



Home Office

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BritCits
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8th April 2015

Dear BritCits,

Thank you for your email of 10th March where you requested further information with regards to our previous response (ref: 33710). A full copy of your request can be found in the attached annex. Please note, as you have not asked for recorded information, your request has been outside of the Freedom of Information Act 2000.

You specifically asked the following:

- 1) Confirm whether or not the £131.27m includes VAT

The figure of £131.27m includes VAT where it is irrecoverable (e.g. on counsels' fees until last December) but is net of recoverable VAT (e.g. on legal advice)

- 2) Explain where the Home Office has spent the balance of £74.05m, as it appears your main legal service provider is not the recipient of the majority of your expenditure.

Although we pay almost all of our costs via TSols, they will not report a large proportion of them as part of their income. This is because TSols act as agents for the Home Office where we pay adverse legal costs, compensation etc. to third parties. The Home Office puts TSols in funds and they then pay the third party via their Client Moneys Account, but as these funds simply pass through TSols they are not included in their financial statements and so would not be included in the figure of £52.57m.

Also, you mention in your email that our previous response stated that the total Home Office litigation expenditure on immigration and asylum cases was £131.27m. This is not true. Our previous response informed you that the figures provided included litigation costs for the entire immigration and asylum group. They included the costs for commercial disputes and HR cases, as well as other functions, not just immigration and asylum cases.

I hope this has provided you with clarification.

Yours sincerely,

A Anokwuru
Information Access Team

Annex - Information requested

On 5th March you responded to an FOI request indicating that in the years 2011-14, total Home Office litigation expenditure on immigration and asylum cases was £131.27m.

<https://www.whatdotheyknow.com/request/220174/response/625065/attach/3/33710%20Response.pdf>

You have also confirmed that Treasury Solicitors are your main providers of legal services.

However, information obtained from T-Sol

(https://www.whatdotheyknow.com/request/fees_from_home_office_2#outgoing-373848)

indicates that in the years 2011-14, they received £52.27m including VAT in immigration and asylum fees from the Home Office.

Could you please

- 1) confirm whether or not the £131.27m includes VAT and
- 2) explain where the Home Office has spent the balance of £74.05m, as it appears your main legal service provider is not the recipient of the majority of your expenditure.