

Dear John McGoldrick

Freedom of Information Act (FOIA) Outcome of Internal Review – 190530005

Thank you for your Internal Review request dated 30 May 2019 regarding FOI request 190509013 in which you asked for the following information from the Ministry of Justice (MoJ):

Our group has 5,500 members and I hereby make a request for information under Fol rules. We want this information on Mersey Gateway penalty charges:-

TE9 WITNESS STATEMENTS FOR UNPAID PENALTY CHARGE

How many statements have been received by the TEC?

How many have been accepted and Merseyflow told to revoke the Recovery Order?

How many have been turned down? How many are awaiting a decision?

TE7 APPLICATIONS TO FILE A STATEMENT OUT OF TIME

How many applications have been received by the TEC?

How many have been accepted by Merseyflow?

How many have been opposed by Merseyflow and that rejection has been confirmed by a court officer on behalf of the TEC?

How many have been opposed by Merseyflow but the court officer on behalf of the TEC has decided to accept the application? How many are awaiting a decision?

TE3 RECOVERY ORDERS FOR UNPAID MERSEY GATEWAY PENALTY CHARGES

How many Orders have been made?

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: I was not involved in the original decision.

The response to your original request confirmed the information requested held some of the information requested but that to provide it as the request currently stood would exceed the cost limit set out in the FOIA. 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 7 June 2019 and the response was provided on 29 May 2019. The response was therefore compliant with the requirements of the FOIA.

Outcome

In your request for an internal review you ask how we estimate that supplying the Information would be over the cost limit. I can explain that we do know that since joining the Traffic Enforcement Centre (TEC) Mersey Halton have registered (approximately) 170,000 cases. In order for us to extrapolate the information as it stands in your request, we would need to interrogate all of those cases and determine the answer to each of your questions. This would take approximately 2 minutes per case. This totals approximately 5666 hours, which would take us over the cost limit as set out in the FOIA.

As stated in your original response we retain statistics on the amount of registrations made by each Local Authority, but do not retain anything else. This is because registrations are processed electronically so counting is completed this way. All other work that comes in i.e. how many witness statements are received, how many we accept / reject are all processed manually but still in large volumes so to count them and retain statistics in these volumes would be far too excessive for staff.

You also state that we must be aware that one purpose of your questions was that the TEC have recently been refusing TE9 out of time applications and you wanted to see to what extent the TEC was doing just as Mersey flow told us to do. I can confirm that the TEC is impartial when an out of time is processed it is then sent to the Local Authority who have 19 days to respond to the TEC confirming if they accept or refuse the respondents application. If they refuse the out of time then this is passed onto a court officer for an impartial decision. The Court Officer is not required to give a reason for the refusal and record is not kept on the file.

In conclusion I am satisfied the response you received on 29 May 2019 was correct.

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 she considers that we have handled it incorrectly.

You can contact the ICO at the following address:

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

<https://ico.org.uk/Global/contact-us>

Yours sincerely

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Northampton Business Centre