

## **FOI 23/156**

### **Aquiette consultation**

**21 February 2023**

Under the Freedom of Information Act 2000, I am requesting the following information about the consultation on the proposal to make Aquiette 2.5mg Tablets (oxybutynin hydrochloride) available from pharmacies:

- Please provide all minutes of meetings held as part of the consultation process since it opened in April 2022;
- Please provide a copy of all responses received during the consultation period (23 April 2022 - 13 May 2022)

### **MHRA RESPONSE**

**2 April 2023**

Thank you for your email requesting information about the consultation on the proposal to make Aquiette 2.5mg Tablets (oxybutynin hydrochloride) available from pharmacies. We apologise for delay in response.

We are exempting this request under Section 35 (formulation of government policy) of the Freedom of Information (FOI) Act, as the consultation process and decision making on the change of legal status has not concluded. Even though Section 35 is a class-based exemption, a consideration of the public interest is required. We have considered the public interest, including such arguments as open and transparent policy development. However, we cannot see any public interest arguments that outweigh the harm caused if this information is published. This harm comes from having an impact on the free/frank discussions required during the decision-making process, and also from misinforming patients/interested parties who may prejudge or come to conclusions before a decision has been made.

The MHRA intends to publish information once the consultation process has been concluded and a decision has been made. As such this means that the information is also exempt from release under Section 22 (information intended for future publication).

If you disagree with how we have interpreted the Freedom of Information Act 2000 in answering your request, you can ask for an internal review. Please reply to this email, within two months of this reply, specifying that you would like an Internal Review to be carried out.

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

If you were to remain dissatisfied with the outcome of the internal review, you would have the right to apply directly to the Information Commissioner for a decision.

Please bear in mind that the Information Commissioner will not normally review our handling of your request unless you have first contacted us to conduct an internal review. The Information Commissioner can be contacted at:

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

Yours sincerely

MHRA Customer Experience Centre  
Medicines and Healthcare products Regulatory Agency  
10 South Colonnade, Canary Wharf, London E14 4PU