

APRIL 2019 FREEDOM OF INFORMATION RESPONSES

Year	Month	FOI Reference	Topic
2019	April	FOI/19/044	Belfast Good Friday Agreement: opinion polls
2019	April	FOI/19/045	Ministerial visits to the Resurgam Trust and Laganview Enterprise Centre
2019	April	FOI/19/046	Brexit preparations: citizens' rights
2019	April	FOI/19/047	Most frequently visited websites
2019	April	FOI/19/048	Archival file request: loyalist paramilitarism, 1966-1975
2019	April	FOI/19/049	Comfort letters
2019	April	FOI/19/050	Ministerial statement on Troubles-related deaths
2019	April	FOI/19/051	Sexual harassment complaints
2019	April	FOI/19/053	Brexit preparations: resourcing and expenditure
2019	April	FOI/19/054	Abortion policy in Northern Ireland
2019	April	FOI/19/055	Northern Ireland Non-Domestic Renewable Heat Incentive Scheme
2019	April	FOI/19/056	Correspondence on the Infected Blood Inquiry
2019	April	FOI/19/057	Ministerial statement on Troubles-related deaths
2019	April	FOI/19/058	Correspondence on abortion law in Northern Ireland

FOI Request Reference	FOI/19/044
Month Issued	April 2019
Request	<i>I am interested in any opinion polls on the political and security situation in Northern Ireland. This was an important period of the peace process and I am interested in what the NIO's opinion polling was telling the Secretary of State and the British government about Northern Irish public opinion. Whether or not there was support for an agreement and what kind of agreement.</i> <i>Then I'm interested in the reaction to the Belfast Agreement of April 1998. I have seen quotes in newspaper of private opinion polling conducted during the referendum campaign on the deal and would like to see these and other reaction.</i>
Response	We have searched our records for opinion poll information held by the Northern Ireland Office for the period May 1997 - September 1998, however we do not hold any information within the scope of your request. Newspaper archives may hold records in respect of opinion polls for this period.

FOI Request Reference	FOI/19/045
Month Issued	April 2019
Request	<i>I was hoping to request all information held on Ministerial visits to the Resurgam Trust and Laganview Enterprise Centre since 2012. I am aware of the following visits to help you more easily locate the information –</i> <i>January (possibly 3rd), 2013 - Theresa Villiers visits Laganview Enterprise Centre</i> <i>October 27, 2016 - Kris Hopkins visits Resurgam Trust</i> <i>There however may be more visits which I have not included. Whilst I have requested and would like all information - I am primarily trying to ascertain whom initiated these visits and any correspondence associated with that. For example did the local MP write to the Minister to request a visit or provide an invite?</i>
Response	Freedom of information law allows us to decline to answer FOI requests when we estimate it would cost us more than £600 (equivalent to 3.5 working days' worth of work, calculated at £25 per hour) to identify, locate, extract and then provide the information that has been asked for in a request (section 12 FOIA). We have made the decision to decline your request on this basis, as to comply with the request and to enable us to identify whether we hold any such material, officials would be required to open and read a large amount of different records individually stored in a number of locations, and given the broad scope of your request we consider this would cost over £600.

The link below will provide you with the Northern Ireland Office's Quarterly Ministerial Transparency Data and may help with your query. <https://www.gov.uk/government/collections/ni-office-ministerial-transparency-data>

Although we cannot answer your request at the moment, we might be able to answer a refined request within the cost limit. You may wish to consider focusing your request on a narrower range of issues and/or on records produced during a more focussed set of dates.

Please note that, as in this instance, a further refined request may still not fall within the FOIA cost limit.

You should not infer from this that the Northern Ireland Office holds a large amount of information relating to the subjects you have asked about, only that we would need to search through a large number of records in order to find out whether we hold any information relevant to your request.

You can find out more about Section 12(1) by reading the extract from the Act and some guidance points we consider when applying this exemption, attached at the end of this letter. You can also find more information by reading the full text of the Act, available at [Cost limits](#).

