



Llywodraeth Cymru
Welsh Government

Our ref: Review

Date 21 January 2016

Dear

Request for Information – Complaint response

I am writing in relation to your email dated 26 December 2015 to the Central Department's FOI/DP mailbox about your recent requests for information, under the Freedom of Information Act 2000, about the numbers of No.54 Writs of Control issued on the instructions of the Welsh Government. In that email, you say that there will be easily obtainable statistics in respect on this information.

The Secretary of State for Constitutional Affairs' Code of Practice on the discharge of public authorities' functions under Part I of the Freedom of Information Act 2000 (issued under section 45 of the Freedom of Information Act 2000) states (at paragraph 38)

“Any written reply from the applicant (including one transmitted by electronic means) expressing dissatisfaction with an authority's response to a request for information should be treated as a complaint.”

I have treated your email as expression of dissatisfaction with our response to your request and undertaken an internal review.

I have carefully considered the requests for information you made on 24 September 2015 and 27 October 2015 and Nia James' replies to you, dated 9 October 2015 and 9 November 2015 respectively. In her replies, Mrs James explained that your requests had been refused because she considered your request would be very time consuming to deal with and that doing so would exceed the 'appropriate limit'. Where the appropriate limit is exceeded section 12(1) of the Freedom of Information Act 2000 does not oblige a public authority to comply with the request.

Mrs James explained that the information you sought was not contained in a single source and that multiple data sources would need to be checked. She set out approximately how long it would take to do this. In order to properly ascertain that the steps outlined in Mrs James letters must be followed.

In your email to me dated 26 November 2015, you suggested that I, personally, had records of how many No. 54 Writs of Control has been authorised by me. Mrs James' letter dated 22 December 2015 explained that my role as Liaison Officer does not entail being involved in the decision



making of individual cases and I that I have not, therefore, authorised any No. 54 Writs of Control. Accordingly, I do not hold the records you envisage.

Having considered your email dated 26 December 2015 along with the relevant requests for information, I am entirely satisfied that Mrs James' replies to you accurately set out the position. She was correct to refuse your requests for information for the reasons set out in her letters.

As Mrs James has previously indicated, we could provide the information you seek for a more limited time period.

I have considered your complaint in accordance with the procedure outlined in the [Welsh Government's Practical Guide for Making Requests for Information](#) which is available by post on request or via the internet.

If you remain dissatisfied with this response you have the right to complain to the Information Commissioner. The Information Commissioner can be contacted at:

Information Commissioner's Office,
Wycliffe House,
Water Lane,
Wilmslow,
Cheshire,
SK9 5AF.

Yours sincerely

Jeff Godfrey
Director of Legal Services Department