annual reports of the JCIO. The 2017-2018 annual report of the JCIO will be available at: <https://judicialconduct.judiciary.gov.uk/reports-publications/> later this year. The 2018-2019 annual report will be prepared next year.

Section 22 is a qualified exemption, which means the decision to disclose the information is subject to the public interest test. When assessing whether or not it was in the public interest to disclose the information to you, I considered the following factors.

**Public interest considerations favouring disclosure**

- Disclosure would increase transparency.

### **Public interest considerations favouring withholding the information**

- The 2017-2018 annual report is currently in draft format; standard internal quality checks of the information intended for publication in the report have not yet concluded. It is in the public interest that quality assurance checks are complete before making information available to the public, to ensure confidence in the accuracy of the information disclosed.
- Publication of the 2017-2018 annual report has not yet been approved by the Lord Chancellor and the Lord Chief Justice. Early disclosure of some of the content of the report without this approval would undermine the integrity of the publication process.
- Publication of information that has not been fully assessed for accuracy or through due process could cause distress to the subjects of that information, the judiciary of England and Wales, and result in a loss of confidence in the JCIO's ability to carry out its statutory function effectively.

On balance, I consider the public interest favours withholding the information at this time.

### **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](mailto: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 faithfully,

Rehad Miah  
Judicial Conduct Investigations Office