

26 August 2020

Dear [REDACTED]

Freedom of Information Act (FOIA) Request – 200807012

Thank you for your request dated 7 August in which you asked for the following information from the Ministry of Justice (MoJ):

'I am wanting as I wish to create a more balanced attitude in the UK to the costs of immigration litigation costs that are supported by legal aid.

I am therefore asking a formal request for the disclosure of two pieces of information:

The total costs of legal aid issued to legal representatives annually over the period of 2014 - 2019.

The total costs of legal aid issued to legal representatives annually over the period of 2014 - 2019 that related to asylum seekers'

Your request has been handled under the FOIA.

I can confirm that the MoJ holds some of the information that you have requested. However, the information is exempt from disclosure under section 21 of the FOIA, because it is reasonably accessible to you. The information can be accessed via the following link <https://www.gov.uk/government/statistics/legal-aid-statistics-january-to-march-2020> and the relevant tables are 6.5 for civil representative work and table 5.3 for legal help which has an asylum/non-asylum split.

However, the MoJ does not hold costs of legal aid paid in respect asylum seekers. This is because whether an applicant is an 'asylum seeker' is not recorded by the Legal Aid Agency (LAA). It may be helpful to note that applicants can often have more than one application for legal aid, and therefore the volume of applications for legal aid does not equate to the volume of applicants.

The FOIA does not oblige a public authority to create information to answer a request if the requested information is not held. The duty is to only provide the recorded information held.

Appeal Rights

If you are not satisfied with this response you have the right to request an internal review by responding in writing to one of the addresses below within two months of the date of this response.

data.access@justice.gov.uk

Disclosure Team, Ministry of Justice

You do have the right to ask the Information Commissioner's Office (ICO) to investigate any aspect of your complaint. However, please note that the ICO is likely to expect internal complaints procedures to have been exhausted before beginning their investigation.

Yours sincerely

**Information Governance
Legal Aid Agency**