



Your ref: [REDACTED]  
Our ref: RFI 6690  
Date: 22 July 2014

Dear

**REQUEST FOR INFORMATION: External Legal Advice**

Thank you for your request for information about spend on external legal advice in 2010/11, 2011/12, 2012/13 and 2013/14, which we received on 26 June 2014. We have handled your request under the Freedom of Information Act 2000 (FOIA).

You asked:

*I would like to make the following freedom of information request:*

*To ask how much the Department spent in total on external legal advice in 2010/11, 2011/12, 2012/13 and 2013/14*

*The top ten payments in each year, plus to whom it was paid and for what reason*

The information we have available is shown in the table below. Our finance systems do not enable us to distinguish between legal advice and representation, and other related costs such as disbursements, other side's costs, settlements and possibly other services which are coded in the same way as legal services. The data therefore shows payments made for legal services and related costs in each particular financial year.

Year	Spend
2010-11	£716,717
2011-12	£850,039
2012-13	£990,131
2013-14	£1,709,151

The FOIA requires us to help people obtain the information they are looking for. Unfortunately, to answer your question would require us to undertake extensive investigations across the Department in order to identify the top ten payments in each of these years, and this would involve a significant cost and diversion of resources from the

Department's other work. A single purchase order on the system can often cover a number of different, small commissions from a single supplier. Conversely, multiple purchase orders are sometimes raised for a single complex piece of work.

Section 12(1) of the FOIA allows us to refuse a request for information if we estimate that the cost of complying with the request would exceed the appropriate limit, which currently stands at £600. On the basis of our estimates, we consider that the cost would exceed this limit and, as such, we are refusing this element of your request.

Payments above £25,000 are published on [www.data.gov.uk](http://www.data.gov.uk) under the government transparency agenda.

Defra's legal team transferred to the Treasury Solicitors Department on 1 September 2011. The data does not include advice from Treasury Solicitors and Parliamentary Counsel. Defra cannot distinguish between payments relating to fees incurred for work done for Executive Agencies as opposed to the Core Department. Defra do not hold data on any payments made to legal firms direct by Executive Agencies.

In keeping with the spirit and effect of the FOIA, and in keeping with the government's Transparency Agenda, all information is assumed to be releasable to the public unless exempt. Therefore, the information released to you will now be published on [www.gov.uk](http://www.gov.uk) together with any related information that will provide a key to its wider context. Please note that this will not include your personal data.

I attach Annex A, which explains the copyright that applies to the information being released to you.

I also attach Annex B giving contact details should you be unhappy with the service you have received.

If you have any queries about this letter, please contact me.

Yours sincerely,

Jon Lowi  
Defra Finance

## **Annex A Copyright**

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## **Annex B**

### **Complaints**

If you are unhappy with the service you have received in relation to your request you may make a complaint or appeal against our decision under section 17(7) of the FOIA or under regulation 18 of the EIRs, as applicable, within 40 working days of the date of this letter. Please write to Mike Kaye, Head of Information Standards, Area 4D, Nobel House, 17 Smith Square, London, SW1P 3JR (email: [requestforinfo@defra.gsi.gov.uk](mailto:requestforinfo@defra.gsi.gov.uk)) and he will arrange for an internal review of your case. Details of Defra's complaints procedure are on our [website](#).

If you are not content with the outcome of the internal review, section 50 of the FOIA and regulation 18 of the EIRs gives you the right to apply directly to the Information Commissioner for a decision. Please note that generally the Information Commissioner cannot make a decision unless you have first exhausted Defra's own complaints procedure. The Information Commissioner can be contacted at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF