



Department
for Environment
Food & Rural Affairs

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www.gov.uk/defra

Our ref: RFI 6993

Date: 30 January 2015

Dear [REDACTED]

REQUEST FOR INFORMATION: Defra Legal Costs

Thank you for your request for information, which we received on 13 October, about legal costs around the two judicial reviews on the badger cull. We have handled your request under the Freedom of Information Act 2000 (FOIA).

Your questions and the responses are below.

1. How much has the department spent on QCs and lawyers in legal action over its decision to cull badgers to halt the spread of bovine TB?

The legal fees (external of Government and not including the costs of the Treasury Solicitor's Department who acted for the Secretary of State) for defending legal action challenging the Badger Control Policy were £66,817 to the financial year ending March 2014. This is a net figure which reflects a deduction of £10,000 recovered in adverse costs in court proceedings.

Legal fees for the financial year 2014 - 2015 were £9,132 at the time of receipt of request.

2. What is the highest and lowest hourly rate paid to QCs and lawyers over the same issue?

And

3. What are names of legal practices employed by the department over the same issue?

Treasury Solicitor's Department acted for the Secretary of State for Environment, Food and Rural Affairs and instructed independent barristers to represent the Secretary of State. The names of those involved are already in the public domain in connection with the court proceedings, and hourly rates for barristers instructed on behalf of the Government are available at:

<https://www.gov.uk/attorney-generals-panel-counsel-practical-information>



As the information is reasonably accessible to you by other means, it is exempt from disclosure under section 21 of FOIA. This part of your request has therefore been refused. In keeping with the spirit and effect of the FOIA, and in keeping with the government's Transparency Agenda, all information is assumed to be releasable to the public unless exempt. Therefore, the information released to you will now be published on www.gov.uk together with any related information that will provide a key to its wider context. Please note that this will not include your personal data.

I attach Annex A, which explains the copyright that applies to the information being released to you.

I also attach Annex B giving contact details should you be unhappy with the service you have received.

If you have any queries about this letter please contact the address below.

Yours sincerely,


Defra FOIA and EIRs Team
InformationRequests@defra.gsi.gov.uk

Annex A

Copyright

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Annex B

Complaints

If you are unhappy with the service you have received in relation to your request you may make a complaint or appeal against our decision under section 17(7) of the FOIA or under regulation 18 of the EIRs, as applicable, within 40 working days of the date of this letter. Please write to [REDACTED] Head of Information Standards, Area 4D, Nobel House, 17 Smith Square, London, SW1P 3JR (email: requestforinfo@defra.gsi.gov.uk) and he will arrange for an internal review of your case. Details of Defra's complaints procedure are on our [website](#).

If you are not content with the outcome of the internal review, section 50 of the FOIA and regulation 18 of the EIRs gives you the right to apply directly to the Information Commissioner for a decision. Please note that generally the Information Commissioner cannot make a decision unless you have first exhausted Defra's own complaints procedure. The Information Commissioner can be contacted at:

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