With regards to your request for information of official engagements, ministerial engagements are published on a quarterly basis and can be found at the following link: <https://www.gov.uk/government/publications?departments%5B%5D=northern-ireland-office>

ADDITIONAL INFORMATION ABOUT SECTION 12(1)

We have provided below additional information about Section 12 of the Freedom of Information Act. We have included some extracts from the legislation, as well as some of the guidance we use when applying it. We hope you find this information useful.

The legislation

Section 1: Right of Access to information held by public authorities

(1) Any person making a request for information to a public authority is entitled—

- (a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and

(b) If that is the case, to have that information communicated to him.

Section 12: Cost of compliance exceeds appropriate limit

- (1) Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.
- (2) Subsection (1) does not exempt the public authority from its obligation to comply with paragraph (a) of section 1(1) unless the estimated cost of complying with that paragraph alone would exceed the appropriate limit.
- (3) In subsections (1) and (2) “the appropriate limit” means such amount as may be prescribed, and different amounts may be prescribed in relation to different cases.
- (4) The Secretary of State may by regulations provide that, in such circumstances as may be prescribed, where two or more requests for information are made to a public authority—
 - (a) by one person, or
 - (b) by different persons who appear to the public authority to be acting in concert or in pursuance of a campaign, the estimated cost of complying with any of the requests is to be taken to be the estimated total cost of complying with all of them.
- (5) The Secretary of State may by regulations make provision for the purposes of this section as to the costs to be estimated and as to the manner in which they are to be estimated.

Guidance

The appropriate limit

The 'appropriate limit', for the purposes of section 12 of the Freedom of Information Act has been set at:

- £600 for central government and Parliament.
- The hourly rate is set at £25 per person per hour.

The following activities may be taken into account when public authorities are estimating whether the appropriate limit has been exceeded.

- Determining whether it holds the information requested
- Locating the information or documents containing the information
- Retrieving such information or documents
- Extracting the information from the document containing it.

FOI Request Reference	FOI/19/046
Month Issued	April 2019
Request	<i>Prime Minister Theresa May last month said she directed the Home Office, working with the office of the secretary of state for Northern Ireland, to “urgently” look into how Brexit is affecting citizens’ rights in Northern Ireland.</i> <i>“So I have asked the Home Secretary – working closely with the Secretary of State [for Northern Ireland] to review this issues urgently to deliver a long-term solution consistent with the letter and spirit of the Belfast Agreement.”</i> <i>I am writing to you under the Freedom of Information Act 2000 to request the following information from the Home Office:</i> <i>1. Proof of confirmation that the review is underway</i> <i>2. A precise time frame from when the review’s findings will be made public, or proof of expectations.</i> <i>3. The department's role along with the Home Office for the review.</i> <i>4. The terms of reference for the internal review. The precise nature of the review; For instance, what cases are being examined?</i> <i>5. Confirmation about whether the review is using any independent experts, solicitors or academics.</i> <i>6. Information about the makeup of the task force, or particular individual/s, responsible for the review.</i> <i>7. Any informational progress, or recommendations, made already.</i>
Response	Freedom of information law allows us to decline to answer FOI requests when we estimate it would cost us more than £600 (equivalent to 3.5 working days’ worth of work, calculated at £25 per hour) to identify, locate, extract and then provide the information that has been asked for in a request (section 12 FOIA). In relation to your request, we have made the decision to decline your request on this basis, as to comply with the request and to enable us to identify whether we hold any such information under each specific point of your request, officials would be required to open and read a range of documents held by several colleagues and the ministers and their Private Offices, and this would involve a large amount of different records individually stored in a number of locations, and given the scope of your request, even to just collate a list of the documents we may hold within scope of this request, we consider this would cost over £600. Although we cannot answer your request at the moment, we might be able to answer a further refined request within the cost limit. You may wish to reconsider the scope of your FOI request and submit a revised and more targeted request, for example by further refining the specific types of documents you are seeking access to in order to address your request for information.

