



Ministry of Defence

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Ref: Army/PolSec/Y/P/P/FOI2024/13411

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23 August 2024

Dear [REDACTED]

Thank you for your email of 22 July 2024 in which you requested the following information:

- 1. As of the date of this request, please can you tell me the total costs incurred by your organisation in relation to the Scottish Child Abuse Inquiry public inquiry.*
- 2. If possible, please can you provide a breakdown of these costs (such as legal, staffing or the hire of external consultants).*
- 3. And please can you tell how much, if any, of this expense has been reimbursed by the public inquiry as per its mechanism for some participants to claim back legal expenses incurred.*
- 4. Again, if possible, please provide any details you hold of how much human resource has gone into your Scottish Child Abuse Inquiry commitments (such as the number of staffing hours taken so far or how many officials have worked on the responses).*

I am treating your correspondence as a request for information under the Freedom of Information Act (FOIA) 2000. A search for the information has now been completed within the Ministry of Defence, and I can confirm that some information in scope of your request is held.

I can advise that some of the information in scope of your request falls entirely within the scope of the exemption provided for at Section 40 (Personal Data) of the FOIA and has been withheld. Section 40(2) has been applied to some of the information in order to protect personal information as governed by the Data Protection Act 2018.

Section 40(2) requires the Department to conduct a balancing exercise, this exercise involves balancing the rights and interests of individuals against the legitimate interests in disclosure, this is not the same as carrying out the public interest test

associated with certain exemptions in FOIA. The balancing exercise is carried out in order to decide whether the absolute exemption in section 40(2) is engaged. In particular, there is no assumption of disclosure in the legitimate interests test, as there is with qualified exemptions. The outcome of the balancing exercise lay in withholding the third-party personal data identified in the attached information.

Part one and two: We do not hold total costs, however we do hold information on legal costs. Total legal fees rendered to date are £89,944.25 plus VAT, excluding outlay and Counsel costs. Counsel costs are exempt from release under Section 40(2) of the FOIA.

Part three: No monies have been reimbursed.

Part four: No information is held as this has not been recorded.

If you have any queries regarding the content of this letter, please contact this office in the first instance. Following this, if you wish to complain about the handling of your request, or the content of this response, you can request an independent internal review by contacting the Information Rights Compliance team, Ground Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail CIO-FOI-IR@mod.uk). Please note that any request for an internal review should be made within 40 working days of the date of this response.

If you remain dissatisfied following an internal review, you may raise your complaint directly to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not normally investigate your case until the MOD internal review process has been completed. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website at <https://ico.org.uk/>.

Yours sincerely,

Personnel Leader B
Army Policy and Secretariat