

JUNE 2019 FREEDOM OF INFORMATION RESPONSES

Year	Month	FOI Reference	Topic
2019	June	FOI/19/066	Brexit policy documentation
2019	June	FOI/19/067	Ministerial visits to the Resurgam Trust and Laganview Enterprise Centre
2019	June	FOI/19/068	Commemoration of the Northern Ireland centenary
2019	June	FOI/19/069	Archival file request: IRA terrorism in Great Britain
2019	June	FOI/19/071	Correspondence with unionist politicians on the Northern Ireland centenary
2019	June	FOI/19/083	Spending on despatch boxes
2019	June	FOI/19/084	Ministerial visit to Northern Ireland
2019	June	FOI/19/085	Correspondence on the Infected Blood Inquiry
2019	June	FOI/19/086	Spending on external law firms and barristers
2019	June	FOI/19/087	Correspondence on a Democratic Unionist Party Association Business Breakfast
2019	June	FOI/19/088	Brexit preparations: resourcing
2019	June	FOI/19/089	Spending on the NIO annual garden party
2019	June	FOI/19/090	Correspondence on Brexit
2019	June	FOI/19/093	Archival file request: Operation Banner advice
2019	June	FOI/19/094	IT communication solutions
2019	June	FOI/19/095	Spending on special adjustments for transgender employees and service users
2019	June	FOI/19/096	Northern Ireland Historical Institutional Abuse Inquiry: departmental costs
2019	June	FOI/19/097	ICT internal plans and strategy documentation
2019	June	FOI/19/098	Spending on social media advertising
2019	June	FOI/19/099	Spending on government procurement cards
2019	June	FOI/19/100	Correspondence on abortion access
2019	June	FOI/19/101	Brexit preparations: resourcing
2019	June	FOI/19/103	Arrests of Trevor Birney and Barry McCaffrey: records and correspondence
2019	June	FOI/19/106	Off-payroll contractors

FOI Request Reference	FOI/19/066
Month Issued	June 2019
Request	<u>Subject area:</u> <i>This is a request for information under FOIA in relation to the UK's commitments to 'no diminution of rights' under the Article 4 of the NI/Ireland Protocol to the draft EU Withdrawal Agreement and the commitment to implement same through 'dedicated mechanisms'. In relation to this commitment Paragraph 176 of the HM Government 'explainer' to the Agreement states:</i> <i>176. We have agreed to implement the no diminution commitment through a 'dedicated mechanism'. It is intended that this mechanism will draw on the existing human rights and equality bodies established under the Belfast (Good Friday) Agreement - namely the Northern Ireland Human Rights Commission (NIHRC), the Equality Commission for Northern Ireland (ECNI) and, on issues with an island of Ireland dimension, the Joint Committee - to provide independent oversight of the 'no diminution' commitment. The UK will confer upon NIHRC and ECNI new powers to monitor, supervise, advise and report on and enforce the commitment, as well as provide adequate resources to ensure that they are able to perform their enhanced roles effectively. The UK Government will continue to engage with both Commissions on issues relating to the dedicated mechanism.</i> https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/756376/14_November_Explainer_for_the_agreement_on_the_withdrawal_of_the_United_Kingdom_of_Great_Britain_and_Northern_Ireland_from_the_European_Union_1.pdf <u>Previous request and current public interest in release:</u> <i>In 2018 two previous requests in relation to this matter, one of which related to the document now sought, were declined.</i> <i>This current request is being issued at this juncture in light of the UK-EU agreement last week to defer the UK's EU Exit until up to the 31 October 2019.</i> <i>The 'no diminution' commitment is likely to be now implemented through an EU Withdrawal Act that will need to be passed through Westminster before the 31 October (or earlier if an earlier date is agreed). We strongly consider it therefore to be in the public interest that the document (the existence of which is not disputed and has been referred to publicly by Ministers) setting out the proposed new powers of the NIHRC and ECNI is put into the public domain. not to do so at this stage clearly risks consultees and the public not being sighted on the proposed policies before they are introduced into Parliament in what is likely to be accelerated passage. The NIO is in any case duty bound to consult and equality screen the new proposals under the terms of its equality scheme, a process which itself will take several months and would make public the detail of the powers. We would like to draw attention to Information Commissioner Decision Notice FS50698484 (CAJ v DEARA) 6 Feb 2018</i>

