



[REDACTED]

Date  
18 June 2024

[REDACTED]

Post Office  
100 Wood Street  
London EC2V 9ER

Your Ref:

**Classification:**  
Public

Dear [REDACTED],

## Freedom of Information Request – FOI2024/00871

We are writing in response to your email received by Post Office Limited (“**Post Office**”) on 29 May, which has been dealt with under the terms of the Freedom of Information Act 2000 (“**FOIA**”).

In your email you have requested the information shown verbatim in bold below:

**“Under the provisions of the Freedom of Information Act Act will you please inform me of the amount of fees paid to LORD NEUBERGER for providing advice to Post Office Limited that MR JUSTICE FRASER should recuse himself from the proceedings.”**

We confirm that Post Office does hold the information that you have requested, but we have withheld it under sections 40(2) and 40(3A) as well as 43(2) of the FOIA, which relate to personal data and commercial interests, respectively.

Sections 40(2) and 40(3A) exempt personal information from disclosure if that information relates to someone other than the applicant, and if disclosure of that information would breach any of the data-protection principles in Article 5(1) of the UK General Data Protection Regulation (GDPR).

We consider that disclosure of this information is likely to breach the first data-protection principle, which provides that personal data must be processed lawfully, fairly, and in a transparent manner. Disclosure would not constitute 'fair' processing of the personal data because the named individual would not reasonably expect the

amount of fees paid to them to be disclosed in relation to this request for information".

The information you requested is also being withheld under the exemption in section 43(2) of the FOIA, which relates to information which would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it).

In applying this exemption, we have had to balance the public interest in withholding the information against the public interest in disclosure. We recognise that there is a public interest in disclosure of the amount paid to the named individual as this helps to promote transparency in Post Office business and reassurance about the way public money is being spent. However, there is a strong public interest in withholding the information as it would likely, if disclosed, prejudice the commercial interests of Post Office, the named individual or, both.

Disclosure of this information may lead to future services being commercially exploited by third parties as it would be likely to weaken Post Office's ability to negotiate better value-for-money contracts. It would, therefore, not be in the public interest to disclose information if Post Office would be unable to operate in a fair marketplace regarding the competitive dialogue procedure and are commercially damaged by the release of the information.

If you are dissatisfied with the handling of this response, you do have a right to request an internal review. You can do this by writing to the address above within 40 working days of receipt of this response stating your reasons for your internal review request or alternatively, by emailing [information.rights@postoffice.co.uk](mailto:information.rights@postoffice.co.uk).

If, having requested an internal review by Post Office, you are still not satisfied with our response you also have a right of appeal to the Information Commissioner at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire SK9 5AF

Telephone: 0303 123 1113

[www.ico.org.uk/foicomplaints](http://www.ico.org.uk/foicomplaints)

Yours sincerely,

Information Rights Team

[information.rights@postoffice.co.uk](mailto:information.rights@postoffice.co.uk)

<https://corporate.postoffice.co.uk/en/governance/access-to-information/access-to-information/>

**Post Office Limited is committed to protecting your privacy, information about how we do this can be found on our website at [www.postoffice.co.uk/privacy](http://www.postoffice.co.uk/privacy)**