

Moira Dustin

data.access@justice.gsi.gov.uk

M.Dustin@sussex.ac.uk

22 February 2019

Dear Ms Dustin

Freedom of Information Act (FOIA) Request – 190129011

Thank you for your request dated 29 January 2019, in which you asked for the following information from the Ministry of Justice (MoJ):

1. **“Does the Ministry of Justice keep figures differentiating asylum appeals and appeal decisions for people claiming asylum where there is a sexual orientation or gender identity basis or component?**
2. **If so, how far do these figures date back?**
3. **If not, does the Ministry of Justice plan to start recording and publishing such figures?**
4. **Do Tribunal judges receive any training on handling asylum appeals relating to sexual orientation or gender identity?**
5. **If so, who provides it and how regularly is there refresher training?**
6. **Is training mandatory?**
7. **Does the Ministry of Justice monitor the sexual orientation and gender identity of judges for equality purposes?**
8. **If there are Ministry of Justice statistics relating to asylum appeals with a sexual orientation or gender identity basis or component, other than the Home Office Experimental statistics published in November 2017 November 2018 please can they be made available.”**

Your request has been handled under the FOIA. The MoJ does not hold any information in the scope of your request for which I have answered you as below.

- **Does the Ministry of Justice keep figures differentiating asylum appeals and appeal decisions for people claiming asylum where there is a sexual orientation or gender identity basis or component?**
- **If so, how far do these figures date back?**
- **If there are Ministry of Justice statistics relating to asylum appeals with a sexual orientation or gender identity basis or component, other than the Home Office Experimental statistics published in November 2017 November 2018 please can they be made available.**
- **If not, does the Ministry of Justice plan to start recording and publishing such figures?**

I can confirm that the Ministry of Justice (MoJ) does not hold the information for above questions.

- **Do Tribunal judges receive any training on handling asylum appeals relating to sexual orientation or gender identity?**
- **If so, who provides it and how regularly is there refresher training?**
- **Is training mandatory?**

I can confirm that the Ministry of Justice (MoJ) does not hold the information that you have requested. This is because training materials are held by the judiciary for their purposes only and the judiciary are not deemed to be a public body for the purposes of FOIA (they are not listed under Schedule 1). The request therefore falls outside of FOIA.

- **Does the Ministry of Justice monitor the sexual orientation and gender identity of judges for equality purposes?**

We do not monitor the sexual orientation of judges

The FOIA does not oblige a public authority to create information to answer a request if the requested information is not held. The duty is to only provide the recorded information held.

Appeal Rights

If you are not satisfied with this response you have the right to request an internal review by responding in writing to one of the addresses below within two months of the date of this response.

Data.access@justice.gov.uk

Disclosure Team, Ministry of Justice, 10.38, 102 Petty France, London, SW1H 9AJ

You have the right to ask the Information Commissioner's Office (ICO) to investigate any aspect of your complaint. However, please note that the ICO is likely to expect internal complaints procedures to have been exhausted before beginning their investigation.

Yours sincerely

Rekha Sharma

HM Courts & Tribunals Service, First-tier Tribunal (Immigration & Asylum Chamber) and First-tier Tribunal (Social Security & Child Support).