



Foreign &
Commonwealth
Office

Legal Directorate
Foreign and Commonwealth Office
King Charles Street
London SW1A 2AH

17 March 2015

Website: <https://www.gov.uk>

FREEDOM OF INFORMATION ACT 2000 REQUEST REF: 0167-15

Thank you for your email of 17 February 2015 asking for information under the Freedom of Information Act (FOIA) 2000. You asked:

“Under the Freedom of Information Act 2000, please provide me with copies of the following:

The amount spent by your council on external legal advice each year since 2010.

The annual salary of your council’s chief legal officer for each year since 2010”

I am writing to confirm that we have now completed the search for the information which you requested.

The Foreign and Commonwealth Office (FCO) is a Government Department rather than a “council” so we have interpreted your request to relate to spending by the FCO.

I can confirm that the FCO does hold information relevant to your question on the amount spent on external legal advice each year since 2010.

The majority of spend by the FCO on services of external law firms and barristers within the UK is channelled through the Legal Directorate. The FCO instructs external lawyers both to conduct litigation in UK and international courts and to provide specialised legal advice, for example, in areas outside the expertise of in-house legal advisers.

The amount differs from year to year primarily because the number of Court cases in which the FCO is involved at any time, is variable. The following information is the amount spent by the Legal Directorate on external law firms and barristers (excluding VAT), collated by financial years from 2010. This does not include the current financial year as it has not yet closed.

FY 2010 – 2011:	£605,002.44
FY 2011 – 2012:	£840,956.70
FY 2012 – 2013:	£945,142.72
FY 2013 – 2014:	£1,679,113.81

It would not be possible to calculate the amount that the FCO as a whole (i.e. overseas posts and other FCO departments in the UK) spent on external law firms and barristers over the fiscal period you have mentioned. There is no central record and calculating this figure would exceed the cost threshold as set out in Section 12 of the Freedom of Information Act. Section 12 of the Act makes provisions for public authorities to refuse requests for information where the cost of dealing with them would exceed the appropriate limit. The limit has been specified in the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2014. For central government the appropriate limit is set at £660. This represents the estimated cost of one or more persons spending 3 ½ days working days in determining whether the Department holds the information, and locating, retrieving and extracting it. Your request as presently formulated is widely-framed and I estimate that it will take more than 3 ½ working days to locate, retrieve and extract this information. In these circumstances we are not obliged under the Act to comply with your request.

On the second part of your request for information on the annual salary of the chief legal officer for each year since 2010 we are not required to provide information in response to a request if it is already reasonably accessible to you, under section 21 of the Act. Details of FCO officials salary scales, including for the Legal Adviser (the FCO's chief legal official) are published on the Gov.UK website <https://www.gov.uk/government/publications/foreign-office-staff-and-salary-data>

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Yours sincerely,

Office Management Section

Legal Directorate



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