



Foreign &
Commonwealth
Office

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

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

.....
15 May 2015

Dear

FREEDOM OF INFORMATION ACT 2000 REQUEST REF: 0378-15

Thank you for your email of 16 April 2015 asking for information under the Freedom of Information Act (FOIA) 2000. You asked:

How much of the departmental budget was allocated to litigation (fees to legal services, settlement awards, court costs, etc) in the financial years 2008-09 and 2013-14?

How many litigation claims were brought against the department in the financial years 2008-09 and 2013-14?

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

I can confirm that the Foreign and Commonwealth Office (FCO) does hold information relevant to your request.

In relation to your first question, the Legal Directorate's budget allocation for litigation for 2008-09 was £1,704,936 and for 2013-14 it was £2,164,420. These figures are the budgets for legal costs, including fees for the legal services of the Government Legal Department (formerly the Treasury Solicitor's department), barristers and other disbursements, but excluding settlement awards which would not be included in the Legal Directorate's budget. Please note that these figures only cover the litigation handled by the Legal Directorate and not litigation handled by the FCO as a whole (i.e. overseas and other FCO departments in the UK).

In answer to your second question, we do not hold the records of how many litigation claims were brought in the financial year 2008-09. There is no central record kept for this period 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 2004. For central government the appropriate limit is set at £600. 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.

In the financial year 2013-14 the Legal Directorate received 11 cases brought against the FCO, either individually or jointly with other government departments. Please note that this figure:

- only includes claims brought in the UK courts and does not include cases brought in tribunals or cases brought in courts outside of the UK;
- does not include any cases brought against the FCO that were not handled by FCO Legal Directorate (i.e. those handled overseas or by other FCO departments in the UK); and
- includes a Group Litigation claim which we have treated as one case for the purposes of this request.

Once an FOI request is answered, it is considered to be in the public domain. To promote transparency, we may now publish the response and any material released on gov.uk in the [FOI releases](#) section. All personal information in the letter will be removed before publishing.

The copies of information being supplied to you continue to be protected by the Copyright, Designs and Patents Act 1988. You are free to use it for your own purposes, including any non-commercial research you are doing and for the purposes of news reporting. Any other re-use, for example commercial publication, would require the permission of the copyright holder. Most documents supplied by the FCO will have been produced by government officials and will be protected by Crown Copyright. To re-use Crown Copyright documents please consult the [Open Government Licence v3](#) on the National Archives website.

Information you receive which is not subject to Crown Copyright continues to be protected by the copyright of the person, or organisation, from which the information originated. You must ensure that you gain their permission before reproducing any third party (non-Crown Copyright) information.

Yours sincerely

Legal Directorate



We keep and use information in line with the Data Protection Act 1998. We may release this personal information to other UK government departments and public authorities.