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|  | | | |  | [**www.justice.gov.uk**](http://www.justice.gov.uk) |
|  | |  |
|  | **Our Reference:** FOI/82804 | | |  | June 2013 |

**Freedom of Information Request**

You made a request for information from the Ministry of Justice (MoJ) in relation to

***“Transforming legal aid: delivering a more credible and efficient system.”[[1]](#footnote-1)***

Your request has been handled under the Freedom of Information Act 2000 (FOIA). Please accept my sincere apologies in the delay in providing you with this response, which is set out below.

**Questions for MOJ**

1. **do the figures for magistrates court cases include , CDS7 cases, do they include experts fees, do they include court duty claims, do they include vec fees?**

Please be advised that the FOIA requires Departments to disclose (subject to applicable exemptions) recorded information only and as such the MoJ is not required to provide advice or opinion. Outside of the scope of the FOIA however, I can confirm that the figures within the ‘Transforming legal aid’ paper, for magistrate’s court cases, include CDS7 cases. They exclude expert fees. They include court duty claims.

I have interpreted ‘vec’ fees as legal aid fees relating to cases heard to ‘video enabled court’ cases. I am afraid that there is no way within our systems to identify whether cases were heard via such means, and as such I cannot answer this question. On our Crown Court system there is a flag which identifies video usage but the data from it is not felt to be accurate or for publication. On our Magistrates system there is no definite marker which could be used to identify these cases.

1. **do the figures for crown court fees include expert fees?**

Outside of the scope of the FOIA, I can confirm that the figures for crown court fees exclude expert fees.

**Information from LAA**

1. **For Cheshire only : total claim value of police station work & claim volume between October 2010 and September 2011.**

**And same from October 2011 to September 2012.**

**And from October 2012 to date.**

I am pleased to confirm that the MoJ holds this information which is contained within the table below:

|  |  |  |
| --- | --- | --- |
| **Police Station Claims** |  |  |
|  |  |  |
| **Period** | **Volume of claims** | **Value of Claims** |
| Oct 10 - Sep 11 | 12,546 | £2,757,322.25 |
| Oct 11 - Sep 12 | 10,877 | £2,440,129.60 |
| Oct 12 to date | 6,010 | £1,346,336.49 |
|  | **29,433** | **£6,543,788.34** |
|  |  |  |

1. **For Cheshire only: total claim value and volume of vec fees for same period.**

I regret to inform you that, for the reasons outlined in my answer to question 1, the MoJ does not hold this information.

Please be advised that the FOIA does not oblige a public authority to create information to answer a request if the requested information is not held. It does not place a duty upon public authorities to answer a question unless recorded information exists. The FOIA duty is to only provide the recorded information held.

You can find out more about information held for the purposes of the Act by reading some guidance points we consider when processing a request for information, attached at the end of this letter.

1. **For Cheshire only: total claim value and volume for cds6 claims between October 2010 & September 2011.**

**And same from October 2011 to September 2012**

**And from October 2012 to date.**

I am pleased to confirm that the MoJ holds this information which is contained within the table below:

|  |  |  |
| --- | --- | --- |
| **CDS6** |  |  |
|  |  |  |
| **Period** | **Volume of claims** | **Value of Claims** |
| Oct 10 - Sep 11 | 23,512 | £6,342,918.16 |
| Oct 11 - Sep 12 | 20,250 | £5,721,419.05 |
| Oct 12 to date | 10,987 | £3,188,829.70 |
|  | **54,749** | **£15,253,166.91** |
|  |  |  |

1. **For Cheshire only: total claim vale and volume for cds7 claim between October 2010 & September 2011**

**And same from October 2011 to September 2012**

**And from October 2012 to date.**

I am pleased to confirm that the MoJ holds this information which is contained within the table below:

|  |  |  |
| --- | --- | --- |
| **CDS7** |  |  |
|  |  |  |
| **Period** | **Volume of claims** | **Value of Claims** |
| Oct 10 - Sep 11 | 206 | £360,743.83 |
| Oct 11 - Sep 12 | 131 | £216,023.93 |
| Oct 12 to date | 80 | £124,641.42 |
|  | **417** | **£701,409.18** |
|  |  |  |

1. Available at <https://consult.justice.gov.uk/digital-communications/transforming-legal-aid> [↑](#footnote-ref-1)