	You can find out more about Section 12 of the FOIA by reading the extract from the Act and some guidance points we consider when applying this exemption, attached at the end of this letter. You can also find more information by reading the full text of the Act, available at Cost limits .
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FOI Request Reference	FOI/19/047
Month Issued	April 2019
Request	<i>I am writing to you under the Freedom of Information Act 2000 to request the following information:</i> <i>List of the top 1000 websites (specifically domain names) accessed most frequently (in terms of page views or page visits) from Northern Ireland Office computers over the last 12 months (or for the maximum period available if the data is only retained for a shorter period).</i>
Response	The Northern Ireland Office received managed ICT services from IT Assist (ITA), which is a service provided by Enterprise Shared Services, a body within the Department of Finance, Northern Ireland. The information requested is, therefore, not held by this Department. This information may be available from the Department of Finance, Northern Ireland who can be contacted at foi@finance-ni.gov.uk .

FOI Request Reference	FOI/19/048
Month Issued	April 2019
Request	<i>Under the Freedom of Information Act, I am requesting files relating to the following:</i> <i>1. Files on the capabilities of Loyalist paramilitaries to construct improvised explosive devices from 1966-1975;</i> <i>2. Intelligence reports on arms and explosives routes for Loyalist paramilitaries in the aforementioned period;</i> <i>3. Files on the strategic direction of Loyalist paramilitaries in the aforementioned period.</i>
Response	Freedom of information law allows us to decline to answer FOI requests when we estimate it would cost us more than £600 (equivalent to 3.5 working days' worth of work, calculated at £25 per hour) to identify, locate, extract and then provide the information that has been asked for in a request (section 12 FOIA). We have made the decision to decline your request on this basis, as to comply with the request and to enable us to identify whether we hold any such material, officials would be required to open and read a large amount of different records individually stored in a number of locations, and given the broad scope of your request we consider this would cost over £600.

	You should not infer from this that the Northern Ireland Office holds a large amount of information relating to the subjects you have asked about, only that we would need to search through a large number of records in order to find out whether we hold any information relevant to your request. You can find out more about Section 12(1) by reading the extract from the Act and some guidance points we consider when applying this exemption, attached at the end of this letter. You can also find more information by reading the full text of the Act, available at Cost limits. The Northern Ireland Office has transferred files in respect of loyalist paramilitaries to the National Archives, the following link may help with your query. https://discovery.nationalarchives.gov.uk/
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FOI Request Reference	FOI/19/049
Month Issued	April 2019
Request	<i>FOI Request in relation to letters known as "Comfort Letters" given to terrorist suspects giving immunity/amnesty for alleged offences including persons some of whom were wanted and "on the run".</i> <i>1. How many letters were sent out in total?</i> <i>2. How many of the letters were signed by a civil servant?</i> <i>3. What rank is the civil servant and what is their name?</i> <i>4. Over what time frame were the letters signed by the civil Servant and whom if anyone instructed the civil servant to sign the letters?</i> <i>5. Would the letters normally be signed by the Secretary of State and if so was the SoS officially made aware that a civil servant was issuing these letters?</i>
Response	<i>1. How many letters were sent out in total?</i> We are declining to respond to your first query under Section 21 of the FOIA which stipulates that information which is reasonably accessible otherwise is exempt from disclosure. This information requested is contained within 'The Report of the Hallett Review – An Independent Review Into The On Runs Administrative Scheme' which was produced by the Right Honourable Dame Heather Hallett DBE and is publically available. https://www.gov.uk/government/publications/the-report-of-the-hallett-review. In response to your queries:

