



Ministry  
of Justice

Disclosure Team  
Ministry of Justice  
102 Petty France  
London  
SW1H 9AJ

Angus Files  
request-549339-2f033402@whatdotheyknow.com

data.access@justice.gov.uk

1 March 2019

Dear Mr Files

**Freedom of Information Act (FOIA) Request – 190201008**

Thank you for your request dated 1 February 2019 in which you asked for the following information from the Ministry of Justice (MoJ):

***In March 2003 seven litigant children and their families from the MMR litigation flew to America to undergo lumbar punctures at a facility in Michigan as part of their legal case in the group action. Under the FOIA 2000, please confirm whether or not the LSC (predecessor to the LAA) (a) agreed to this (b) funded it, and (c) provide details of how much it cost in total.***

Your request has been handled under the FOIA.

I am unable to confirm if the MoJ holds the information you have requested within the cost limit. Section 12(2) 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.](#) This represents the estimated cost of one person spending 3.5 working days determining whether the department holds the information.

In this instance to determine if all of the information requested is held we would be required to search through all of the matters funded under the heading of 'MMR litigation', totalling some 1,300 certificates. We would then need to analyse all of the disbursements authorised in each to determine whether any of these included the expenses you have enquired about. This would exceed the appropriate limit. Consequently, we are not obliged to comply with your request.

You may wish to consider, for example, providing information which would assist with locating the relevant files, for example names and dates of birth of the litigants in question. Please be aware that we cannot guarantee at this stage that the information you have asked for is held as this may have been destroyed in accordance with corporate retention policies given the passage of time. We also cannot confirm that no other exemptions would apply to such a refined request – specifically section 40 of the FOIA which prohibits the disclosure of identifiable personal data of third parties.

### **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.gov.uk](mailto:data.access@justice.gov.uk)

Disclosure Team, 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**