

## **Freedom of Information Act 2000 (FOIA)**

### **Decision notice**

**Date:** 21 May 2024

**Public Authority:** Judicial Appointments Commission  
**Address:** 5<sup>th</sup> Floor  
Clive House  
70 Petty France  
London  
SW1H 9EX

#### **Decision (including any steps ordered)**

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1. The complainant requested information about the Judicial Appointments Commission's (the 'JAC') use of section 36 (prejudice to effective conduct of public affairs) of FOIA. He particularly sought information about the associated 'qualified person', who must be recognised under FOIA, and whom is required to give their opinion as to whether any part of section 36 is engaged in relation to an FOIA request. The JAC responded to each part of the complainant's request. It cited sections 32(1) (court records) and 42(1) (legal professional privilege) of FOIA for some of the request. It also said some information was not held and that parts of the request were not requests for recorded information under FOIA. The complainant objected to all of the foregoing and also asked the Commissioner to consider the delay in providing the substantive response in this case and whether the JAC had complied with its section 16 (advice and assistance) of FOIA obligations.
2. The Commissioner's decision is that sections 32(1)(a) and (b) and 42(1) of FOIA are engaged. The Commissioner finds that the JAC complied with sections 8 and 16(1) of FOIA for the reasons set out in this notice. The JAC breached sections 10(1) and 17(1) of FOIA as it did not issue a response, or a valid refusal notice in respect of the exempted information, within 20 working days of the request.
3. As the Commissioner has not been able to reach a conclusion, on the balance of probabilities, as to whether or not any information is held for part of the request as a result of a lack of evidence as to the searches

undertaken, he requires the JAC to take the following step to ensure compliance with the legislation:

- Conduct a further search for the information requested at **parts 2b** and **2c** of the request and issue a fresh response which either discloses that information, if held, or issue an appropriate refusal notice based on more thorough and definitive searches.
4. The JAC must take this step within 30 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 Act and may be dealt with as a contempt of court.

## Background

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5. The Commissioner understands that the complainant made the request under consideration here having become aware of at least one earlier request to the JAC, (submitted by a different complainant), which involved the citing of section 36 of FOIA. This earlier case was considered by the Commissioner who upheld the JAC's reliance on section 36 (and section 40(2) – personal information) in his decision notice.<sup>1</sup>
6. This earlier decision is now under appeal and is the subject of a First-tier Tribunal EA/2022/0310.<sup>2</sup> Judgment in that case has been reserved (ie to be given at a later date). In that case, it transpired that there had been no person authorised to issue qualified-person opinions in the history of the JAC until 10 October 2022. It was also ascertained that there had been several instances in which the section 36 exemption had been relied on by the JAC prior to the qualified person being authorised in October 2022.

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<sup>1</sup> <https://ico.org.uk/media/action-weve-taken/decision-notices/2022/4022124/ic-181733-r3t0.pdf>

<sup>2</sup> [https://assets.publishing.service.gov.uk/media/658019bb83ba38000de1b6cd/First-Tier\\_Tribunal\\_\\_General\\_Regulatory\\_Chamber\\_\\_Information\\_Rights\\_appeals\\_register\\_\\_as\\_at\\_\\_18\\_December\\_2023\\_.csv/preview](https://assets.publishing.service.gov.uk/media/658019bb83ba38000de1b6cd/First-Tier_Tribunal__General_Regulatory_Chamber__Information_Rights_appeals_register__as_at__18_December_2023_.csv/preview)

## Request and response

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7. On 28 September 2023, the complainant wrote to the JAC and requested information in the following terms:

- “(1) There were several cases in which the exemption in s.36 of the FOIA was used without there being any person authorised to issue a QP’s [Qualified Person’s] opinion. Please provide the following information:
- (a) Has the Information commissioner [IC] been informed of this?
  - (b) If he has been informed, please state how.
  - (c) If the IC were informed in writing, please let me have all communication passing between the JAC or any person on behalf of the JAC and the IC, both leading to the IC being informed and subsequently up to and including the date when you send your response to this request., [sic] including any advice or guidance given to the JAC by the IC to remedy these situations.
  - (d) If he were informed orally, please state when and what he was told and any communication (whether oral or in writing) passing by or between the JAC and the IC.
  - (e) If the IC were not informed, please state why. If this was based on advice received from the JAC’s lawyers, please provide details of that advice.
- (2) In respect of the cases where QPs were issued without authorisation, please state:
- (a) whether the requesters have been informed of this and, if so, how?
  - (b) if they were informed in writing, please provide me with all the communication passing by or on behalf of the JAC and the requesters.
  - (c) if they were informed orally, please state when and what they were told and any communication (whether oral or in writing) passing by or between the JAC and the requesters.

