

Freedom of Information Request – Response – 27639

Judicial Review LGR - Statement of Case (Claim) Suffolk County Council

I believe non-parties are entitled to a copy of a claimant's statement of case without the permission of the Court. Rather than applying to the High Court, I believe it would be reasonable, and in the interests of openness and transparency, if the County could supply me with a copy at this stage.

Suffolk County Council (SCC) can confirm that it holds information that falls within the scope of your request however it is being withheld under s.32 Court, inquiry or arbitration records of the Freedom of Information Act 2000 (FOIA).

You have requested court documents associated with ongoing judicial review proceedings. Section 32 provides an exemption for information contained in documents created, filed, lodged, or otherwise held for the purposes of court proceedings in a particular cause or matter. The Information Commissioner's Office (ICO) guidance confirms that court documents, including statements of case, fall within the scope of this exemption.

s.32 is an absolute exemption and therefore there is no requirement for SCC to consider the public interest test before withholding the information.

With regards to your comments about accessing information by non-parties this is governed by the relevant court procedures rather than FOIA. Request for access to statements of case and other court documents should be made through the court in accordance with due process. As such you may wish to seek access to the request documents through the court rather than under FOIA.