



# Ministry of Defence

Ref: FOI2015/09260

Ministry of Defence  
Main Building  
Whitehall  
London SW1A 2HB  
United Kingdom

Telephone: [REDACTED]

E-mail: [REDACTED]

26 January 2016

Thank you for your email of 20<sup>th</sup> October 2015 requesting the following information:

*Could I please refine the FOI request as follows:*

*Please could you provide details of the following meetings that are recorded to have taken place between MOD ministers and external companies:*

1. Minister of State (Minister for Government Policy), The Rt Hon Oliver Letwin MP, meeting with AEGIS, July 2013.

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/273401/comeetingsjulsept13\\_2\\_csv/preview](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/273401/comeetingsjulsept13_2_csv/preview)

2. Rt Hon Philip Hammond MP - Secretary of State for Defence, meeting with BAE Systems April, 2014.

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/412433/20150119-Apr-June\\_2014\\_Ministerial\\_Meetings\\_with\\_External\\_Organisations.csv/preview](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/412433/20150119-Apr-June_2014_Ministerial_Meetings_with_External_Organisations.csv/preview)

3. Minister for Defence Equipment, Support and Technology, Philip Dunne MP, introductory meeting with BAE Systems, September 2012.

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/82978/ministerial\\_meetings\\_external\\_orgs\\_JulySept\\_2012.csv/preview](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/82978/ministerial_meetings_external_orgs_JulySept_2012.csv/preview)

4. Rt Hon Michael Fallon MP - Secretary of State for Defence, meeting with BAE Systems, February 2015.

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/468105/20150902-Ministerial-Meetings\\_with\\_external\\_organisations-Transparency\\_Q4.csv/preview](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/468105/20150902-Ministerial-Meetings_with_external_organisations-Transparency_Q4.csv/preview)

*For each of these meetings could you please provide me with as much detail as possible, including:*

(a) The date

(b) Who was present at the meeting apart from the named ministers

(c) Where the meeting was held

(d) Copies of minutes of the meetings, if any are held. (I appreciate that these may contain some information which cannot be released under the FOI Act. However, I would request that any offending text be blanked out so that the remainder of the documents can be sent.)

I am treating your correspondence as a request for information under the Freedom of Information Act 2000 (FOIA).

A search for the information has now been completed within the Ministry of Defence, and I can confirm that some information in scope of your request is held.

Some of the information you have requested can be found below. Other information held falls entirely within the scope of the absolute exemption provided for at Section 40 (Personal Data) and qualified exemptions provided for at Section 36 (Effective conduct of public affairs).

The information below is set out as requested within your initial correspondence.

**Minister of State (Minister for Government Policy), The Rt Hon Oliver Letwin MP, meeting with AEGIS, July 2013:**

- (a) No Information held
- (b) No information held
- (c) No information held
- (d) No information held

*The Rt Hon Oliver Letwin MP has never held the position of Minister of State within the Ministry of Defence, we do not therefore hold any information within the scope of this part of the request.*

**Rt Hon Philip Hammond MP-Secretary of State for Defence, meeting with BAE Systems April, 2014.**

- (a) 11 April 2014
- (b) Sir Roger Carr ( BAE Systems) and SofS Private Office staff
- (c) Telephone call
- (d) No Minutes held

**Minister for Defence Equipment, Support and Technology, Philip Dunne MP, introductory meeting with BAE Systems, September 2012**

- (a) 12 September 2012
- (b) Ian King, Bob Keen ( BAES Systems), Susanna Mason (Director of Exports and Commercial Strategy) and Min(DEST) Private Secretary
- (c) MOD Main Building, Whitehall
- (d) No Minutes held

**Rt Hon Michael Fallon MP-Secretary of State for Defence, meeting with BAE Systems, February 2015**

- (a) 24 February 2015
- (b) Sir Roger Carr ( BAE Systems) and Deputy Private Secretary to Secretary of State
- (c) MOD, Main Building, Whitehall
- (d) Minutes withheld under Section 36 (Effective conduct of public affairs)

Section 40(2) has been applied to some of the information in scope of the request in order to protect personal information as governed by the Data Protection Act 1998. Section 40 is an absolute exemption and there is therefore no requirement to consider the public interest in making a decision to withhold the information.

Section 36 (Prejudice to Effective Conduct of Public Affairs) has been applied to some of the information requested, and this information has been withheld as a result.

In the MOD, determining whether disclosure would have a detrimental effect, as defined by the Section 36 exemption, falls to a Minister as the qualified person to make a decision. All the relevant information was provided to allow the Minister to make a fully informed decision on the application of Section 36. The Minister has decided that section 36(2) (b) and (c) applies to some of the information requested as outlined above.

In applying this exemption we have had to carefully balance the public interest in disclosing the information against the public interest in withholding it. Whilst we accept that releasing this

information into the public domain would show dedication to transparency and demonstrate that there was no improper conduct between the MOD and BAE Systems, on balance the arguments for withholding this information were stronger. Section 36 is applied if it is felt that the free and frank exchange of advice and views were likely to be inhibited by release, or that disclosure would prejudice the effective conduct of public affairs. Releasing the meeting record requested would ultimately prevent the Secretary of State for Defence and BAE Systems from exchanging free and frank views during routine meetings and would therefore prevent the effective conduct of public affairs. This could in turn affect the free flow of information between the MOD and other commercial partners which could damage commercial relationships, both current and in the future, and affect other contracts in the long term, jeopardizing the UK's defence capability.

If you are not satisfied with this response or you wish to complain about any aspect of the handling of your request, then you should contact me in the first instance. If informal resolution is not possible and you are still dissatisfied then you may apply for an independent internal review by contacting the Information Rights Compliance team, 1<sup>st</sup> Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail [CIO-FOI-IR@mod.uk](mailto:CIO-FOI-IR@mod.uk)). Please note that any request for an internal review must be made within 40 working days of the date on which the attempt to reach informal resolution has come to an end.

If you remain dissatisfied following an internal review, you may take your complaint to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not investigate your case until the MOD internal review process has been completed. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website, <https://ico.org.uk/>.

Yours sincerely,

Top Office Group Business Manager