- (3) Has the JAC disclosed the above matters to:
    - (a) the JAC commissioners or any single JAC commissioner, whether at any formal or informal meeting? If so, please provide all relevant documents, including copies of the minutes of any meeting.
    - (b) If the answer to the question in (a) is "NO", please state why not?
  - (4) Does the JAC consider that it is required to inform any other body about the matters referred to above, such as the Ministry of Justice? If it is, please provide evidence that it has.
  - (5) If the JAC has obtained legal advice in relation to the above, please provide full details of that advice."
8. The JAC responded, late, on 8 November 2023. It confirmed that the Commissioner [IC] is aware of the JAC's position (**part 1(a)**) but that this was in the context of ongoing litigation. For **parts 1(a) to (e)**, the JAC cited section 32(1) of FOIA (the exemption for court records). It explained:

"Section 32(1) protects information from disclosure if it is held in the custody of the court for the purposes of proceedings in a specific cause or matter. Presently, a matter related to your request is under consideration in the First Tier Tribunal."
9. Additionally, for **part 1(e)**, the JAC said section 42(1) was engaged (legal professional privilege) (see 'Scope' section paragraphs 19 and 20).
10. For **part 2(a)**, the JAC said:

"The FOIA does not mandate a public authority to create information in response to a request if the requested information is not already recorded.

This question does not appear to be a request for recorded information or documents and therefore, there is no requirement to create information in response to this request."
11. For **parts 2(b) and 2(c)**, the JAC said it held no information.
12. For **part 3(a)**, the JAC explained that its Commissioners are aware of its position, with this information typically being shared at board

meetings. It provided the complainant with a link to its published board meeting minutes.<sup>3</sup> The JAC advised that any legal matters or discussions are not included in the published minutes as they are subject to legal privilege. The JAC said it did not consider **part 3(b)** to be a request for recorded information.

13. For **part 4**, the JAC advised:

“Regarding your query at **Q(4)**, the first part of your question pertains to general policy decisions rather than a request for recorded information. There is no requirement to create information in order to respond to this request.

However, I can confirm that the Ministry of Justice are aware of the JAC’s position and I provide the supporting email chain and a submission made to the then relevant Minister by the Ministry of Justice in relation to the granting of the authorisation. The submission is a PDF titled “submission”. The email, which relates to communication between the JAC and officials within the MoJ, is a PDF titled “emails”. The individual names of staff have been redacted and where there is specific legal advice, that has been withheld under Section 42(1) of the Freedom of Information Act.”

14. The JAC cited section 42(1) of FOIA (the exemption for legal professional privilege) for **part 5** of the request.

15. The complainant requested an internal review on 10 November 2023. He objected to each part of the JAC’s substantive response to his request.

16. Following its internal review the JAC wrote to the complainant on 21 December 2023. It provided some further rationale but upheld each part of its original response. Its rationale included the following points which the Commissioner finds helpful to set out here:

- **Part 1** of request - That the Commissioner had become aware of the JAC having previously relied on the section 36 exemption without having an authorised qualified person in place via the appellant in extant proceedings in the First-tier tribunal (see paragraph 5 of this notice).
- For **part 1**, the JAC also said:

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<sup>3</sup> <https://judicialappointments.gov.uk/about-the-jac/board-minutes/>

"In reviewing this decision, I consider that, in relation to the first part of your request, the IC has been informed. The second part of your request does not therefore arise, since it was predicated on a negative answer to the first part. Additionally, for clarification, the JAC does not hold, in a recorded format, legal advice pertaining to this matter."

