



Reference Number:	F2014-001
Date of disclosure:	14 May 2914
Request summary:	Legal costs covered by IPSA regarding Jim McGovern's appeal
Exemptions used:	Section 42

**Request:**

*Under a FOI request, I would like to know that breakdown of the legal costs covered by the IPSA in regards to MP Jim McGovern's appeal over a £23.90 train ticket.*

**Response:**

The Compliance Officer for IPSA holds the information that you request.

The total paid in respect of the case brought to the First-Tier Tribunal by Jim McGovern MP was £27,322.74.

The costs relate to one solicitor and one barrister and include the cost of all preparatory work undertaken prior to the tribunal hearing and the costs incurred for the hearing itself. We have considered the way in which we could break this down further to provide you with the information you request and have concluded that a further and meaningful breakdown of the legal costs would also act to identify the specific content of the legal advice sought by the Compliance Officer in respect of this case, which is legally privileged.

Section 42 of the Freedom of Information Act (FOIA) provides an exemption for information that is protected by Legal Professional Privilege (LPP). For the purposes of the exemption, this covers communications between professional legal advisers and their clients, specifically for the purpose of obtaining legal advice, or documents created specifically for the purpose of litigation.

We have considered the public interest arguments, for and against release of the information you request.

The arguments considered in favour of disclosure:

- There is an inbuilt presumption in the FOI legislation that information requested should be released on request;
- There is a legitimate public interest in understanding how public funds are incurred;
- If no litigation is in prospect, the harm caused to the holder of LPP may be reduced

The arguments considered against disclosure:

- There is a strong inbuilt public interest in maintaining the principle of LPP;
- If litigation is in prospect, or underway, the harm caused to the holder of LPP may be increased.

After carefully considering the opposing public interest arguments in favour of engaging the exemption and in favour of releasing the information, there is, we believe, a strong and overriding public interest in maintaining the principle of legal professional privilege and, in turn, ensuring that the openness in communications between lawyers and clients is preserved and that the

administration of justice is assured. We are, therefore, refusing your request under section 42 of the FOIA.