

GREATER LONDON AUTHORITY

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[REDACTED]
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Our Ref: MGLA180620-5206

28 August 2020

Dear [REDACTED]

Thank you for your further correspondence which the Greater London Authority (GLA) received on 17 June 2020. Please accept my apologies for the delay in responding. Your request has been dealt with under the Freedom of Information Act 2000 (the Act).

You asked for:

I would like to request any and all information regarding the following, throughout the time that Mr. Johnson was Mayor of London:

1. Every time Mayor of London Boris Johnson and his GLA team engaged Michael Supperstone QC for legal advice or any other services. Mr Supperstone was a barrister of 11KBW: <https://www.11kbw.com/> when he was a practicing lawyer. He often worked with a barrister called Jason Coppel, please search that name also.
2. The amount of money paid to Mr. Michael Supperstone QC or Mr. Coppel by Mayor of London Boris Johnson and his GLA team.
3. Any events, meetings, or other gatherings that Mr. Michael Supperstone QC, Jason Coppel, Brian Barker, or Anne Rafferty was invited to or involved in that Mr. Johnson also attended.
4. Any information held by the Mayor's Office and GLA that includes Michael Supperstone QC, Jason Coppel, Brian Barker or Anne Rafferty's name during the time that Mr. Boris Johnson was the Mayor of London,

You also provided some further context which is annexed to this response in order to assist the GLA with its searches for relevant information.

Our response to your request is as follows:

1. We hold limited records relating to your request. As noted below at point 4, although we have identified some records containing legal advice that had been requested and provided by Michael Supperstone QC during the time period specified, we believe that this information is exempt from disclosure under sections 42 and 40(2) of the Act (please see below). From the limited information available and that is not exempt from disclosure, we

confirm that Michael Supperstone QC gave advice to the GLA's Legal team on the following dates:

- 5 June 2008
 - 30 June 2008
 - 24 July 2008
2. We cannot find any payments which relate to Michael Supperstone Q.C, 11KBW or Jason Coppel on our Finance system. The payment you have identified was made in 2008 and was recorded in an accounts system in which we no longer hold the data. We do not hold any other supporting documentation for the payment you referenced.

From our search of records, we have identified a purchase order for the sum of £4,950.00 for advice given by Michael Supperstone QC to the GLA's legal team between May and June 2008.

3. As mentioned in my previous response, all email accounts belonging to the former Mayoral team have now been deleted. As you are aware, the records we hold of the former Mayor's diary are published on our Disclosure Log.
4. We have identified records containing legal advice requested from and received by Michael Supperstone QC. We believe that this information is exempt from disclosure under sections 42 and 40(2) of the Act.

Legal advice remains subject to legal professional privilege and is therefore exempt under section 42. Legal Professional Privilege (LPP) protects confidential communication between lawyers and clients, and is a fundamental principle of English law. The principle is based upon the need to protect a client's confidence that any communication with their legal adviser will be treated in confidence and not revealed without consent

We have considered the public interest and strongly believe that the public interest in protecting legal professional privilege outweighs the public interest in disclosure. The Information Commissioner's Office quotes from the Tribunal's case of Bellamy (2005):

"...there is a strong element of public interest inbuilt into the privilege itself. At least equally strong countervailing considerations would need to be adduced to override that inbuilt interest ... it is important that public authorities be allowed to conduct a free exchange of views as to their legal rights and obligations with those advising them without fear of intrusion, save in the most clear case..."

The general public interest inherent in section 42 will always be strong due to the importance of the principle behind LPP: safeguarding openness in communications between client and lawyer to ensure access to full and frank legal advice, which in turn is fundamental to the administration of justice

Personal information is exempt from disclosure under s.40(2) (Personal information) of the Act. This information could potentially identify specific former employees and as such constitutes as personal data which is defined by Article 4(1) of the General Data Protection Regulation (GDPR) to mean any information relating to an identified or identifiable living individual. It is considered that disclosure of this information would contravene the first data protection principle under Article 5(1) of GDPR which states that Personal data must be processed lawfully, fairly and in a transparent manner in relation to the data subject.

If you have any further questions relating to this matter, please contact me, quoting the reference at the top of this letter.

Yours sincerely

[REDACTED]

Information Governance Officer

If you are unhappy with the way the GLA has handled your request, you may complain using the GLA's FOI complaints and internal review procedure, available at:

<https://www.london.gov.uk/about-us/governance-and-spending/sharing-our-information/freedom-information>