And

"The Freedom of Information Act 2000 covers any recorded information that is held by a public authority. Organisations are not required to answer a question if they do not already have the relevant information in a recorded form. I note that questions **1(a)** and **1(b)**, and the substance of questions **1(d)** and **1(e)** are not requests for information held by the JAC.

Nonetheless, the response you received helpfully explained that the ICO is aware of the JAC's position. This is in the context of ongoing litigation. As such, the response went on to explain that information is exempt from disclosure under s32(1) as it is being held in a court document i.e. a document filed with, or otherwise placed in the custody of, a court for the purposes of proceedings in a particular cause or matter. This falls under s32(1)(a) of the FOIA and is an absolute exemption."

- Despite stating that the legal advice is not held in a recorded format, the JAC upheld its earlier reliance on section 42 of FOIA.

## Scope of the case

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17. The complainant contacted the Commissioner on 9 January 2024 to complain about the way his request for information had been handled. He submitted detailed grounds of complaint for **parts 1 to 5** of his request. He also asked the Commissioner to consider the delay in this case and whether the JAC had complied with its section 16 advice and assistance obligations.
18. The Commissioner relayed the complainant's grounds of complaint to the JAC as part of his investigation for it to consider.
19. The JAC had stated it does not hold any recorded legal advice for **part 1(e)** of the request. It has explained that it only included any reference

to section 42 of FOIA to demonstrate that the legal advice would be exempt, if held.

20. However, in its investigation response of 17 May 2024, the JAC clarified that **part 1(e)** does not arise, given its response to **part 1a**, namely that the JAC has confirmed that the Commissioner had become aware of the qualified person matter during the First-tier tribunal appeal (referenced in paragraph 5 above). The Commissioner has therefore disregarded any consideration of section 42 of FOIA in respect of **part 1e** of the complainant's request. He is also satisfied that **part 1e** falls away as a result of the JAC's response to **part 1a**, so he has excluded **part 1e** from his investigation.
21. The JAC relied on section 32 for **part 1** of the request. The Commissioner considers that the JAC has responded to **parts 1(a)** and that **part 1(e)** of the request has fallen away as a result, such that section 32(1) of FOIA does not apply. He has therefore excluded these parts of the request from his analysis of section 32 and considered its application to **parts 1(b), (c) and (d)** only.
22. The JAC referenced the first part of **part 4** as pertaining more to general policy decisions rather than recorded information (see section 8 analysis below); however, as the JAC provided information in response to **part 4**, the Commissioner has disregarded **part 4** from any further consideration as to whether it constitutes a valid request for recorded information.
23. In summary, the Commissioner has considered the following aspects in this notice:
  - Whether the JAC has properly relied on section 32(1) of FOIA (in relation to **parts 1b, 1c and 1d** of the request).
  - Whether the JAC has properly replied on section 42(1) of FOIA (some of **part 4** and all of **part 5** of the request).
  - Whether, on the balance of probabilities, the JAC holds any recorded information (**parts 2b and 2c** of the request).
  - Whether the JAC was entitled to regards some parts of the request as not being recorded requests for information under FOIA (**parts 2a and 3c** of the request).
  - Whether the JAC complied with its section 16 advice and assistance obligations.
  - The delay in this case.

## Reasons for decision

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### Section 32 – court records etc (parts 1b, 1c and 1d)

24. Section 32(1) of FOIA covers court records. It provides an exemption for information held only by virtue of being recorded in a document that has been:
- a) filed or placed in the custody of a court;
  - b) served on, or by, a public authority; or
  - c) created by the court, or a member of the administrative staff of the court.
25. The information in question must only be held for the purposes of proceedings in a particular cause or matter.
26. Courts are responsible for a wide variety of information, much of it of a sensitive nature, or which could prove harmful to the administration of justice if disclosed to the world at large. The purpose of the exemption at section 32 of FOIA is not to protect the court system from scrutiny, but to prevent FOIA from being used to circumvent the proper supervision of the courts over the information they acquire and create.
27. Section 32(1) of FOIA is a class based exemption. This means that any information falling within the category described is automatically exempt from disclosure, regardless of whether or not there is a likelihood of harm or prejudice if it is disclosed. Section 32 is an absolute exemption and therefore it is not subject to the public interest test.
28. Section 32(4) of FOIA expressly states that 'court' can also mean 'any tribunal...exercising the judicial power of the state'. It follows that those tribunals which are part of His Majesty's Courts and Tribunals Service (such as Employment Tribunals and Social Security Tribunals) are also likely to fall within the exemption.
29. The complainant has argued that:
- "The suggestion that the documents have been filed with the tribunal is false. The tribunal supplied me with all the documents that were filed since the witness gave his evidence. The information is not included in these documents. The JAC has refused to answer a perfectly simple request – to let me know when the documents were filed with the tribunal. This borders on corruption."



