



Disclosure Team
Ministry of Justice
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Joanne Rossouw
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19 April 2022

Dear Joanne Rossouw

Freedom of Information Act (FOIA) Request – 220323007 - FOI

Thank you for your request received on 23 March 2022 in which you asked for the following information from the Ministry of Justice (MoJ):

“Dear Employment Tribunals Service,

Recordings of ET hearings and case management hearings ("ET hearings")

Please note FOIA gives individuals and organisations the right of access to all types of recorded information held, at the time the request is received, by public authorities such as the Ministry of Justice (MoJ). Section 84 of the FOIA states that in order for a request for information to be handled as a FOI request, it must be for recorded information.

Please can you confirm if ET judges, or any other ET court officials, have the legal power to record ET hearings for purposes of review, training, monitoring, or any other purposes? If so, is it : - 1. a blanket power, or 2. a limited discretionary power, or 3. a requirement to record all ET hearings for internal purposes

Lastly, please can you confirm the percentage of ET hearings that have been VHS, CVP, dictaphone, etc., recorded for whatever purposes (internal or otherwise) by comparison to the greater number of all ET hearings heard in full or in part over the past 12 months.”

Your request has been handled under the FOIA.

In relation to your first request, please note that MoJ does not hold any information in the scope of your request. This is because MoJ are not the appropriate authority to contact on this subject, as judges are their own data controllers, MoJ is not responsible for the information you have requested as this is information only the Judges would have.

As for the second part of your request, please note that MoJ does not hold any information in the scope of your request. This is because there is no legal or business requirement for MoJ to do so. This information has not been recorded and therefore we are not able to disclose anything in relation to this request.

The FOIA does not oblige a public authority to create information to answer a request if the requested information is not held. The duty is to only provide the recorded information held.

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.gov.uk

Disclosure Team, Ministry of Justice,

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

London Regional Support Unit | HM Courts & Tribunals Service