

Ms Deborah Williams

Via email: request-505523-b4086c3e@whatdotheyknow.com

22 March 2019

Dear Ms Williams

Freedom of Information Act (FOIA) Request – 190226011

Thank you for your request received on the 26th February 2019 in which you have asked for the following information from the Ministry of Justice (MoJ):

“1. What policy are you saying entitles High Court Writs sealed with RCJ Insolvency and Companies Court to state 'THIS WRIT WAS ISSUED by the Central Office of the High Court' when the court staff are fully aware that the Central Office belongs to Queen’s Bench who issue their own High Court Enforcement Writs and have nothing whatsoever to do with Writs from the Chancery Division.

2. Would this not be classed as issuing fraudulent court documents because it is a falsehood.

3. Do the RCJ ICC court staff also have any policy on accepting and issuing writs without the correct documentation being provided and the correct checks being carried out.”

Your request has been handled under the FOIA.

I have numbered your request for ease of this reply.

In response to Questions 1 and 3 of your request, I can confirm that the MoJ holds the information that you have requested. However, the information is exempt from disclosure under section 21 of the FOIA, because it is reasonably accessible to you. The information can be accessed via the following link which refers to the Civil Procedural Rules (CPR):

<https://www.justice.gov.uk/courts/procedure-rules/civil/rules/part-83-writs-and-warrants-general-provisions#83.9>

CPR sets out in Rule 83.9 5(a)(ii), (iii) and (b) the process of issuing of writs of execution and writs of control

In response to Question 2 of your request, this part of your enquiry does not fall under the Freedom of Information regime.

It may be helpful if I explain that the Freedom of Information Act (2000) 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 Act states that in order for a request for information to be handled as a Freedom of Information (FOI) request, it must be for recorded information. For example, a Freedom of Information request would be for a copy of a policy, rather than an explanation as to why we have that policy in place. On occasion, the Ministry of Justice receives requests that do not ask for recorded information, but ask more general questions about, for example, a policy, opinion or a decision.

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, 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 & Information Liaison Officer

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