



NIO

Northern Ireland Office
Freedom of Information Team
11 Millbank
London
SW1P 4PN

Telephone 020 7210 0840
Email: foi@nio.x.gsi.gov.uk

Freedom of Information Team

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REFERENCE: 12/44

I write in relation to your email and its request for the release of the following information:

This request for information under the Freedom of Information Act 2000 ("the Act") refers to the Department of Finance and Personnel ("DFP") specifically as employer of any legally-qualified person ("legal officer") at whatever grading in any post as Governmental legal officer, when such legal officer is employed in or seconded to the Northern Ireland Office ("NIO") and thereafter seconded to the Compensation Agency or the Crown Solicitor's Office or other governmental legal officer post to which seconding from NIO is applicable.

Any reference below to "claim" or "claims" is a reference to any legal action or claim, based upon whatever statutory or other jurisdiction, taken through the Industrial Tribunals and/or the Fair Employment Tribunal in Northern Ireland in respect of any employment related matter and/ or taken in the County Court or the High Court in Northern Ireland in respect any employment related matter.

"Claimant" means any legal officer pursuing any claim, as above.

"Cost to the public purse" means any measurable financial cost, including payment of damages, legal or other costs, or additional salary or remuneration arising from any change in employment status or grading, including any arrears of remuneration ("back pay") and additional pension provisions afforded.

The request under the Act:

In respect of a period commencing on 1 January 1995 and continuing up to the date of this request 29 February 2012, please confirm the following information under the Act:-

- 1. The number of individual claims from any claimant received by DFP and or/ NIO at the suit of any claimant, broken down on a year by year basis with reference to date of receipt of claim by DFP from any claimant, identifying whether such claims named DFP or NIO or both as respondent or defendant.*
- 2. The number of individual claims received by DFP and or/ NIO at the suit of any claimant that were subsequently withdrawn by any claimant, without compromise or settlement having been reached and at no cost to the public purse, broken down on a year by year basis with reference to date of withdrawal in any case,*



confirming whether such claims named DFP or NIO or both as respondent or defendant.

- 3. The number of individual claims received by DFP and or/ NIO at the suit of any claimant that were subject to a compromise agreement or settlement, at cost to the public purse, broken down on a year by year basis with reference to date of compromise or settlement, confirming whether such claims named DFP or NIO or both as respondent or defendant and confirming whether the cost of such claims was met by DFP or NIO or by both as respondent or defendant and if both in what proportions.*
- 4. In regard to 3 above, the cost to the public purse, broken down on a year by year basis with reference to date of compromise agreement or settlement, confirming whether the cost of such claims was met by DFP or NIO or by both as respondent or defendant and if both in what proportions.*
- 5. The number of individual claims from any claimant received by DFP and or/ NIO at the suit of any claimant that were not successfully defended on the merits and in respect of which, after conclusion of any hearing or other disposal, any claimant did receive or was awarded payment of damages, legal or other costs, or additional salary or remuneration arising from any change in employment status or grading as a direct or indirect result or outcome of any such claim. Please confirm whether such claims named DFP or NIO or both as respondent or defendant and confirm whether the cost of such claims was met by DFP or NIO or by both as respondent or defendant and if by both in what proportions.*
- 6. In regard to 5 above, the total cost to the public purse, broken down on a year by year basis with reference to date of conclusion of any hearing and award or other final outcome, confirming whether the cost of such claims was met by DFP or NIO or by both as respondent or defendant and if by both in what proportions.*
- 7. The number of individual claims from any claimant received by DFP and or/ NIO at the suit of any claimant that were successfully defended on the merits, so that any claimant did not receive payment of damages, legal or other costs, or additional salary or remuneration arising from any change in employment status or grading as a direct or indirect result of any such claim.*
- 8. The total cost to the public purse of professional fees and costs of the defence of the claim or claims of any such claimant or claimants as above to (a) DFP and (b) NIO, broken down on a year by year basis (1) with reference to the fees of Solicitors (whether "in house" or externally engaged) and (2) with reference to the fees of Counsel and (3) with reference to other professional advisors or consultants engaged.*

Your request has been handled under the Freedom of information Act. The information you have requested is set out on the tables below and in the order as set out in your request.

The information provided in response to your FOI Request has been collated from such information as is available to and held by the NIO at this time.



The information we have covers costs, as you have defined it, except that we do not include information relating to “additional salary or remuneration arising from any change in employment status or grading,and additional pension provisions afforded” as this information is not held by the NIO.

Table Question 1

Individual Claims broken down by year (Date of Receipt by DFP/NIO)

Year	Number of Claims	NIO	DFP	Both
1995	0			
1996	15			15
1997	0			
1998	0			
1999	0			
2000	0			
2001	6			6
2002	0			
2003	0			
2004	53			53
2005	5			5
2006	5			5
2007	1			1
2008	9			9
2009	0			
2010	11			11
2011	8			8
2012	1			1

Table Question 2

Individual Claims withdrawn by claimant without compromise or settlement

Year	Number of Claims Withdrawn	Both NIO & DFP
1995	0	N/A
1996	0	N/A
1997	0	N/A
1998	0	N/A
1999	0	N/A
2000	0	N/A



2001	0	N/A
2002	0	N/A
2003	0	N/A
2004	0	N/A
2005	0	N/A
2006	0	N/A
2007	0	N/A
2008	0	N/A
2009	0	N/A
2010	0	N/A
2011	0	N/A
2012	0	N/A

Table Questions 3 - 4

Individual Claims withdrawn by claimant after compromise /settlement

Year	Number of Claims Withdrawn after Compromise/Settlement	NIO	DFP	Cost	NIO	DFP
1995						
1996						
1997						
1998	15	15	15	£838,791.50	100.0%	
1999						
2000						
2001						
2002						
2003	6	6	6	£35,016.25	100.0%	
2004						
2005						
2006	5	5	5	£136,597.25	63.4%	36.6%
2007						
2008	5	5	5	£308,375.96	95.6%	4.4%
2009	1	1	1	£641.70	100.0%	
2010	9	8	9	£269,281.62	100.0%	
2011						
2012						

Table Questions 5 - 6

Individual Claims Award made by Tribunal

Year	Number of Claims Award made by Tribunal	NIO	DFP	Cost	NIO	DFP
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1995	0					
1996	0					
1997	0					
1998	0					
1999	0					
2000	0					
2001	0					
2002	0					
2003	0					
2004	0					
2005	0					
2006	0					
2007	0					
2008	0					
2009	0					
2010	0					
2011	0					
2012	0					

Table Question 7

Individual Claims successfully defended

Year	Number of Claims successfully defended	Both NIO & DFP
1995	0	
1996	0	
1997	0	
1998	0	
1999	0	
2000	0	
2001	0	
2002	0	
2003	0	
2004	1	Y
2005	0	
2006	0	
2007	0	
2008	0	
2009	0	
2010	0	
2011	0	
2012	0	



Table Question 8

Professional Fees and Costs

(All Solicitor's professional fees were 'in-house')

Year	DFP	DFP	DFP	NIO	NIO	NIO
	Prof Fees	Counsel	Other	Prof Fees	Counsel	Other
1995						
1996						
1997						
1998					£37,717.50	
1999						
2000						
2001						
2002						
2003				£2,047.50	£8,968.75	
2004						
2005						
2006				£51,072.25		
2007						
2008		£13,463.54		£56,221.00	£40,390.62	£5,875.00
2009				£641.70		
2010				£161,305.33	£38,177.29	
2011						
2012						

