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| Ministry of JusticeMatthew Jacksonrequest-429954-d8313a6b@whatdotheyknow.com | Data Access & Compliance UnitMinistry of Justice102 Petty France LondonSW1H 9AJdata.access@justice.gsi.gov.uk 3 October 2017 |

Dear Mr Jackson

**Freedom of Information Act (FOIA) Request – 170906007**

Thank you for your request dated 6 September in which you asked for the following information from the Ministry of Justice (MoJ):

**Copies of email, postal or other written communications:**

**(i) Sent from the Ministry of Justice ("MoJ") to the Solicitors' Regulation Authority ("SRA") or the Solicitors Disciplinary Tribunal ("SDT");
(ii) Sent from the SRA or SDT to the MoJ;
(iii) Sent from the MoJ to the Ministry of Defence ("MoD"); or
(iv) Sent from the MoD to the MoJ**

**Concerning:**

**(a) the prosecution of Leigh Day, Martyn Day, Sapna Malik, and/or Anna Crowther ("the Parties") before the SDT; or
(b) the investigation of the Parties (or others employed by Leigh Day) by the SRA.**

Your request has been handled under the FOIA.

I can confirm the MoJ holds some of the information you have requested. However, to provide as the request currently stands would exceed the cost limit set out in the FOIA.

Section 12(1) of the FOIA means public authorities are not obliged to comply with a request for information if it estimates the cost of complying would exceed the appropriate limit. [The appropriate limit for central government is set at £600.](http://www.legislation.gov.uk/uksi/2004/3244/pdfs/uksi_20043244_en.pdf) This represents the estimated cost of one person spending 3.5 working days determining whether the department holds the information, and locating, retrieving and extracting the information.

We believe that the appropriate cost limit would be exceeded in asking numerous staff in several different parts of the MoJ to look through all emails, and copies of written communications, sent and received over the last number of years, to check which ones were to or from the Solicitors Regulation Authority, the Solicitors Disciplinary Tribunal, or the Ministry of Defence, and which of these might be about either: the prosecution of law firm Leigh Day, Martyn Day, Sapna Malik or Anna Crowther before the SDT; or the investigation of any of them (or others employed by Leigh Day) by the Solicitors Regulation Authority. Consequently, we are not obliged to comply with your request.

Although we cannot answer your request at the moment, we may be able to answer a refined request within the cost limit. You may wish to consider, for example, specifying a period of time or narrowing the scope of your request. Please be aware that we cannot guarantee at this stage that a refined request will fall within the FOIA cost limit, or that other exemptions will not apply.

For guidance on how to structure successful requests please refer to the ICO website on the following link: <http://ico.org.uk/for_the_public/official_information>

<http://www.legislation.gov.uk/uksi/2004/3244/pdfs/uksi_20043244_en.pdf>

**Appeal Rights**

If you are not satisfied with this response you have the right to request an internal review by responding in writing to one of the addresses below within two months of the date of this response.

data.access@justice.gsi.gov.uk

Data Access and Compliance Unit, Ministry of Justice, 10.38, 102 Petty France, London, SW1H 9AJ

You do have the right to ask the Information Commissioner’s Office (ICO) to investigate any aspect of your complaint. However, please note that the ICO is likely to expect internal complaints procedures to have been exhausted before beginning their investigation.

Yours sincerely

John Russell

International and Legal Services Division