



Government Legal Department

Operations
102 Petty France
Westminster
London
SW1H 9GL

+44 (0)20 7210 3000
FOI@governmentlegal.gov.uk
www.gov.uk/gld

[REDACTED]

Ref No: FOI 25_203

30/10/2025

Dear [REDACTED],

Thank you for your email of 09th 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"). Please accept our sincere apology for the delay of our response.

Request

I would like to request the following information:

(1) I would like to request all internal and external correspondence and communications that mention, or refer to, the following request:

A FOI request I sent on 16th July 2025 regarding the super-injunction costs. I do not have a reference number.

(2) I would like to request all correspondence and communications between this department and the Cabinet Office in relation to the following request:

A FOI request I sent on 16th July 2025 regarding the super-injunction costs. I do not have a reference number.

Response

Pursuant to Section 1(1)(a), GLD confirms that it holds the information you have requested. However, in the reasonable opinion of GLD's qualified person, the Treasury Solicitor, the disclosure of the information held by GLD would be likely to prejudice the Government's ability to effectively conduct its public affairs. Section 36(2)(b)(ii) inhibiting the free and frank exchange of views for the purposes of deliberation.

Section 36(2) of the FOIA states:

Information to which this section applies is exempt information if, in the reasonable opinion of a qualified person, disclosure of the information under this Act—

(b) would, or would be likely to, inhibit—

(i) the free and frank provision of advice, or

(ii) the free and frank exchange of views for the purposes of deliberation, or

(c) would otherwise prejudice, or would be likely otherwise to prejudice, the effective conduct of public affairs.

The qualified person has been consulted, and in their reasonable opinion, disclosure of the requested information would be likely to inhibit (ii) the free and frank exchange of views for the purpose of deliberation. We have therefore determined that the Section 36 exemption is engaged.

As Section 36 is a qualified exemption, we are required to carry out a public interest test to determine whether the public interest lies in maintaining the exemption or disclosing the information. Our public interest test considerations are detailed below:

We recognise and respect that there is a public interest in promoting transparency, accountability, and public understanding, however on balance of the above factors, we conclude that disclosure of the requested information would be likely to inhibit the exchange of views for the purposes of deliberation, and that the public interest therefore lies in maintaining the exemption. Accordingly, in line with Section 36(2)(b)(ii) of the FOIA, the information is withheld, and this response acts as a refusal notice under Section 17.

Public Interest Test

Factors in Favour of Disclosure	Factors Against Disclosure
Clear public interest in subject matter.	The free and frank exchange of views on a high-profile topic across government departments include but not limited to discussions of what may /may not be in scope of the request due to the broad area of legal work that had and continues to be undertaken on this high-profile area of work. The nature of these deliberations was neither expected nor intended to be made public
Promotion of good government through openness, transparency and accountability, which may increase public trust and engagement in both the government and governing processes.	There is a strong public interest in protecting Government officials' ability to hold work-related discussions and freely and frankly exchange and discuss their views. If this freedom was undermined by the release of this information, then this could result in less robust, well-considered options for officials to consider for maximum effectiveness.
A furthering of public understanding of government processes and decision making and therefore the position taken by government. This may contribute to the reducing natural barriers between government and the public.	There is a clear public interest in protecting the Government's ability to discuss and reach well informed decisions and conclusions, and that such considerations applied in only a minor number of cases such that it was continuing to withhold the requested information on this particular matter and therefore maintain the exemption.

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,

Freedom of Information Team
Operations, Government Legal Department
102 Petty France, Westminster
London, SW1H 9GL
FOI@governmentlegal.gov.uk