



Government Legal Department

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[REDACTED]

18/09/2025

Ref No: FOI 25_191

Dear [REDACTED]

Thank you for your email of 4th September 2025 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 request the following information held by the Government Legal Department in relation to claims where GLD acted for the Ministry of Defence and which arose from incidents overseas in Kenya involving UK Service personnel (or MoD civilians/contractors acting in the course of their duties):

Timeframe: 1 January 2015 – 31 December 2025.

Please provide, for each calendar year in this period:

1. **Volume and value**
 - The number of legal claims handled.
 - The total value paid in damages/compensation (excluding legal costs).
 - The total value paid in claimant legal costs (if recorded).
 - The total value of MoD/GLD defence costs recovered from claimants (if recorded).
2. **Disaggregation by incident location (host country)**
 - For each host country: number of claims and total damages paid.
3. **Claim type and outcomes (aggregated)**
 - By broad claim category (e.g., personal injury, sexual offences/assault, road traffic accident, environmental/property damage, unlawful detention/mistreatment, other): number of claims and total damages paid.
 - Outcomes: settled, discontinued/withdrawn, dismissed, judgment for claimant, judgment for defendant (counts only).
4. **Mechanism of resolution (aggregated)**
 - Administrative settlement (pre-action), UK court judgment, host-nation court judgment, mediated settlement, other (counts only).

If providing the above at full granularity would exceed the appropriate limit under s.12 FOIA, please provide items (1) and (2) in full, and then provide items (3) and (4) at the **whole-of-year** level (i.e., without host-country breakdown). I am content to receive the data in tabular form (CSV or XLSX). I am not seeking personal data; please redact any personal identifiers as needed.

For the avoidance of doubt, this request includes matters conducted by GLD on behalf of the MoD even where proceedings were issued against the Secretary of State for Defence or another MoD legal title.

Response

Pursuant to Section 1(1)(a) of the Freedom of Information Act 2000, GLD confirms that it holds the information you have requested. However, we are refusing your request under Section 12 of the Act, as the cost of compliance would exceed the appropriate limit.

GLD are unable to provide this information as we have estimated that cost of complying with your request (both your main request at 1. – 4., and your suggested reformulation if the s. 12 limit is exceeded) would exceed the appropriate limit, set at £600 for Central Government. This means compliance with your request would require more than 24 hours work, at the flat rate of £25 per hour, per person.

Section 12 of the Act makes clear that a public authority (such as the GLD) is not obliged to comply with a request if the authority estimates the cost of complying with the request would exceed the 'appropriate limit'.

In accordance with s16 FOI Act we would advise you to refine the request, to specify further the information required, as there is at least one identifiable case in our records in relation to which we could provide information.

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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