

Angus Files  
request-441466-865ad138@whatdotheyknow.com

data.access@justice.gsi.gov.uk

29 December 2017

Dear Mr Files

**Freedom of Information Act (FOIA) Request – 171129001**

Thank you for your request dated 29 November 2017 in which you asked for the following information from the Ministry of Justice (MoJ):

***“Can you instead supply the overall costs of legal aid in the narcolepsy with cataplexy caused by H1n1 vaccine cases.”***

Your request has been handled under the FOIA.

I can confirm the MoJ holds information that you have requested, however this information is exempt from disclosure under section 31(1)(c) of the FOIA, because it would if disclosed be likely to prejudice the administration of justice.

Section 31 is a qualified exemption which means that the decision to disclose the requested material is subject to the public interest test. When assessing whether or not it was in the public interest to disclose the information to you, we took into account the following factors:

**Public interest considerations favouring disclosure**

- Disclosure of information held by MoJ would be consistent with the Government’s wider commitment to transparency.

**Public interest considerations favouring withholding the information**

- Disclosure of information which would be prejudicial to the position of the relevant part(ies) involved would not be in the interests of justice,
- Our position must be an impartial one – disclosing information which would be likely to give rise to such prejudice occurring would in effect compromise that impartiality,
- Existing legislation provides what interested parties are entitled to be informed of in relation to either live or proposed proceedings. To disclose information over and above those provisions would be contrary to the spirit of such regulations.

On balance, I consider the public interest favours withholding the information at this time.

## **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](mailto: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

Information Governance  
Legal Aid Agency, Ministry of Justice