

C Nazareth
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data.access@justice.gov.uk

09 March 2021

Dear C Nazareth,

Freedom of Information Act (FOIA) Outcome of Internal Review – 210209031

Thank you for your communication dated 9 February, which is considered to be a request for an internal review of FOI requests 210125030 and 210118019, in which you asked for the following information from the Ministry of Justice (MoJ):

“Please let me know if you are in receipt of any complaints against Marios Lambis”

The purpose of an internal review is to assess how your FOI request was handled in the first instance and to determine whether the original decision given to you was correct. This is an independent review; I was not involved in the original decision.

In response to your original request, Laura Walters disclosed the requested information, in compliance with Section 44(1)(a) of the FOIA and Section 139(4)(a) of the Constitutional Reform Act 2005, after Recorder Marios Lambis provided consent to disclosure of the fact that there had been no complaints made against him.

Statutory deadline

The statutory deadline for your request was 15 February 2021, and the response was provided on 3 February 2021. The response was therefore compliant with the requirements of the FOIA.

Outcome

Having reviewed Laura Walters' response to your request, I have decided that we incorrectly failed to confirm that the MOJ held the requested information in accordance with Section 1(1)(a) of FOIA. I also note that the request referred to the “*Constitutional Reform Act 2004*”. This was an error and the correct citation is the ‘Constitutional Reform Act 2005’. I apologise for the errors contained in the original response. However, I am satisfied that the response was otherwise correct in that it lawfully disclosed the information you had requested.

Please note, the JCIO does not accept complaints by email. Complaints must be made via our online portal. We also accept postal complaints, which are processed and placed on our case management system. However, if any complaint was e-mailed, then it would not have been accepted and thus not recorded in our statistics. I cannot identify any complaints

recorded on our system relating to Marios Lambis, which is why I conclude that the original reply, stating that there were no complaints, was correct.

Appeal Rights

If you are not satisfied with this response you have the right to apply to the Information Commissioner's Office (ICO). The Commissioner is an independent regulator who has the power to direct us to respond to your request differently, if she considers that we have handled it incorrectly.

You can contact the ICO at the following address:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

<https://ico.org.uk/Global/contact-us>

Yours sincerely

Nazir Rasul

Senior Caseworker
JCIO