30. In its submission, the JAC told the Commissioner that it was relying on sections 32(1)(a) and/or 32(1)(b) to withhold the information requested at **parts 1b, c and d**. It said:

"In this case, the ICO were informed of the s.36 QP issue in letters sent to the ICO by [appellant's name redacted]. Copies were also served on the JAC and filed with the Tribunal for the purposes of the appeal in that case. That information is only held by the JAC because it was contained in documents filed with the Tribunal and served upon the JAC for the purposes of proceedings in the three appeals brought by [appellant's name redacted] (Appeals EA/2022/0299, 0300 and 0310).

The JAC has not separately informed the ICO of the historic issue in relation to the lack of s.36 authorisation, so there are no documents within the scope of the Appellant's request, other than those referred to above.

In relation to Q1(b),(c) and (d): the ICO was made aware by a letter from [appellant's name redacted] (possibly several letters) in the context of the extant appeal. However, there were no documents within the scope of the request for the JAC to disclose, because the JAC has not separately corresponded with the ICO in relation to this issue."

31. The Commissioner notes that the complainant has stated that he was not provided with the requested documents having applied to the First-tier Tribunal for them. However, he also notes the JAC's explanation above. He has no reason to doubt that the letters sent by the appellant at the section 36 appeal to the ICO and subsequently served on the JAC exist, given that the appeal itself uncovered the previous lack of a qualified person issue at the JAC prior to October 2022.
32. It is clear from the information specified in the request that it will fall within the scope of section 32(1)(a) and (b).
33. Therefore, the Commissioner's decision is that the withheld information engages the exemption at section 32(1) of FOIA and the JAC was entitled to rely on subsections 32(1)(a) and (b) of FOIA to withhold it.

#### **Section 42 – legal professional privilege (parts 4 and 5)**

34. The JAC has relied on section 42(1) of FOIA for some of **part 4** and all of **part 5** of the request.
35. Section 42 of FOIA states that a public authority may refuse to disclose information which is subject to legal professional privilege ('LPP').

36. There are two types of LPP – litigation privilege and advice privilege. The JAC has claimed that the withheld information is subject to advice privilege, as it is a confidential communication between it as the client and a legal adviser, made for the dominant purpose of seeking and giving legal advice.
37. The Commissioner has reviewed the withheld information (namely the section 42 redactions in the disclosed email chain and the legal advice requested at **part 5**) and he is satisfied that it comprises communications between client and legal adviser for the dominant purpose of seeking and giving legal advice. It falls within the definition of advice privilege and is therefore subject to LPP. Accordingly, the Commissioner finds that the exemption is engaged in respect of the withheld information for some of **part 4** and all of **part 5** of the request.
38. Section 42 is a class-based exemption, so there is no need for a public authority to demonstrate any prejudice or adverse effect. It is, however, qualified by the public interest test.

### **Public interest test**

### **Considerations favouring disclosure**

39. The complainant submitted the following in favour of disclosure:

“Nor has a proper public interest analysis been carried out in the context of the JAC’s reliance on section 42. The public interest test in favour of disclosure overrides any issues relating to legal privilege – see the ICO website at<sup>4</sup>”.

40. The JAC recognised the following points in favour of disclosure:

“The JAC recognises that there is a general public interest in favour of disclosing information for the purpose of transparency and accountability. I note from your [ie the complainant’s] review request that you wish to write articles on this subject and that you allege corruption and/or obfuscation by the JAC. I agree that these are matters which are in the public interest.”

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<sup>4</sup> <https://ico.org.uk/for-organisations/foi-eir-and-access-to-information/freedom-of-information-and-environmental-information-regulations/section-42-legal-professional-privilege>.

