

## Freedom of Information Act 2000 (FOIA)

### Decision notice

**Date:** 10 February 2015

**Public Authority:** Ministry of Justice

**Address:** 102 Petty France  
London  
SW1H 9AJ

### Decision (including any steps ordered)

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1. The complainant has requested information relating to the Special Educational Needs and Disability Tribunal, the Care Standards Tribunal and the Primary Health Lists Tribunal.
2. The Ministry of Justice (MOJ) failed to respond to this request for information and the Commissioner's decision is that in doing so the MOJ breached sections 1(1) and 10(1) of the FOIA.
3. The Commissioner requires the MOJ to take the following steps to ensure compliance with the legislation.
  - Respond to the request.
4. The MOJ must take these steps within 35 calendar days of the date of this decision notice. Failure to comply may result in the Commissioner making written certification of this fact to the High Court pursuant to section 54 of the FOIA and may be dealt with as a contempt of court.

### Request and response

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5. On 17 November 2014, the complainant wrote to the MOJ and requested information in the following terms:

*"Initially, the paper remit is to ascertain, through hard copy analysis the varying number of distinct types of jurisdiction case descriptors which fall under the following tribunals administrative remit.*

- *Special Educational Needs & Disability Tribunal.*
- *Care Standards Tribunal.*
- *Primary Health Lists Tribunal.*

*To this aim. I would be indebted if you could assist my dissertation of said essay by supplying me with a hard copy catalogue list detailing the different jurisdiction case descriptors dealt with by each of the above three panels. Thank you."*

6. At the time of writing the MOJ had failed to respond substantively to the request.

### **Scope of the case**

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7. The complainant contacted the Commissioner on 2 January 2015 to complain about the failure of the MOJ to respond to his request.

### **Reasons for decision**

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8. Section 1(1) of the FOIA states that an individual who asks for information is entitled to be informed whether the information is held and, if the information is held, to have that information communicated to them.
9. Section 10(1) of the FOIA states that a public authority must respond to a request promptly and "no later than the twentieth working day following the date of receipt".
10. In this case the MOJ has breached sections 1(1) and 10(1) by failing to respond to the request within 20 working days.

## Right of appeal

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11. Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)  
GRC & GRP Tribunals,  
PO Box 9300,  
LEICESTER,  
LE1 8DJ

Tel: 0300 1234504

Fax: 0870 739 5836

Email: [GRC@hmcts.gsi.gov.uk](mailto:GRC@hmcts.gsi.gov.uk)

Website: <http://www.justice.gov.uk/tribunals/general-regulatory-chamber>

12. If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.
13. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

**Signed .....**

**Jon Manners**  
**Group Manager**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**