	<i>(paragraphs 31 & 32) as regards the release of policy proposals prior to final approval, with cross reference to duties under the equality scheme.</i> <u>Current request:</u> 1. <i>A copy of a policy or similar document setting out the proposed new powers of the NIHRC and ECNI referred to in paragraph 176 above;</i>
Response	I can confirm that the department holds information that you have asked for, but it is exempt from disclosure. We are not obliged to provide information if it relates to the formulation of government policy. In this case, the information is exempt under section 35(1) (a) of the FOIA. Section 35(1) (a) protects information relating to the formulation or development of government policy. We have considered the public interest in disclosing this information. <u>Public interest considerations in favour of disclosure</u> While there is a public interest in the way in which government decisions are made and how relationships with other stakeholders are conducted, good government depends on good decision-making and this needs to be based on the best advice available and a full consideration of all the options without fear of premature disclosure of matters that are subject to the ongoing formulation of government policy. <u>Public interest considerations against disclosure</u> Ministers and officials also need to be able to conduct rigorous and candid risk assessments of their policies and programmes including considerations of the pros and cons without there being premature disclosure which might close off better options; and that there needs to be a free space in which it is possible to 'think the unthinkable' and use imagination, without the fear that policy proposals will be held up to ridicule from premature disclosure. After careful consideration we have concluded that s35 (a) is engaged and it is in the public interest to withhold the documents. If you require further guidance on S.35 please refer to the guidance at the end of this letter and the ICO guidance on 'section 35' at https://ico.org.uk/media/for-organisations/documents/2260003/section-35-government-policy.pdf

We are also not obliged to provide information where it is intended to be published in the future. In this case, the information would also be exempt under section 22 of the FOIA. The intention to publish information flowing from the UK's Withdrawal Agreement with the European Union, at the time of the introduction of the domestic legislative vehicle to deliver this, which relates to the scope of this request, pre-dated this FOIA request.

EXPLANATION OF FOIA - SECTION 35 – FORMULATION OF GOVERNMENT POLICY

We have provided below additional information about Section 35 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 35: Formulation of government policy

- (1) Information held by a government department or by the Welsh Assembly Government is exempt information if it relates to—
 - (a) the formulation or development of government policy,
 - (b) Ministerial communications,
 - (c) the provision of advice by any of the Law Officers or any request for the provision of such advice, or
 - (d) the operation of any Ministerial private office.
- (2) Once a decision as to government policy has been taken, any statistical information used to provide an informed background to the taking of the decision is not to be regarded—
 - (a) for the purposes of subsection (1)(a), as relating to the formulation or development of government policy, or
 - (b) for the purposes of subsection (1)(b), as relating to Ministerial communications.
- (3) The duty to confirm or deny does not arise in relation to information which is (or if it were held by the public authority would be) exempt information by virtue of subsection (1).

- (4) In making any determination required by section 2(1)(b) or (2)(b) in relation to information which is exempt information by virtue of subsection (1)(a), regard shall be had to the particular public interest in the disclosure of factual information which has been used, or is intended to be used, to provide an informed background to decision-taking.
- (5) In this section—
 “government policy” includes the policy of the Executive Committee of the Northern Ireland Assembly and the policy of the Welsh Assembly Government;
 “the Law Officers” means the Attorney General, the Solicitor General, the Advocate General for Scotland, the Lord Advocate, the Solicitor General for Scotland, the Counsel General to the Welsh Assembly Government and the Attorney General for Northern Ireland;
 “Ministerial communications” means any communications—
 (a) between Ministers of the Crown,
 (b) between Northern Ireland Ministers, including Northern Ireland junior Ministers, or
 (c) between members of the Welsh Assembly Government
 and includes, in particular, proceedings of the Cabinet or of any committee of the Cabinet, proceedings of the Executive Committee of the Northern Ireland Assembly, and proceedings of the Cabinet or any committee of the Cabinet of the Welsh Assembly Government;
 “Ministerial private office” means any part of a government department which provides personal administrative support to a Minister of the Crown, to a Northern Ireland Minister or a Northern Ireland junior Minister or any part of the administration of the Welsh Assembly Government providing personal administrative support to the members of the Welsh Assembly Government;
 “Northern Ireland junior Minister” means a member of the Northern Ireland Assembly appointed as a junior Minister under section 19 of the M1 Northern Ireland Act 19

Guidance

Section 35 is aimed at protecting the policy-making process in order to maintain the delivery of effective government. It only applies to government departments (including a Northern Ireland Government Department) and the Welsh Assembly Government.