## **Considerations in favour of maintaining the exemption**

41. Against disclosure, the JAC told the complainant at internal review that:

“However, protecting the principle of legal professional privilege is also in the public interest, as it ensures the JAC can seek legal advice which can be provided freely and frankly. While I accept that there is a public interest in transparency, I do not consider that disclosure of legal advice, documented or otherwise, received by the JAC in connection with extant litigation would materially advance that public interest.”

42. In its submissions to the Commissioner, the JAC also argued that:

“...legal entitlement to free and frank legal advice persists irrespective of the Qualified Person authorisation status, and that there is no time limit on the use of legal professional privilege”.

43. It also submitted that:

“Legal professional privilege ensures that organisations (such as the JAC) can seek legal advice and that such legal advice can be given freely and frankly, to enable decisions to be made in a fully informed legal context. The JAC’s communications with its legal advisors in this case are a very good example of this. Without such comprehensive advice the quality of an organisation’s decision making would be much reduced because it would not be fully informed. Disclosure of legal advice has a high potential to prejudice the organisation’s legal interest – both directly by unfairly exposing its legal position to challenge, and indirectly by diminishing the reliance it can place on the advice having been fully considered and presented frankly and impartially. Neither of these is in the public interest. The former could result in serious consequential loss, or at least a waste of resources in defending unnecessary challenges. The latter may cause poorer decision making because decisions themselves may not be taken on a fully informed basis, if there is a reluctance to seek and receive frank legal advice in future because of the knowledge that such advice may ultimately be disclosed.”

## **Balance of the public interest test**

44. The Commissioner recognises the public interest in promoting accountability and transparency, particularly around compliance with the statutory requirements of FOIA. He also recognises the importance of maintaining openness in communications between client and lawyer to ensure full and frank legal advice.

45. The general public interest inherent in section 42 will generally be strong owing to the importance of the principle behind LPP, namely safeguarding confidential communications between client and lawyer to ensure access to full and frank legal advice. A weakening of the confidence that parties have that legal advice will remain confidential undermines the ability of parties to seek advice and conduct litigation appropriately and thus erodes the rule of law and the individual rights it guarantees.
46. The Commissioner accepts that there will always be a public interest in transparency, accountability and in the public having access to information to enable them to understand more clearly why particular decisions have been made and certain processes followed.
47. Although the Commissioner accepts that disclosure may provide some insight into how the JAC dealt with its failure to appoint a suitable 'qualified person' relevant to section 36 of FOIA (now rectified), he also notes that the matter is not closed, given the ongoing tribunal appeal case.
48. The Commissioner has attached appropriate weight to the public interest in disclosure as set out above. However, he does not consider that the arguments are strong enough to outweigh or override the substantial public interest in protecting the principle of LPP in this particular case.
49. Having considered the relevant factors, the Commissioner is satisfied that the public interest in maintaining the exemption in this case outweighs the public interest in disclosure. He considers that the limited public benefits in disclosure would not offset the resulting detriment to the JAC's ability to obtain legal advice.
50. The Commissioner's decision, therefore, is that the JAC was entitled to withhold the requested information under section 42 of FOIA for some of **part 4** and all of **part 5** of the complainant's request.

### **Section 1 – general right of access to information (parts 2b and 2c)**

51. The JAC has said it does not hold any recorded information for these parts of the request.
52. The Commissioner twice asked the JAC to set out the searches it had undertaken in order to determine whether or not recorded information is held for **parts 2b and 2c of the request.**
53. The JAC instead replied as follows:

"In relation to Q2b, the JAC have not informed any requesters that a s36 exemption was applied to their request without a QP's

opinion. The JAC is waiting for the Tribunal's ruling on this issue in the appeals brought by [name redacted]. Therefore, no recorded written information within the scope of the request exists.

Likewise, in relation to Q2c, the JAC have not informed any requesters that a s36 exemption was applied to their request without a QP's opinion. As explained above, the JAC is waiting for the Tribunal's ruling. Therefore, no recorded oral information within the scope of the request exists."

54. The Commissioner is unable to reach a determination, on the basis of the JAC's submission set out above, as to whether or not it holds any recorded information, on the balance of probabilities, for these parts of the request. He has therefore ordered a step at paragraph 3 of this notice requiring the JAC to conduct a further search and either disclose the information, if held, or issue an appropriate refusal notice based on more substantial and thorough searches.

