HOUSE OF LORDS
APPOINTMENTS COMMISSION
Room G/38, 1 Horse Guards Road, London SW1A 2HQ
General Enquiries: 07872 828699
Internet: http://lordsappointments.independent.gov.uk
E-mail: enquiry@lordsappointments.gov.uk

Ref: HOLAC FOI IR2025/01
28 January 2025

By email: [redacted]

Dear [redacted]

Internal Review Reference: HOLAC FOI IR2025/01
(Original Case Reference: HOLAC FOI FOI2024/17)

REVIEW OF REQUEST UNDER THE FREEDOM OF INFORMATION ACT 2000

Thank you for your email of 13 January 2025. You asked for an internal review of our response to your request for information also on 13 January 2025. In your original request you asked:

In view of the recent tribunal decision in Rosenbaum:

https://caselaw.nationalarchives.gov.uk/ukftt/grc/2024/1132

I now remake my earlier FOIA request dated 15 April 2024 [HOLAC FOI2024/8] , de novo…. I now make a further request to expressly include the citation for the nomination in respect of Littlewood

Your previous request asked for:

"copies of all information held by HOLAC on and occasioned by Mr Littlewood's nomination."

I have carefully reviewed the handling of your original request and I consider that the exemption at section 14(2) of the Freedom of Information Act, which applies when a public authority has previously provided the same requester with the information in response to an earlier FOI request, was properly applied with regards to the request for information in relation to a potential nomination for Mark Littlewood.

On 15 April 2024, you submitted a Freedom of Information to the House of Lords Appointments Commission which was answered on 1 May 2024. In our response to you, the Commission stated that it considered that your request engaged Section 37(2) of the Freedom of Information Act, which refers to the duty to confirm or deny whether information is held if it would otherwise be exempt (in this instance) under Section 37(1)(b), where the information refers to the conferral by the Crown of any honour or dignity. A full public interest test was carried out and it was concluded that the public interest supports neither confirming nor denying whether the Commission holds information in the scope of your request.

You then submitted an internal review request on 1 May 2024 which was answered on 21 May 2024. In this Internal Review response, the Commission confirmed that the public interest in maintaining the exclusion of the duty to confirm or deny outweighs the public interest in confirming or denying whether we hold the information requested. The Commission therefore concluded that the decision in FOI2024/8 should be upheld.

Your recent Freedom of Information request (FOI2024/17) asks for the same information which was the subject of your previous request. You note in the request that you are looking specifically for a citation. Please note that if a citation existed for an individual, it would have been in scope for your original FOI as it would, if it existed, fall under the category of '*all information held by HOLAC on and occasioned by Mr Littlewood's nomination'.*

I am therefore satisfied that section 14(2) is engaged as your request is not fundamentally different to the one you previously submitted, and the arguments for refusing to confirm nor deny remain the same as outlined in our response to FOI2024/8 and the subsequent internal review.

If you are unhappy with the handling of your request for information you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

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

Yours sincerely,

Elizabeth Stewart
Secretariat to the House of Lords Appointments Commission