



Department  
of Energy &  
Climate Change

**Department of Energy & Climate Change**

3 Whitehall Place,  
London SW1A 2AW

E: [foi@decc.gsi.gov.uk](mailto:foi@decc.gsi.gov.uk)

[www.gov.uk/decc](http://www.gov.uk/decc)

Our ref: EIR 14/0478

16-05-2014

**RE: Your FOI Request: Partial provision of requested information**

Thank you for your *email* of 17<sup>th</sup> March where you requested the following information:

*Please may I request any information or correspondence related to the SPICE (Stratospheric Particle Injection for Climate Engineering) project. I am a social scientist investigating the policy response to this project.*

We have considered your request in accordance with the Environmental Information Regulations 2004 (EIRs) as the information you have sought disclosure of, does in our view, fall within the definition of 'environmental information' as stated in the EIRs.

As you are probably aware there is information on the SPICE project already in the public domain. The project has its own website here: <http://www.spice.ac.uk/>

You requested correspondence and information related to the SPICE project. Material held by DECC which is within the scope of your request is listed in the table below along with information on whether the material is being released or withheld or is available on the internet.

Type of document (released or withheld or on the internet)	Subject of document
Paper (on the internet)	Pidgeon et al 2013, Nature Climate Change, 'Deliberating stratospheric aerosols for climate geoengineering & the SPICE project' <a href="http://www.nature.com/nclimate/journal/v3/n5/full/nclimate1807.html">http://www.nature.com/nclimate/journal/v3/n5/full/nclimate1807.html</a>
Article (on the internet)	Comment on cancellation of project; <a href="http://www.nature.com/news/geoengineering-experiment-cancelled-amid-patent-row-1.10645">http://www.nature.com/news/geoengineering-experiment-cancelled-amid-patent-row-1.10645</a>
Briefing document (released)	Guardian articles on geo-engineering & SPICE
Briefing document (released)	Met Office briefing on geo-engineering & SPICE
Briefing document (released)	BIS media lines on SPICE project
Restricted material (withheld)	Extracts related to SPICE from regular internal government discussions on geo-engineering and associated papers
Internal geo-engineering documents (only material within scope of the request is released)	Extracts related to SPICE from two internal documents on geo-engineering held by DECC
Briefing Report (withheld)	Defra report from CBD (Convention on Biological Diversity) SBSTTA16 meeting, 30 April to May 2012. The United Nations report on this meeting can be found at <a href="https://www.cbd.int/doc/meetings/sbstta/sbstta-16/official/sbstta-16-cop-11-03-en.pdf">https://www.cbd.int/doc/meetings/sbstta/sbstta-16/official/sbstta-16-cop-11-03-en.pdf</a>
EIR 13/0584 (released)	EIR request
EIR 12/0862 (released)	EIR request
EIR 11/1202 (released)	EIR request
EIR 11/1723 (material within scope released)	EIR internal review
WPQ 2010/3568 (on internet)	Parliamentary question by Lord Hunt of Chesterton, <a href="http://www.publications.parliament.uk/pa/ld201011/ldhansrd/text/111020w0001.htm#11102029000079">http://www.publications.parliament.uk/pa/ld201011/ldhansrd/text/111020w0001.htm#11102029000079</a>
Email to SofS (released)	Letter from Non- Governmental organisation to DECC Secretary of State requesting cancellation of SPICE and list of signatories
PO 2011 17769 (released)	Correspondence: Secretary of State reply to Non-Governmental organisation requesting cancellation of SPICE
MC 2012 12388 (released)	Correspondence answering enquiry from a member of the public
MC 2012 MC 201216131 (released)	Correspondence answering enquiry from a member of the public
MC 2012 16186 (released)	Correspondence answering enquiry from a member of the public
MC 2013 05941 (released)	Correspondence answering enquiry from a member of the public
TO 2011 17451 (released)	Correspondence answering enquiry from a member of the public
Email (released)	Correspondence between BIS & DECC dated 06/01/2014 clarifying current situation on the SPICE project.

## **Information being withheld**

Although we have applied a presumption in favour of disclosure of all requested documents, as required by regulation 12(2) of the EIRs, this was not possible for a small amount of material related to your request. This material is in documents held by DECC related to internal government discussions to advise ministers on geo-engineering and a report prepared by Defra on their opinion of the geo-engineering discussions at the UN Convention on Biological Diversity meeting from 30 April to 5<sup>th</sup> May 2012.

The information is withheld in accordance with the exception pursuant to EIR 12.4(e) relevant to internal communications. As this is a qualified exception, a public interest test was undertaken by DECC to consider whether there are overriding reasons why disclosure of this information would not be in the public interest.

## **Consideration of 12.4(e) in relation to the withheld information**

While we recognise that greater transparency makes Government more open and accountable, any public interest in the disclosure of the information contained in the withheld documents must be balanced with the need to protect the policy making process.

We consider that civil servants should be able to express their views frankly in the expectation that they can argue freely in private to enable them to offer the best possible advice to ministers. This in turn requires that the privacy of opinions expressed in internal government discussions should be maintained.

If civil servants felt inhibited from discussing issues with one another because of the risk of public disclosure, the quality of debate lying behind collective decision making will in our view be diminished. This would have a detrimental effect on both the process of collective government and the quality of the decisions made at the highest level, undermining good government.

It is therefore our view that the public interest is in favour of non-disclosure of the material related to internal government discussions related to policymaking.

## **Note on redactions**

In the documents that are released personal data concerning certain government officials and some other third party individuals have been redacted in accordance with Regulations 12(3) and 13 of the EIRs and Section 40 of the Freedom of Information Act (to the extent that the information requested is not environmental). These EIR regulations and section 40 provide an exemption for personal data which then falls to be dealt with under the Data Protection Act (DPA) 1998. Personal data of third parties can only be disclosed in accordance with the data protection principles. In particular, the first data protection principle requires that disclosure must be fair and lawful and must comply with one of the

conditions in Schedule 2 of the DPA. We consider that to disclose the names and contact details of officials and third party individuals within the released documents would contravene one or more of those data protection principles.

The definition of personal information to which regulation 12(3) & 13 and section 40 applies is wide and can include references to identifiable individuals. Our view is that the release of the names and contact details would not be fair and none of the conditions of Schedule 2 are met.

### **Appeals Procedure**

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within 40 working days of the date of receipt of the response to your original letter and should be sent to the Information Rights Unit at:

Information Rights Unit  
Department for Business, Innovation & Skills  
1 Victoria Street  
London  
SW1H 0ET  
E-mail: [foi.requests@bis.gsi.gov.uk](mailto:foi.requests@bis.gsi.gov.uk)

Please remember to quote the reference number above in any future communications.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Yours sincerely

DECC Science Team