	2. <i>How many of the letters were signed by a civil servant?</i> 3. <i>What rank is the civil servant and what is their name?</i> 4. <i>Over what time frame were the letters signed by the civil servant?</i> 5. <i>Would the letters normally be signed by the Secretary of State and if so was the SoS officially made aware that a civil servant was issuing these Letters?</i> Freedom of information law allows us to decline to answer FOI requests when we estimate it would cost us more than £600 (equivalent to 3.5 working days' worth of work, calculated at £25 per hour) to identify, locate, extract and then provide the information that has been asked for in a request (section 12 FOIA). We have made the decision to decline this aspect of your request on that basis. To identify whether we hold any such material, officials would be required to open and read a large amount of different records individually stored in a number of locations, and given the broad scope of your request we consider this would cost over £600. Although we cannot answer your request at the moment, we might be able to answer a refined request within the cost limit. You may wish to consider focusing your request on a narrower range of issues and/or on records produced during a focussed set of dates. Please note that, as in this instance, a further refined request may still not fall within the FOIA cost limit.
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FOI Request Reference	FOI/19/050
Month Issued	April 2019
Request	<i>I would like to access, under Freedom of Information law, all of the documents and correspondence held by the Northern Ireland office relating to the comments Ms Bradley made on March 6 claiming that killings carried out by British authorities in Northern Ireland were not crimes.</i>
Response	Freedom of information law allows us to decline to answer FOI requests when we estimate it would cost us more than £600 (equivalent to 3.5 working days' worth of work, calculated at £25 per hour) to identify, locate, extract and then provide the information that has been asked for in a request (section 12 FOIA). We have made the decision to decline your request on this basis, as to comply with the request and to enable us to identify whether we hold any such material, officials would be required to open and read a large amount of different records individually stored in a number of locations, and given the broad scope of your request we consider this would cost over £600.

Although we cannot answer your request at the moment, we might be able to answer a further refined request within the cost limit. You may wish to reconsider the scope of your FOI request and submit a revised request in respect of a specific period of time.

Please note that, as in this instance, a further refined request may still not fall within the FOIA cost limit.

You should not infer from this that the Northern Ireland Office holds a large amount of information relating to the subjects you have asked about, only that we would need to search through a large number of records in order to find out whether we hold any information relevant to your request.

You can find out more about Section 12(1) by reading the extract from the Act and some guidance points we consider when applying this exemption, attached at the end of this letter. You can also find more information by reading the full text of the Act, available at <http://www.legislation.gov.uk/ukpga/2000/36/section/12>.

ADDITIONAL INFORMATION ABOUT SECTION 12(1)

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The legislation

Section 1: Right of Access to information held by public authorities

- (1) Any person making a request for information to a public authority is entitled—
- (a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and
 - (b) If that is the case, to have that information communicated to him.

Section 12: Cost of compliance exceeds appropriate limit

- (1) Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.

	(2) Subsection (1) does not exempt the public authority from its obligation to comply with paragraph (a) of section 1(1) unless the estimated cost of complying with that paragraph alone would exceed the appropriate limit. (3) In subsections (1) and (2) “the appropriate limit” means such amount as may be prescribed, and different amounts may be prescribed in relation to different cases. (4) The Secretary of State may by regulations provide that, in such circumstances as may be prescribed, where two or more requests for information are made to a public authority— (a) by one person, or (b) by different persons who appear to the public authority to be acting in concert or in pursuance of a campaign, the estimated cost of complying with any of the requests is to be taken to be the estimated total cost of complying with all of them. (5) The Secretary of State may by regulations make provision for the purposes of this section as to the costs to be estimated and as to the manner in which they are to be estimated. <u>Guidance</u> <u>The appropriate limit</u> The 'appropriate limit', for the purposes of section 12 of the Freedom of Information Act has been set at: • £600 for central government and Parliament. • The hourly rate is set at £25 per person per hour. The following activities may be taken into account when public authorities are estimating whether the appropriate limit has been exceeded. • Determining whether it holds the information requested • Locating the information or documents containing the information • Retrieving such information or documents • Extracting the information from the document containing it.
FOI Request Reference	FOI/19/051
Month Issued	April 2019
Request	<i>I would like to submit a Freedom of Information request in relation to sexual harassment. Could the information set out information for the last five financial years, with separate figures for each?</i>

	1. <i>How many complaints of sexual harassment were made? What was the nature of the complaint?</i> 2. <i>How many of those complaints were upheld? Where a complaint was upheld, what was the remedy?</i>
Response	In response to your questions, there have been no complaints of sexual harassment in the Northern Ireland Office (NIO) in the last five financial years. The NIO operates a zero tolerance policy towards sexual harassment. The policies and procedures followed by the department are designed to ensure all staff are treated with dignity and respect, to which the NIO is fully committed.

