



Foreign & Commonwealth Office

China Department
Foreign and Commonwealth Office
King Charles Street
London SW1A 2PA

23 May 2016

Dear

FREEDOM OF INFORMATION REQUEST: 0194-16

Thank you for your e-mail of 14 February, in which you asked for the following information under the Freedom of Information Act (FOI Act) 2000:

'Please send me hard copies of the document detailed on the attached spreadsheet (to the below address), that is part of the FCO 'non-standard' (formerly known as 'special') collections. The document consists of the briefing given to the Governor of Hong Kong in 1992 (Chris Patten).'

I am writing to confirm that we have now completed the search for the information which you requested.

I can confirm that the Foreign and Commonwealth Office (FCO) does hold information relevant to your request. I am pleased to enclose the material which we can release to you. Some information is being withheld under the following exemptions of the FOI Act:

- Section 27 - International Relations
- Section 35 - Formulation of government policy

Section 27 International Relations

Some information has been withheld under Section 27 – International Relations. The disclosure of this information would be likely to prejudice relations between the UK and the Chinese Government (CG) and the Hong Kong Special Administrative Region Government (HKSARG), and the promotion or protection by the UK of its interests abroad.

The effective conduct of international relations depends upon maintaining trust and confidence between governments. This relationship of trust allows for the free and frank exchange of information on the understanding that it will be treated in confidence. If the UK does not respect such confidences, its ability to protect and promote UK interest through international relations will be prejudiced. The CG and HKSARG may be more reluctant to share sensitive information with the UK Government in future and may be less likely to respect the confidentiality of information supplied by the UK Government, to the detriment of UK interests. The arguments in favour of disclosure for reasons of transparency and better

understanding of international relations were weighed against the need to protect relations between the UK and the CG and HKSARG, and promote or protect UK interests abroad. For all these reasons, we consider that in all the circumstances of the case, the public interest in maintaining this exemption outweighs the public interest in disclosing the information covered by section 27 (1) (a) and (2).

Section 35 Formulation of government policy

Some information has been withheld under section 35(1) (b) of the FOIA. There is a general public interest in disclosure of information and I recognise that openness in government may increase public trust in and engagement with the government. I also recognise that the communications Ministers make with foreign counterparts may have a significant impact on the lives of citizens and there is a public interest in their deliberations being transparent.

There is a specific public interest in understanding the role of Ministers in foreign policy. These public interests have to be weighed against a stronger public interest in good policy making and delivery that is informed by a full consideration of all the options. Ministers must be able to discuss policy freely and frankly and in order to fully understand the possible implications of all the available options and deliver it effectively. The candour of all involved would be affected by their assessment of whether the content of the discussions will be disclosed. If discussions were routinely made public there is a risk that Ministers may feel inhibited from being frank and candid with one another.

As a result the quality of debate underlying collective decision making would decline, leading to worse informed and poorer decision making and policy delivery. Taking into account all the circumstances of this case, I have concluded that the balance of the public interest favours withholding this information.

For these reasons, we consider that the public interest in maintaining these exemptions outweighs the public interest in disclosing it.

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Yours sincerely,

China Department



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