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|  MoJ_BLK_SML |  |  |
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|  | **Our Reference:** 108125 |   | November 2016 |

**Freedom of Information Request**

You asked for the following information from the Ministry of Justice (MoJ):

1. ***Please send me the number of legal aid certificates for discrimination issued in each of the last 4 years.***
2. ***Please identify how many were, and were not, issued through the Civil Legal Advice Gateway route.***

Your request has been handled under the Freedom of Information Act 2000 (FOIA).

I can confirm that the department holds information that you have asked for.

Please note that as the Civil Legal Advice gateway came into existence as of April 2013, therefore this is the earliest period for which data regarding part 2 of your request will exist. We have therefore interpreted ‘the last 4 years’ specified by your request as 2013/14 up to the current financial year.

I am afraid that I am unable to provide you with some of this information. This is because this information, if released, could lead to identification of the individuals concerned. This would be unlawful under the Data Protection Act 1998 (DPA) as it would be in breach of one or more of the Data Protection Principles.

The MoJ must consider whether disclosure of particular volumes could lead to the identification of individuals, and therefore whether disclosure of such information would be in breach of our statutory obligations under the Data Protection Act (DPA). We are not obliged (under section 40(2) of the FOIA) to provide information that is the personal information of another person, if releasing THIS would contravene any of the provisions in the Data Protection Act 1998 (DPA). We believe that the release of the some of the information you have requested would risk identification of the individuals concerned, and therefore be unlawful under the DPA.

For this reason, MoJ has chosen not to provide an exact figure in cases where the true number falls between one and three. However, it should not be assumed that the actual figure represented falls at any particular point within this scale; an asterisk is used as a replacement value from which it would be difficult to isolate or extract any individual data.

Please note that as our published statistics for the FY 2016/17 currently cover up to June 2016, volumes for this year are limited to the first quarter only.

**Table showing the number of legal aid certificates granted for discrimination matters, which originated through the Civil Legal Advice Gateway:**

|  |  |  |
| --- | --- | --- |
|   | Discrimination certificates granted | Certificates originating through CLA Gateway |
| 2013/14 | 5 | \* |
| 2014/15 | 11 | 8 |
| 2015/16 | 5 | 4 |
| Apr – Jun 16 | \* | \* |

You can find out more about Section 40(2) by reading the extract from the Act and some guidance points we consider when applying the exemption, attached at the end of this letter.

You can also find more information by reading the full text of the Act (available at <http://www.legislation.gov.uk/ukpga/2000/36/section/40>)

The Data Protection Act can be found at the following link: <http://www.legislation.gov.uk/ukpga/1998/29/contents>