Section 35 covers information that ‘relates to’:

- formulation or development of government policy
- ministerial communications
- provision of advice by any of the Law Officers
- the operation of ministerial private offices

	Information 'relating to' one of the categories above will include the substantive information falling within the description, for example, information which describes a new government policy, or is contained in a ministerial communication. It will also include other information which is about that information.
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FOI Request Reference	FOI/19/067
Month Issued	June 2019
Request	<i>I was hoping to request all information held on Ministerial visits to the Resurgam Trust and Laganview Enterprise Centre:</i> • <i>January (possibly 3rd), 2013 - Theresa Villiers visits Laganview Enterprise Centre</i> • <i>October 27, 2016 - Kris Hopkins visits Resurgam Trust</i>
Response	I can confirm that the Northern Ireland Office does not hold any information in relation to a visit made by Theresa Villiers to Laganview Enterprise Centre. I can confirm that the Northern Ireland Office holds information within the scope of your request for information in respect of a visit Kris Hopkins made to Resurgam Trust; however some of this information will not be released by virtue of s38 of the FOIA which relates to the health and safety of any individual, and also s40 which relates to personal information. You can find out more about these exemptions by reading the full text of the Act in the links provided. As s38 of the FOIA is a qualified exemption, we have carried out a public interest test in reaching our decision. The factors taken into account are set out below. <u>Public interest considerations in favour of disclosure</u> • Provide the public with increased transparency around the activities of publicly appointed representatives; • Greater transparency makes government departments more accountable and increases public trust and scrutiny. <u>Public interest considerations against disclosure of information</u> • Disclosure of information relating to members of the public involved could endanger their personal safety. In this case, we have concluded that the public interest favours withholding the information. You can find out more about Section 38 by reading the full text of the Act, available at http://www.legislation.gov.uk/ukpga/2000/36/section/38

	We are not obliged, under section 40(2) of the Act, to provide information that is the personal information of another person if releasing would contravene any of the provisions in the Data Protection Act 2018 (DPA). In this instance we believe that the release of this information would contravene the first data protection principle and therefore section 40 (2) is engaged. The terms of this exemption in the Freedom of Information Act mean that we do not have to consider whether or not it would be in the public interest for you to have the information. You can find out more about Sections 40 by reading the full text of the Act, available at Personal information.
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FOI Request Reference	FOI/19/068
Month Issued	June 2019
Request	<i>I am writing to make an open government request for all the information to which I am entitled under the Freedom of Information Act 2000.</i> <i>Please send me:</i> • <i>All information the Department holds relating to plans to mark the centenary of Northern Ireland.</i> <i>This should include all correspondence (internal & external), all minutes of meetings, any discussions with interest parties & political groups. I'd like any information from Jan 1st 2016 – present?</i>
Response	A letter was issued to you on 22 May 2019 to inform you that we would need to extend the time frame to consider exemptions that require a public interest test (PIT) and to advise you of the new deadline for response. While we were carrying out the PIT we realised that a wider search was needed to identify all the information in scope and fully comply with the request for information held by the entire Department. The PIT process was stopped when following initial searches, we identified that section 12 was engaged. The 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. 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 records individually across all our information repositories.

	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 amount 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. 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 consider a shorter timeframe for the request, indicating a specific team within the Department, or perhaps provide a series of key phrases for us to search. The NIO's Annual Report and Accounts includes some information on how the Department is structured, which you may find useful: https://www.gov.uk/government/publications/nio-annual-report-and-accounts-2017-18. 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/19/069
Month Issued	June 2019
Request	<i>I would like to request access to the document named "CJ 4/2820 - IRA terrorism in Great Britain: anti-IRA measures"</i>
Response	I can confirm that the Northern Ireland Office holds information within the scope of your request; however this information will not be released by virtue of s27 of the FOIA which relates to international relations, s31 which relates to law enforcement, s38 which relates to the health and safety of any individual, s40 which relates to personal information and s23 and s24 in the alternative which relates to security matters and national security. You can find out more about these exemptions by reading the full text of the Act in the links provided. As sections 24, 27, 31 and 38 of the FOIA are qualified exemptions, we have carried out a public interest test in reaching our decision. The factors taken into account are set out below. <u>Public interest considerations in favour of disclosure</u> • Provide the public with increased transparency around the activities of publicly appointed representatives; • Greater transparency makes government departments more accountable and increases public trust and scrutiny. <u>Public interest considerations against disclosure of information</u>

- Disclosure of information relating to members of the public involved could endanger their personal safety.
- Disclosure of material relating to other countries may harm international relation
- Disclosure of material relating to Defence may undermine the UK's defence capability
- Disclosure of material relating to law enforcement may hamper ongoing investigations and court proceedings

In this case, we have concluded that the public interest favours withholding the information.

You can find out more about Sections 27, 31 and 38 by reading the full text of the Act, available at

<http://www.legislation.gov.uk/ukpga/2000/36/section/27>

<http://www.legislation.gov.uk/ukpga/2000/36/section/31>

<http://www.legislation.gov.uk/ukpga/2000/36/section/38>

Some of the information you have requested could be exempt under section 23(1) of the Freedom of Information Act, which relates to the bodies dealing with security matters, although it is also possible that the information relates to none of the bodies dealing with security matters. Sections 23(1) and 24(1) are being cited in the alternative as it is not appropriate, in the circumstances of the case, to say which of the two exemptions is actually engaged so as not to undermine national security or reveal the extent of any involvement, or not, of the bodies dealing with security matters. Section 23 is an absolute exemption and the Northern Ireland Office is not required to consider whether the public interest favours disclosure of this information.

