

29 June 2023

**IC-236090-HOT4**

**Request**

You asked us:

*"Please provide me with costs the ICO has incurred in defending the following appeals:*

- 1. Experian v The Information Commissioner (FTT reference EA/2020/0317, UT appeal filed)*
- 2. Clearview v The Information Commissioner (FTT reference EA/2022/0165/FP, no UT appeal)*
- 3. DSG Retail v The Information Commissioner (FTT reference EA/2020/0048, UT appeal filed)*
- 4. Doorstep Dispensaree v The Information Commissioner (FTT reference EA/2020/0065/V, UT appeal filed)*
- 5. Easylife v The Information Commissioner (FTT reference EA/2022/0336/FP, no UT appeal)*

*Break these costs down between First-tier Tribunal and Upper Tribunal when applicable.*

*Please also as far as possible provide a breakdown as far as possible for each case of where the costs were incurred – for example external solicitors and counsel, experts and so on."*

We received your request on 1 June 2023.

We have handled your request under the Freedom of Information Act 2000 (the FOIA).

## **Our response**

We do hold information within the scope of your request. I have provided a breakdown of the costs for each case below. All costs are inclusive of VAT save for fees relating to an expert witness for which VAT was not applicable.

*1. Experian v The Information Commissioner (FTT reference EA/2020/0317, UT appeal filed)*

FTT:

Counsel: £116,785

Admin/Technical Support services: £3,987

UT:

Counsel: £11,904

*2. Clearview v The Information Commissioner (FTT reference EA/2022/0165/FP, no UT appeal)*

Counsel: £106,285

Admin/Technical Support services: £1,764

*3. DSG Retail v The Information Commissioner (FTT reference EA/2020/0048, UT appeal filed)*

FTT:

Counsel: £34,397

Expert witness: £1,548 (includes fees + expenses)

Admin/Technical Support services: £3,885

UT:

Counsel: £3,600

*4. Doorstep Dispensaree v The Information Commissioner (FTT reference EA/2020/0065/V, UT appeal filed)*

FTT:

Counsel: £5,995

UT:

Counsel: £6,675

*5. Easylife v The Information Commissioner (FTT reference EA/2022/0336/FP, no UT appeal)*

Counsel: £18,504

All costs quoted are those incurred to date and where appeal cases are ongoing the figures are likely to change as the case progresses.

This concludes our response.

**Next steps**

You can ask us to review our response. Please let us know in writing if you want us to carry out a review. Please do so within 40 working days.

You can read a copy of our full review procedure [here](#).

If we perform a review but you are still dissatisfied, you can complain to the ICO as regulator of the FOIA. This complaint will be handled just like a complaint made to the ICO about any other public authority.

You can [raise a complaint through our website](#).

**Your information**

Our [Privacy notice](#) explains what we do with the personal data you provide to us, and set out your rights. Our retention schedule can be found [here](#).

Yours sincerely



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