



Ministry of JUSTICE

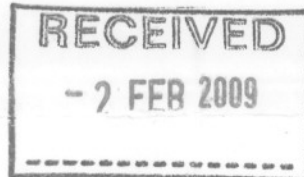
Mr Ian Gunn
Personal Financial Planning Limited
Centaur House
Hope Street
Sandbach
Cheshire
CW11 1BA

Data Access and Compliance Unit

Postal Point 1.40
Floor 1
Zone C
102 Petty France
London
SW1H 9AJ

T 020 3334 3258
F 020 3334 2245
E darren.over1@justice.gsi.gov.uk

www.justice.gov.uk



30th January 2009

Ref : FOI/08/57005/DO

Dear Mr Gunn

Re: Request under the 2000 Freedom of Information Act

First of all may I take this opportunity to apologise for the delay in responding to your Freedom of Information request, and to assure you that it is was dealt as a priority.

Thank you for your letter dated 27th November 2008, in which you sought information relating to the following from the Ministry of Justice:

- *When did the Lord Chancellor last review the discount rate under Section 1 of the Damages Act 1996, and what evidence was placed before him?*

The Ministry of Justice neither confirms nor denies that it holds any information falling within the description specified in your request and that the duty in Section 1(1)(a) of the Act does not apply by virtue of Section 35(3) Formulation of Government policy. This should not be taken as an indication that the information you requested is or is not held by the Department.

To confirm or deny holding any information of this sort is likely to send a strong, albeit uncertain, signal for financial analysts and actuaries amongst others. Any confirmation or denial could lead financial analysts within the insurance industry and elsewhere to speculate, possibly incorrectly, as to the level of exposure insurance firms will face, as changes in the discount rate will affect the level of lump sum awards calculated on the basis of the discount rate.

I am sorry that on this occasion I have not been able to be of more assistance.