

Reference: 20230009

20 March 2023

Dear I Brown

Thank you for your Official Information Act request, received on 11 January 2023. You requested the following:

1. *A full copy of the report T2020/3411, entitled Treasury Report: Justice baseline review final report; and*
2. *Any other baseline reports, other type of report, or analyses, involving consideration of referral to legal aid for the years 2018-2022 inclusive; and*
3. *Any other baseline reports, other type of report, or analyses, involving consideration of referral to crown, departmental, and police prosecutions, whether considered or referred to separately or jointly, for the years 2018-2022 inclusive.*

On 26 January 2023 Treasury attempted to contact you asking you to clarify what was meant by “consideration of referral” to legal aid and to crown, departmental and police prosecutions.

In the absence of clarification, we have interpreted part 2 and 3 of your request as any significant analysis Treasury has undertaken on legal aid and the Public Defence, Police Prosecution and Crown Prosecution Services between 2018 to 2022.

On 2 February 2023 we extended the timeframe for responding by 25 working days.

### Information being released

Please find enclosed the following documents:

Item	Date	Document Description	Decision
1.	22 December 2020	Treasury Report T2020/3411: Justice Baseline Review, Final Report	Release in part
2.	February 2021	MoJ Baseline Review – Analytical Report for Officials	Parts that are in scope are released in part
3.	17 February 2022	Treasury Report T2021/3094: Justice Cluster Spending Review Final Report	Release in part
4.	August 2022	Justice Cluster Spending Review – Analytical Report (FINAL)	Parts that are in scope are released in part

I have decided to release the relevant parts of the documents listed above, subject to information being withheld under one or more of the following sections of the Official Information Act, as applicable:

- under section 9(2)(g)(ii) – to maintain the effective conduct of public affairs through protecting Ministers, members of government organisations, officers and employees from improper pressure or harassment
- under section 9(2)(f)(iv) – to maintain the current constitutional conventions protecting the confidentiality of advice tendered by Ministers and officials
- under section 9(2)(g)(i) – to maintain the effective conduct of public affairs through the free and frank expression of opinions
- under section 9(2)(j) – to enable the Crown to negotiate without prejudice or disadvantage, and
- under section 9(2)(k) – to prevent the disclosure of information for improper gain or improper advantage.

Some information has been redacted because it is not covered by the scope of your request.

Please note that this letter (with your personal details removed) and enclosed documents may be published on the Treasury website.

This reply addresses the information you requested. You have the right to ask the Ombudsman to investigate and review my decision.

Yours sincerely



Colin Hall  
**Manager, Justice, Security and Government Services**