FOI Request Reference	FOI/19/053
Month Issued	April 2019
Request	<i>I am making this request under the Freedom of Information Act 2000 to learn how Brexit preparations have impacted central government ministerial departments and their spending. Could I please be provided with the:</i> <i>Total spending on Brexit preparations from July 2016 to the day before this request is being processed by the ministerial department, including identification of total spending specifically on “no-deal” Brexit preparations and for the years 2018 and 2019.</i> <i>Total number of employees in the ministerial department that have been reassigned to Brexit preparations from July 2016 to the day before this request is being processed by the ministerial department, including identification of total numbers of employees reassigned for “no-deal” Brexit preparations.</i>
Response	In your response to your first question, the total spending on Brexit preparations by the Department from July 2016 to date is as follows: 2017-18 - £0.216m 2018-19 - £0.980m These amounts have been spent preparing for all exit scenarios and the Department has not specifically allocated any spending for “no-deal” preparations. In response to your second question, EU exit affects a number of work areas across the department and will therefore encompass a proportion of workload for many staff, the amount of which will vary over time. The Department has restructured its approach to the way it handles EU exit work, moving from an initial central EU exit co-ordinating team of seven to the current position where EU exit work is distributed widely across the whole department. Many of the same staff

	spend a proportion of their time preparing for leaving the EU (a) with and (b) without a deal. Those proportions vary continuously over time. As such it is difficult to quantify the number of staff working on preparing for the UK to leave the EU under any one possible scenario. The Northern Ireland Office currently employs 170 staff in Belfast and London, including those involved in EU Exit work.
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FOI Request Reference	FOI/19/054
Month Issued	April 2019
Request	<i>I would like to make a Freedom of Information request to the Northern Ireland Office pertaining to policy around abortion in Northern Ireland. Could I ask for the following information:</i> <i>1. Copies of all correspondence received by the NIO or sent by any NIO representative pertaining to abortion in Northern Ireland or access to abortion for women travelling to England, Scotland, Wales or the Republic of Ireland since September 1 2018.</i> <i>2. Copies of minutes of any meeting held by any NIO minister, special advisor or official with any of the following where abortion was discussed since September 1 2018:</i> <i>(a) Any representative of an organisation campaigning for reform of the law on abortion or against change.</i> <i>(b) Any political representative at whatever level</i> <i>(c) Any representative of devolved administrations within the United Kingdom (Scotland, Wales and Northern Ireland)</i> <i>(d) Any representative of the Government of the Republic of Ireland</i> <i>(e) Any individual women impacted by the law on abortion in Northern Ireland</i> <i>(f) any representative of the Northern Ireland Human Rights Commission, the office of the Attorney General for Northern Ireland or the Equality Commission</i> <i>(g) The PSNI or PPSNI</i> <i>(h) The chief medical officer</i> <i>(i) Any representative organisation for medical professionals</i> <i>If a meeting took place but minutes are not available, could you provide details of the date of the meeting, where the meeting took place and who attended.</i> <i>3. Can I ask for the response of the Permanent Secretary of the Northern Ireland Office to the letter sent by Richard Pengelly and Peter May dated 16 October 2018 and titled "Abortion law and termination of pregnancy services for fatal fetal abnormality, rape and incest: NIHRC". If no written response was sent in response, can you confirm this was the case?</i>

	4. <i>Copies of any 'lines to take' documents produced by NIO officials on the subject of abortion, any internal briefing materials produced on abortion and any analysis of the Supreme Court Judgment in the Northern Ireland Human Rights Commission Judicial Review Challenge.</i>
Response	Freedom of information law allows us to decline to answer FOI requests when we estimate it would cost us more than £600 (equivalent to 3.5 working days' worth of work, calculated at £25 per hour) to identify, locate, extract and then provide the information that has been asked for in a request (section 12 FOIA). In relation to your request, we have made the decision to decline your request on this basis, as to comply with the request and to enable us to identify whether we hold any such information, officials would be required to open and read a range of documents held by several colleagues and the ministers and their Private Offices, and this would involve a large amount of different records individually stored in a number of locations, and given the scope of your request, even to just collate a list of the documents we may hold within scope of this request, we consider this would cost over £600. Although we cannot answer your request at the moment, we might be able to answer a further refined request within the cost limit. You may wish to reconsider the scope of your FOI request and submit a revised and more targeted request, for example by providing a shorter date range, a series of key phrases/terms for us to use in searching our records, or by further refining the specific types of documents or the subjects of the documents you are seeking access to. You can find out more about Section 12 of the FOIA by reading the extract from the Act and some guidance points we consider when applying this exemption, attached at the end of this letter. You can also find more information by reading the full text of the Act, available at Cost limits.

