

Reference: 2025-019

Thank you for your email dated 10 February 2025 in which you requested the following information under the Freedom of Information Act 2000 (FOIA):

- 1. How many hours have been logged on the SFO investigation into Rio Tinto, broken down by year?**
- 2. What are the costs to the SFO across each year of the investigation, broken down by year? Please break the costs down, as you have for instance in this release for the case you brought against British American Tobacco.**
- 3. How many Section 2 Interviews were undertaken in the SFO investigation into Rio Tinto?**

Response

Question 1

This information is not held in the format requested.

Questions 2 & 3

I can confirm that the SFO does hold this information.

Our total costs for our investigation into Rio Tinto are £4,681,478.

However, we judge that sections 27(1) and 31(1) are engaged by your request for a breakdown of these costs across each year of the investigation and the number of section 2 interviews undertaken by the SFO.

Section 31(1) provides that:

Information which is not exempt information by virtue of section 30 is exempt information if its disclosure under this Act would, or would be likely to, prejudice—

- (a) the prevention or detection of crime,*
- (b) the apprehension or prosecution of offenders,*
- (c) the administration of justice.*

Section 31 permits the exemption of information from release when the “disclosure of which would, or would be likely to, prejudice certain specified law enforcement matters”.

The SFO investigates and prosecutes only the most serious or complex fraud, bribery and corruption. We have a relatively small caseload and disclosing the requested breakdown of cost information could add to a detailed picture of how the SFO decides to deploy its resources within and between the lifecycle of a case.

In relation to question 2, section 27(1)(a) provides that:

Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice relations between the United Kingdom and any other State.

This exemption is engaged because of the prejudice or likely prejudice caused to relations with the Australian investigative authorities by making public information which may impact their open investigation. As we have indicated in our response to your previous FOIA request (2024-070), the SFO closed the investigation into Rio Tinto in 2023, the Australian Federal Police (AFP) maintains a live investigation and we continue to support its ongoing case.

Public interest test

Both sections 27 and 31 are qualified exemptions and therefore require consideration of the public interest test. The SFO has balanced the public interest in maintaining strong co-operative international links and preventing prejudice to our law enforcement functions against factors which favour disclosure. For example, the SFO recognises the public interest in transparency and accountability in relation to the SFO's cases. However, we comply with our transparency obligations through the publication of [our Annual Reports and Accounts](#), and other corporate information is available through [our Publication Scheme](#). We publish case related material when it is appropriate to do so on our website here: [Find an SFO case - GOV.UK](#).

We consider that the stronger public interest lies in maintaining the exemption at section 31(1) of the FOIA. We are satisfied that releasing the information you have requested could provide details that could reveal detail of our methodology and techniques which should not be in the public domain. Furthermore, the SFO believes that there is a clear public interest in ensuring the effectiveness of the UK's relationships with international prosecution and law enforcement agencies. Given the context of the AFP's open investigation, the public interest in not disclosing a cost breakdown in this case specifically outweighs the public interest in not disclosing it at this stage.