



Department
for Environment
Food & Rural Affairs

Area 4A, Nobel House
17 Smith Square
London
SW1P 3JR

T: 03459 33 55 77
helpline@defra.gsi.gov.uk
www.gov.uk/defra

[Redacted]

by email: [Redacted]

Our ref: RFI 9648
23 March 2018

Dear [Redacted]

REQUEST FOR INFORMATION: REQUEST FOR CORRESPONDENCE RELATING TO THE SECRETARY OF STATE, MICHAEL GOVE MEETINGS WITH HB GRANDI AND LYSI IN AUGUST 2017

Thank you for your request for information, which we received on 22 December 2017, about the Secretary of state, Michael Gove's meetings with HB Grandi and Lysi. As you know, we have handled your request under the Freedom of Information Act 2000 (FOIA).

Your request was for information on the meeting between the Secretary of State and HB Landi that took place on 2 August 2017 and the meeting between the Secretary of State and Lysi that took place on 3 August 2017. We believe this request contains errors. Consequently we are treating this request as for the meetings between Secretary of State, Michael Gove with HB Grandi and Lysi, both on the 2 August 2017.

Following careful consideration, we have decided not to disclose some of this information. We are disclosing other information, a copy of which is enclosed in Annex A.

The remainder of the information requested is being withheld as it falls under the exemptions within the following sections of the Freedom of Information Act 2000 (FOIA);

Sections 27(1)(a) and (d), section 35(1)(a) and sections 40(2) and 40(3)(a)(i).

Sections 27(1)(a) and (d)

Sections 27(1)(a) and (d) relate to relations between the United Kingdom and another state, and the promotion or protection by the United Kingdom of its interests abroad. Some content has been withheld because release of the information could prejudice the outcome of our EU exit negotiations and the UK's interests abroad more widely. We recognise there is a public interest in openness and transparency in this area to further public understanding and participation in the debate of such matters. However, at this time there is a stronger counterbalancing argument that the public interest lies in allowing the government to negotiate freely and pursue the UK's national interests overseas, as well as achieving an economically desirable outcome to our EU exit negotiations, both of which require stability in the interim. Therefore, we have concluded that on balance some of the information should be withheld.



Section 35(1)(a)

Section 35(1)(a) relates to the formulation of government policy. We recognise that there is a public interest in open and transparent government. The disclosure of information concerning meetings between government Ministers and overseas businesses promotes public understanding of the UK's approach to international matters. However, at this early stage of the policy process with the UK agreeing its negotiating position and considering policy in relation to the UK's exit from the European Union, options are being generated and analysed, risks identified, and recommendations or submissions are put to Ministers. The department needs a safe space to formulate policy effectively. We consider that premature disclosure of this information, in an area where policy development is live and not yet complete, could harm the formulation of policy.

Sections 40(2) and 40(3)(a)(i)

Some of the information that you have requested is also being withheld under sections 40(2) and 40(3)(a)(i) of the FOIA, as the information constitutes personal data relating to persons other than you. These sections provide that personal data relating to other persons is exempt information if disclosure would breach any of the data protection principles in the Data Protection Act 1998 (DPA). We consider that disclosure of this information is likely to breach the first data protection principle in Schedule 1 to the DPA, which relates to the fair and lawful processing of personal data. Disclosure would not constitute 'fair' processing of the personal data because the information relates to staff who are not public facing officials, and said parties would not reasonably have expected their names to be made public.

Information disclosed in response to this FOIA request is releasable to the public. In keeping with the spirit and effect of the FOIA and the government's Transparency Agenda, this letter and the information disclosed to you may be placed on GOV.UK, together with any related information that will provide a key to its wider context. No information identifying you will be placed on the GOV.UK website.

We attach Annex B, which explains the copyright that applies to the information being released to you.

We also attach Annex C giving contact details should you be unhappy with the service you have received.

If you have any queries about this letter please contact me.

Yours sincerely,

[Redacted]

Information Rights Team
InformationRequests@defra.gsi.gov.uk

Annex B

Copyright

The information supplied to you continues to be protected by copyright. You are free to use it for your own purposes, including for private study and non-commercial research, and for any other purpose authorised by an exception in current copyright law. Documents (except photographs or logos) can be also used in the UK without requiring permission for the purposes of news reporting. Any other re-use, for example commercial publication, would require the permission of the copyright holder.

Most documents produced by Defra will be protected by Crown Copyright. Most Crown copyright information can be re-used under the [Open Government Licence](#). For information about the OGL and about re-using Crown Copyright information please see [The National Archives website](#).

Copyright in other documents may rest with a third party. For information about obtaining permission from a third party see the [Intellectual Property Office's website](#).

Annex C

Complaints

If you are unhappy with the service you have received in relation to your request you may make a complaint or appeal against our decision under section 17(7) of the FOIA or under regulation 18 of the EIRs, as applicable, within 40 working days of the date of this letter. Please write to ^[Redacted], Head of Information Rights, Area 4A, Nobel House, 17 Smith Square, London, SW1P 3JR (email: InformationRequests@defra.gsi.gov.uk) and he will arrange for an internal review of your case. Details of Defra's complaints procedure are on our [website](#).

If you are not content with the outcome of the internal review, section 50 of the FOIA and regulation 18 of the EIRs gives you the right to apply directly to the Information Commissioner's Office (ICO) for a decision. Please note that generally the ICO cannot make a decision unless you have first exhausted Defra's own complaints procedure. The ICO can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF