



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

FREEDOM OF INFORMATION REQUEST



Request Number: F-2010-00748

Keyword: Finance

Subject: Legal Fees in the High Court

Request and Answer:

Question 1

I would like to request further information under the Freedom of Information Act in relation to previous request number F-2010-00031.

I would like to know how much money the PSNI has spent on legal fees in the High Court per year in the last three years.

Answer

Section 17(5) of the Freedom of Information Act 2000 requires the Police Service of Northern Ireland, when refusing to provide such information (because the cost of compliance exceeds the appropriate limit) to provide you the applicant with a notice which states that fact.

It is estimated that the cost of complying with your request for information would exceed the "appropriate costs limit" under Section 12(1) of the Freedom of Information Act 2000, which is currently set by the Secretary of State at £450.

In order to provide the cost of High Court legal fees for the last three years our Legal Services Team would be required to carry out extensive searches which, it is estimated, would take the cost of your request over the threshold.

To determine defendants' costs would involve manual checks of all the monthly invoices from the Crown Solicitor's Office. Each one would then require cross referencing against the claim details on the database to pin point which cases were High Court files.

Claimant fees cost retrieval would require interrogation of the Integra Finance system to establish payments made, cross checking this against the file reference number on our database and then pin pointing which cases were High Court files.

It is estimated that there are around 2 thousand payments made each year. To cross reference these against the database, allowing 5 minutes per invoice equates to around 167 hours which is well in excess of the "appropriate costs limit" under Section 12(1) of the Freedom of Information Act 2000, which is currently set by the Secretary of State at £450 (18 hours).

In accordance with the Freedom of Information Act 2000, this letter should be considered as a Refusal Notice, and the request has therefore been closed.

Although we are unable to provide a separate figure for High Court cases, the Legal Services team has confirmed that at present the majority of PSNI's cases are High Court cases with a smaller number being County Court cases or 'in-house' settlements. In light of this, and in an effort to provide you with some information, please find below the overall figure in respect of legal fees as follows:-

2006/07

Defendant Fees (PSNI)	- £1,229,371
Claimant Fees	- £1,495,471
Total	-£2,724,842

2007/08

Defendant Fees (PSNI)	- £2,498,006
Claimant Fees	- £2,038,873
Total	- £4,536,879

2008/09

Defendant Fees (PSNI)	- £2,630,477
Claimant Fees	- £3,382,192
Total	- £6,012,669

2009/10 - to date

Defendant Fees (PSNI)	- £3,106,458
Claimants Fees	- £3,373,597
Total	- £6,480,055

Please note the figures supplied are in respect of all legal fees paid - County Court, High Court and in house settlements. They also include the costs previously given re request F-2010-00031.

The Police Service of Northern Ireland have also considered whether we can be of any assistance in terms of helping you refine your request to bring it under the cost limit however the nature and structure of the information unfortunately makes this impossible.

If you have any queries regarding your request or this decision please do not hesitate to contact me on 028 9070 0164. When contacting the Freedom of Information Team, please quote the reference number listed at the beginning of this letter.

If you are dissatisfied in any way with the handling of your request, you have the right to request a review. You should do this as soon as possible, or in any case within two months of the date of issue of this letter. In the event that you require a review to be undertaken, you can do so by writing to the Head of Freedom of Information, PSNI Headquarters, 65 Knock Road, Belfast, BT5 6LE or by emailing foi@psni.pnn.police.uk.

If following an internal review, carried out by an independent decision maker, you were to remain dissatisfied in any way with the handling of the request you may make a complaint, under Section 50 of the Freedom of Information Act, to the Information Commissioner's Office and ask that they investigate whether the PSNI has complied with the terms of the Freedom of Information Act. You can write to the Information Commissioner at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. In most circumstances the Information Commissioner will not investigate a complaint unless an internal review procedure has been carried out, however the Commissioner has the option to investigate the matter at his discretion.

Please be advised that PSNI replies under Freedom of Information may be released into the public domain via our website @ www.psnipolice.uk

Personal details in respect of your request have, where applicable, been removed to protect confidentiality.