### **Section 8 – request for information (parts 2a and 3b)**

55. Section 8(1) of FOIA states that a valid request is one that is in writing, includes the applicant's name and contact details and describes the information requested.
56. The JAC has said it does not consider these parts of the complainant's request to constitute requests for recorded information.
57. FOIA concerns solely information held in recorded form<sup>5</sup>; it does not oblige a public authority to provide explanations, opinions, or clarifications or to answer general questions.
58. **Part 2a** asks if requesters have been informed of the issue at hand, it is not a request for a recorded document and does not describe the information requested. The JAC has argued that **part 3b** asks about a theoretical situation in which JAC Commissioners have not been informed of the matter at hand and asks the JAC why this would be the case.
59. The Commissioner therefore finds that **parts 2a** and **3b** do not constitute requests for recorded information in accordance with section 8 of FOIA.

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<sup>5</sup> <https://www.legislation.gov.uk/ukpga/2000/36/section/84>

## **Section 16(1) – The duty to provide advice and assistance**

60. In this case, the complainant has requested that the Commissioner consider whether the JAC complied with its section 16 of FOIA obligations. He did not provide any further detail nor any examples of where he considers the JAC should have provided advice and assistance.
61. Section 16(1) of FOIA provides that a public authority should give advice and assistance to any person making an information request if it is reasonable to do so. Section 16(2) clarifies that, providing an authority conforms to the recommendations as to good practice contained within the section 45 code of practice<sup>6</sup> in providing advice and assistance, it will have complied with section 16(1) of FOIA.
62. The Commissioner's section 16 guidance<sup>7</sup> includes the following advice for public authorities:

“Section 16 aims to ensure that you communicate with an applicant or prospective applicant to find out what information they want and how they can obtain it.

Generally, there are three main circumstances in which this duty arises.

The first is that you have reason to believe that the applicant has not given their real name. In this case, you should ask the applicant for it.

The second circumstance is when the request, read objectively, is ambiguous and requires clarification as to the information sought. In this case, you should contact the applicant to ask for more details to help you identify and locate the information they want.

The third circumstance is when the request would exceed the appropriate limit beyond which you would not be required to provide the information. In this instance, you should provide the applicant or prospective applicant with advice and assistance to help them reframe the request in a way that would bring it within the appropriate limit.”

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<sup>6</sup> <https://www.gov.uk/government/publications/freedom-of-information-code-of-practice>

<sup>7</sup> <https://ico.org.uk/for-organisations/foi/freedom-of-information-and-environmental-information-regulations/section-16-advice-and-assistance/>

63. The Commissioner is satisfied that the first and third circumstances listed above are not relevant in this case. In relation to the third point, the JAC has not cited section 12 (cost of complying with a request) so it was not required to advise the complainant how he might refine his request.
64. The JAC did not consider it necessary to seek clarification of the request (the second circumstance). The Commissioner finds the request clear and straightforward to interpret and accepts that no clarification is necessary.
65. The Commissioner is therefore satisfied that the JAC did comply with section 16 of FOIA when dealing with this request.

### **Procedural matters**

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66. Under section 10(1) of FOIA a public authority is required to respond to a request for information within 20 working days. It must usually inform the requester if it holds the requested information and, if it does, either provide copies or issue a refusal notice.
67. Under section 17(1) of FOIA a public authority must issue a refusal notice in respect of any exempt information within the same timescale.
68. The JAC breached sections 10(1) and 17(1) of FOIA in this case. It did not confirm whether it held the requested information for the purposes of FOIA or issue a refusal notice in respect of the information to which it applied the exemption under sections 32(1) and 42(1) of FOIA, within 20 working days.

## **Right of appeal**

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69. 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: 0203 936 8963

Fax: 0870 739 5836

Email: [grc@justice.gov.uk](mailto:grc@justice.gov.uk)

Website: [www.justice.gov.uk/tribunals/general-regulatory-chamber](http://www.justice.gov.uk/tribunals/general-regulatory-chamber)

70. 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.
71. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

**Carol Scott**  
**Senior Case Officer**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**