

11 September 2017

Freedom of Information Act (FOIA) Request – 113696

Thank you for your request dated 10 August 2017 in which you asked for the following information from the Ministry of Justice (MoJ):

1. Disclosure of the details of costs to the CPS/Ministry of Justice during the 2006-2009 extradition case of Vincent Bajinya (Brown), Charles Munyaneza, Emmanuel Nteziryayo and Celestin Ugirashebuja heard at Westminster Magistrates court/ High Court (appeal).

To include:

Cost of CPS legal assistance

Cost of Court staff and court time

2. Disclosure of the details of the legal aid monies paid during the 2013-2017 extradition case of Vincent Bajinya (Brown), Charles Munyaneza, Emmanuel Nteziryayo, Celestin Ugirashebuja and Celestin Mutabaruka heard at Westminster Magistrates court/Court of Appeal.2.

To include:

Cost of CPS legal assistance

Cost of Court staff and court time

3. Disclosure of the total amount paid by the Crown during these two extradition cases 2006-09, 2013-2017.

Your request has been handled under the FOIA.

I can confirm that the MoJ holds some of the information that you have requested. Costs incurred by the Crown/CPS would need to be sought from the Crown Prosecution Service, as such information is the responsibility of that organisation and hence is not held by MoJ. You can contact the CPS at FOIUnit@cps.gsi.gov.uk.

In terms of court costs, Her Majesty's Court and Tribunal Service (HMCTS) records the costs incurred in the operation of all our courts and tribunals and carefully monitors those costs on an ongoing basis. However, HMCTS does not record the cost of individual cases or hearings due to the complexity and additional costs this would incur. As such this information is not held and hence cannot be provided.

Information regarding 'legal aid monies' is held by MoJ and is accordingly provided below:

Question One

	2006-2009
Charles Munyaneza	£671,400.00
Celestin Ugirashebuja	£225,017.03
Vincent Bajinya	£170,744.75

Please note these costs would have been incurred by the Legal Services Commission rather than the MoJ, which was the organisation responsible for legal aid at that time.

Question Two

	2013-2017
Charles Munyaneza	£295,279.08
Celestin Ugirashebuja	£360,130.15
Celestin Mutabaruka	£322,504.90
Emmanuel Nteziryayo	£17,131.50

Question Three

Our responses to questions one and two answer question three.

Note above costs include VAT and disbursements, disbursements are expenses incurred which although paid by the LAA directly to the providers, are then paid to other parties involved in the case.

The Legal Aid Agency records data on legal aid awarded at the police station, magistrates court and prison law on a computer system which does not allow LAA to uniquely identify individuals, as it records names but does not record full names, dates of birth or any other means to allow the conclusive identification of specific individuals at this stage of the justice process. Therefore figures have been provided for these areas of the legal aid scheme only when the LAA have been able to verify that such claims relate to the individuals named in your request.

We have answered your request based on the extradition proceedings related to these individuals, which took place at Westminster Magistrates Court and the Royal Courts of Justice. In our previous response to you we also included sums regarding related civil proceedings. In light of your specifically requesting data regarding extradition proceedings, this FOIA enquiry has been answered on this basis only.

Legal aid is available for both Magistrate and Crown Court cases, subject to them being means tested. Applicants that meet the relevant means thresholds may still be required to pay a significant contribution to the costs of their defence. The Government has cut the fees paid to lawyers in criminal legal aid cases to ensure legal aid represents better value for the taxpayer.

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

**Information Governance
Legal Aid Agency**