Ministry of Justice

Disclosure Team
Ministry of Justice
102 Petty France
London
SW1H 9AJ

data.access@justice.gov.uk

Dr. Daniel Clark
Daniel.Clark@sussex.ac.uk

MoJ ref: IR 260730055
FOI 260707033

17 August 2026

Dear Dr Clark,

FREEDOM OF INFORMATION ACT (FOIA) INTERNAL REVIEW

Thank you for your Internal Review request dated 30 July 2026 regarding FOI request 260707033 in which you asked for the following information from the Ministry of Justice (MoJ):

1. Please provide a copy of the data breach notification form that is for use by the judiciary. This is referred to in section II of the AI Guidance for Judicial Office Holders dated 31 October 2025.

2. Please provide the current membership of the Judicial Data Protection Panel, including the names and affiliations of the members.

3. Please provide information as to the number of complaints submitted to the Judicial Data Protection Panel since its inception in May 2018, and the number of complaints rejected because they were deemed to fall outside the panel's remit, rejected on the merits, or upheld. Of complaints resolved, please provide figures as to how many were resolved by the Judicial Office Data Privacy Officer, and how many were referred to the Panel (the process as explained in section 9 of the panel's complaint's handling policy). Please also break down the figures for complaints relating to each of the jurisdictions listed at section 2 of the panel's complaints policy document, and figures for complaints relating to 'individuals acting in a judicial capacity'.

4. Please provide a breakdown of the source of such complaints e.g. how many are self-referral by judicial office holders, or a person acting in a judicial capacity; how many are made by the data subject; how many are made on behalf of a vulnerable person; and how many are referred to the panel from another source?

5. Please provide information as to the number of such complaints which relate to the inappropriate processing of personal information through the publication of judgments, including through anonymization errors; that is to say, complaints concerning publication of material that should not have been contained in a published judgment.

6. Please provide information as to the number of judgments which have had to be withdrawn o reissued by The National Archives in response to a complaint or self-referral by reason of inappropriate disclosure of personal data.

7. Please provide information as to the number of such complaints or self- referrals which relate to the disclosure of confidential or private information into AI platforms.

8. Please provide details of the range of actions taken in respect of complaints which have been upheld.

9. Please provide details of the timescales for dealing with complaints.

For reference, your request for an Internal Review was as follows:

Dear Judicial Policy Team,

Thank you for my response, and for the extra information you have provided. Thank you for highlighting where the answer to Q2 can be found, and also for suggesting I contact the National Archives in relation to Q6-9. I believe that only Q6 can be answered by the National Archives, as Q7-9 relate to the work of the Panel. As a result, my request below is in relation to Q1, 3-5, 7-9.

In 2020, the Judicial Office provided responses to questions almost identical to Q3-5. It's my understand that this was done on a discretionary basis, in the interests of transparency. I am therefore writing to ask whether the Judicial Office will consider providing a response to Qs1; 3-5; 7-9 (or a selection of those questions) on a discretionary basis? I am working on a report about data protection and the judiciary, which will be made publicly available. The information I request will ensure that I can present a complete and accurate picture. Any information the Judicial Office can provide, on a discretionary basis, will be gratefully received.

I look forward to hearing back from you.

Kind regards,
Daniel Clark

The purpose of an Internal Review is to assess how your FOI request was handled in the first instance and to determine whether the original decision given to you was correct. This is an independent review. The reviewer of this case was not involved in the original decision.

The response to your original request confirmed the information requested is not held. We also explained that the information requested at points 1-5, if held at all, would be held by the Judicial Office (JO) on behalf of the judiciary, and that JO is a not a public body for the purposes of the FOIA.

On a discretionary basis, the response to your original request also advised that membership of the Judicial Data Protection Panel could be found on the second page of the Panel's terms of refence available here: https://www.judiciary.uk/about-the-judiciary/judiciary-and-data-protection-privacy-notice/. It further explained that the information requested at points 6-9, if held at all, would be held by The National Archives (TNA) and that you could find out how to make a FOIA request of TNA by visiting https://www.nationalarchives.gov.uk/freedom-of-information/.

After careful consideration I have concluded that this response was compliant with the requirements of the FOIA.

Statutory deadline
The statutory deadline for your request was 28 August 2026 and the response was provided on 17 August 2026. The response was therefore compliant with the timeliness requirements of the FOIA.

Outcome

I can confirm that appropriate searches have been made to determine whether the requested information is held by MoJ. I have reviewed MoJ's handling of your request and I am satisfied that the response you received on 23 July 2026 was correct.

Upon review, we are not able to provide any further information on a discretionary basis.

Appeal Rights
If you are not satisfied with this response, you have the right to apply to the Information Commissioner's Office (ICO). The Commissioner is an independent regulator who has the power to direct us to respond to your request differently, if they consider that we have handled it incorrectly.

You can contact the ICO at the following:

Information Commissioner's Office online portal
https://ico.org.uk/make-a-complaint/foi-and-eir-complaints/

Information Commissioner's Office postal address
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Yours sincerely,

Judicial Policy
Ministry of Justice