



Government Legal Department

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[REDACTED]

Ref No: FOI 26_079

22nd June 2026

Dear [REDACTED]

Thank you for your email of 25 May 2026 containing your request for information. The Government Legal Department ("GLD") have considered your request under the Freedom of Information Act 2000 ("the Act", "FOIA")

Request

Under the Freedom of Information Act 2000, I am requesting information regarding expenditure and internal policy guidelines relating to the instruction of external barristers (Counsel) for low-value civil litigation where the Cabinet Office was the Defendant and the Government Legal Department (GLD) acted as the instructing solicitors.

Please provide the following information for the financial years 2024/25 and 2025/26:

PART 1: DATA REQUEST

1. The total amount spent on external barrister fees (including VAT) to defend civil claims against the Cabinet Office where the specific financial value of the claim/dispute was less than £100.

2. The total number of individual cases that meet these criteria.

PART 2: POLICY & PROCEDURE REQUEST

3. Copies of internal policies, guidelines, frameworks, or risk-assessment guidance used by the department regarding the selection and procurement of Attorney General's Panel Counsel (Tiers A, B, or C).

4. Any specific policy document or guidance that dictates whether the financial value (quantum) of a civil claim against the department should limit or influence the tier, seniority, or cost of the barrister instructed to defend it.

5. Any guidelines regarding what constitutes a "test case" or "precedent-setting case" that would justify the instruction of senior or higher-cost Counsel to defend a low-value financial claim (e.g., claims under £100).

Section 12 (Advice and Assistance / Cost Limit Handling):

If isolating the financial data in Part 1 specifically by a 'claim value of less than £100' requires a manual file review that triggers a Section 12 cost exemption, please apply the following staged fallbacks to fulfill that part of the request within the statutory cost limit:

- Fallback A: Provide the total number of cases and total spend for all Cabinet Office civil litigation files where individual barrister invoices/disbursements paid were £500 or less.

- Fallback B: If Fallback A is unavailable, provide a raw, anonymized spreadsheet (Excel/CSV) extract of all external barrister invoices/disbursements paid for Cabinet Office civil litigation during this period, showing only the Case Reference, Invoice Date, and Invoice Amount, so that I may calculate the parameters manually.

Please note that even if Part 1 requires adjustment under Section 12, Part 2 requests readily available central policy documents and should be fulfilled regardless

Response

Pursuant to Section 1(1)(a) of the Act, GLD confirms that it partially holds the information you have requested.

Part 1: Data Request

1. £175
2. 1

Part 2: Policy and Procedure Request

3. Annex A is a redacted version of GLD's internal guidance on use of counsel.
Annex B is GLD's internal guidance on nominations of counsel.
4. Annex A is a redacted version of GLD's internal guidance on use of counsel.
5. None

Your Rights

If you are dissatisfied with the handling of your request, you have the right to ask GLD for an internal review. Internal review requests should be submitted to GLD within two months of the date of receipt of the response to your original correspondence. Please use the contact details provided at the top of this letter in order to request an internal review relating to your original request.

Please remember to quote the reference number above in any future communications.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
www.ICO.org.uk

Yours sincerely,

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