

Deb Williams
request-592387-185ec4e0@whatdotheyknow.com

19 August 2019

Dear Ms Williams

Freedom of Information Act (FOIA) Request – 190724015

Thank you for your clarification request, received on 24 July 2019 in which you asked for the following information from the Ministry of Justice (MoJ):

The County Court jurisdiction to hear insolvency proceedings under the Insolvency (Commencement of Proceedings) and Insolvency Rules 1986 (Amendment) Rules (S.I. 2017, No 817) is repealed.

The disclosure team at the Ministry of Justice have previously stated incorrectly (21.11.2017) that all (county court circuit judges, district judges, deputy district judges that only have the jurisdiction to hearing general insolvency (local business) who are not ticketed to hear specialist ticketed insolvency work such as opposed bankruptcy petitions and connected cases in the County Court Hearing Centres in the South-Eastern Circuit/ South East Region, can hear this work.

- 1. Please confirm if this has been revoked under The Insolvency (England and Wales) Rules 2016 Schedule 1. that came into force on 6 April 2017.**
- 2. Also provide all recorded information held that confirms that The County Court hearing centres with bankruptcy jurisdiction can only hear general insolvency work.**
- 3. Please provide which courts that hear specialist ticketed insolvency work (opposed bankruptcy petitions and annulments) in the South-Eastern Circuit/ South East Region and if any County Court hearing Centres have the jurisdiction to hear this work, and if theses specialist work proceedings must be marked as Business and Property Courts Work by The County Court staff and allocated to a judge who is specially ticketed.**
- 4. Please provide the names of the specialist judges who would hear this work. And if all bankruptcy work within county court hearing Centre venues with bankruptcy jurisdiction must have 'the name of the county court hearing Centre' in its title on a County Court order, please provide the information that confirms this is correct.**
- 5. Also provide the information that confirms that all county court orders made in these hearing. Centres must state on their face if a hearing has been heard in private.**
- 6. What penalties have been imposed on petitioners and court staff who are or have been ignoring the correct rules and procedures.**

7. **State if a bankruptcy order annulment is heard by a specialist ticketed judge and in what court the hearing must take place (bankruptcy order that should never have been made because the original bankruptcy petition was opposed but heard in a county court hearing centre without jurisdiction to hear an opposed bankruptcy petition and not before a specialist ticketed judge)**

Your request is being handled under the FOIA.

I have considered your request for information but I am unable to answer it without further clarification. Section 1(3) of the FOIA does not oblige us to answer requests where we require further clarification to identify and locate the information requested.

So that I provide you with the right information, please can you:

- Provide a copy of the correspondence to which you refer when you say that **“The disclosure team at the Ministry of Justice have previously stated incorrectly (21.11.2017) that all (county court circuit judges, district judges, deputy district judges can hear this work”**.
- Clarify the information you are requesting. For example,
 - It is not clear what information you are asking us to disclose where, at Item 7, you write **“...State if a bankruptcy order annulment is heard by a specialist ticketed judge and in what court the hearing must take place (bankruptcy order that should never have been made because the original bankruptcy petition was opposed but heard in a county court hearing centre without jurisdiction to hear an opposed bankruptcy petition and not before a specialist ticketed judge) ...”**
 - Are you asking for the names of Courts and Judges that can hear Insolvency matters?

You may wish to consider re-phrasing and submitting a revised request (rather than answer the above points, only) as at the moment we are unable to deal with it as we do not understand exactly what information you would like us to provide.

For guidance on how to structure successful requests please refer to the ICO website on the following link: http://ico.org.uk/for_the_public/official_information

On receipt of this information we will continue to process your request.

Yours sincerely

Knowledge and Information Liaison Officer
South East Regional Support Unit | HM Courts & Tribunals Service