FOI Request Reference	FOI/19/055
Month Issued	April 2019
Request	<i>I write requesting information under the terms of the Freedom of Information Act 2000.</i> <i>I request details of all correspondence and communication between officials or other individuals from or associated with the Northern Ireland Office (NIO) and officials or individuals from or associated with the European Commission in relation to the Northern Ireland Non-Domestic Renewable Heat Incentive Scheme, the associated consultation which ran between June and September 2018 and the subsequent proposals published in relation to the future of said scheme.</i> <i>This includes:</i>

	• <i>Details of all written (paper and electronic) communication between NIO representatives and European Commission representatives in relation to the above issue</i> • <i>Details of all meetings and all conversations, including all phone and teleconference conversations, between NIO representatives and European Commission representatives, including details of their subject matter and conclusions, in relation to the above issue</i>
Response	I can confirm that the Northern Ireland Office (NIO) does not hold the information that you have requested. The Northern Ireland Office did not correspond or have any communication with officials or individuals from or associated with the European Commission in relation to the Northern Ireland Non-Domestic Renewable Heat Incentive Scheme, the associated consultation which ran between June and September 2018 and the subsequent proposals published in relation to the future of said scheme.

FOI Request Reference	FOI/19/056
Month Issued	April 2019
Request	<i>Under FOI, I am requesting the following information:</i> <i>a. All correspondence within the NIO that can be found within the cost limit that relates to the Infected Blood Inquiry during the periods 01/07/17 to 31/08/17 and 01/09/18 - 31/10/18.</i>
Response	The Northern Ireland Office has looked through archives for the periods you cited. A letter from an MP regarding the inquiry (attached) was received on 7th July 2017; a parliamentary question answered on 21st July 2017; and a statement provided on 18th October 2017.

FOI Request Reference	FOI/19/057
Month Issued	April 2019
Request	<i>Under the Freedom of Information Act, I am requesting the release of any correspondence between your office and Taoiseach Leo Varadkar regarding comments made by Karen Bradley regarding military and police killings earlier this month.</i> <i>I am also seeking the release of the minutes of a meeting held between Karen Bradley and Leo Varadkar regarding the same.</i>
Response	The Northern Ireland Office does not hold this information.

FOI Request Reference	FOI/19/058
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Month Issued	April 2019
Request	<i>I would like to access, under FOI law, all of the correspondence between the department and the department of women and equalities office and/or the women and equalities committee on the subject of abortion law in Northern Ireland. I would like the correspondence for the last six months.</i>
Response	Freedom of information law allows us to decline to answer FOI requests when we estimate it would cost us more than £600 (equivalent to 3.5 working days' worth of work, calculated at £25 per hour) to identify, locate, extract and then provide the information that has been asked for in a request (section 12 FOIA). In relation to your request, we have made the decision to decline your request on this basis, as to comply with the request and to enable us to identify whether we hold any such information, officials would be required to open and read a range of documents held by several colleagues and the ministers and their Private Offices, and this would involve a large amount of different records individually stored in a number of locations, and given the scope of your request, even to just collate a list of the documents we may hold within scope of this request, we consider this would cost over £600. Although we cannot answer your request at the moment, we might be able to answer a further refined request within the cost limit. You may wish to reconsider the scope of your FOI request and submit a revised and more targeted request, for example by providing a shorter date range, a series of key phrases/terms for us to use in searching our records, or by further refining the specific types of documents or the subjects of the documents you are seeking access to. You can find out more about Section 12 of the FOIA by reading the extract from the Act and some guidance points we consider when applying this exemption, attached at the end of this letter. You can also find more information by reading the full text of the Act, available at Cost limits.