Any information that is not exempt from disclosure under section 23(1) could be exempt under section 24(1) of the Freedom of Information Act, which exempts information from disclosure if its exemption is required for the purpose of safeguarding national security. For the reasons given above under section 23, we cannot say which of the two exemptions is actually engaged, and to the extent to which section 24(1) is engaged we are not obliged to give any further explanation by virtue of section 17(4) because to do so would involve the disclosure of information which would itself be exempt. Section 24 is a qualified exemption and I have considered whether the balance of the public interest favours releasing or withholding this information. 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 have weighed these public interests against a very strong public interest in safeguarding national security. It is important that this sensitive information is protected, as disclosure of information in this case, if held, would damage national security. Taking into account all the circumstances of this case I have determined that the balance of the public interest favours withholding this information.

You can find out more about Sections 23 and 24 by reading the full text of the Act, available at

<http://www.legislation.gov.uk/ukpga/2000/36/section/23>

	https://www.legislation.gov.uk/ukpga/2000/36/section/24 We are not obliged, under section 40(2) of the Act, to provide information that is the personal information of another person if releasing would contravene any of the provisions in the Data Protection Act 2018 (DPA). In this instance we believe that the release of this information would contravene the first data protection principle and therefore section 40 (2) is engaged. The terms of this exemption in the Freedom of Information Act mean that we do not have to consider whether or not it would be in the public interest for you to have the information. You can find out more about Sections 40 by reading the full text of the Act, available at https://www.legislation.gov.uk/ukpga/2000/36/section/40
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FOI Request Reference	FOI/19/071
Month Issued	June 2019
Request	<i>I am writing to make an open government request for all the information to which I am entitled under the Freedom of Information Act 2000.</i> <i>Please send me</i> <i>All correspondence between the Dept. and these named politicians – regarding plans to mark Northern Ireland’s centenary. I’d also like minutes of any meetings they attended.</i> <i>Covering the period from Jan 2016 – present</i> <i>Arlene Foster, DUP leader (and also in her capacity as NI First Minister)</i> <i>Nigel Dodds, DUP Westminster leader.</i> <i>Mike Nesbitt & Robin Swann, Ulster Unionist leader (and his predecessor)</i> <i>Jim Allister, TUV leader.</i>
Response	A letter was issued to you on 23 May 2019 to inform you that we would need to extend the time frame to consider exemptions that require a public interest test (PIT) and to advise you of the new deadline for response. While we were carrying out the PIT we realised that a wider search was needed to identify all the information in scope and fully comply with the request for information held by the entire Department. The PIT process was stopped when we identified that section 12 was engaged. The 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. 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 records individually across all our information repositories. 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 amount 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. 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 consider a shorter timeframe for the request, indicating a specific team within the Department, or perhaps provide a series of key phrases for us to search. The NIO's Annual Report and Accounts includes some information on how the Department is structured, which you may find useful: https://www.gov.uk/government/publications/nio-annual-report-and-accounts-2017-18. 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/19/083
Month Issued	June 2019
Request	<i>I am requesting the following information under the 2000 Freedom of Information Act:</i> 1) <i>Between January 1st 2015 and 8th May 2019 how many new despatch boxes were purchased by the department?</i> a. <i>Please may this include the individual or ministerial position this was purchased for and date it was purchased</i> 2) <i>Between January 1st 2015 and 8th May 2019 what was the total spent on new despatch boxes purchased by the department?</i> a. <i>Please may this be broken down to include the cost of each individual box purchased</i>
Response	The Northern Ireland Office does not hold this information.

FOI Request Reference	FOI/19/084
Month Issued	June 2019

Request	<i>I am writing to make a freedom of information request for the following information:</i> <i>1. A copy of the itinerary and list of all meetings and events attended by Minister of State John Penrose during his recent trip to Northern Ireland (as referenced on social media on the 9 May 2019).</i> <i>2. A list of all guests and attendees to meetings attended by the Minister or his accompanying staff.</i> <i>3. Copies of any notes of discussions, minutes or documents submitted by the local NIO office to the Minister regarding the company Moy Park and agriculture more generally (as referenced on social media – “He was keen to hear views from the local team on how UKG could support the company's further growth in the future.”).</i> <i>4. Copies of any notes or discussions, minutes or documents derived from meetings between the Minister and Moy Park.</i>
Response	Please see attached a copy of Minister Penrose’s itinerary for 9 May 2019 at Annex A which has been redacted under section 40 of the FOIA. We are not obliged, under section 40(2) of the Act, to provide information that is the personal information of another person if releasing it would contravene any of the provisions in the Data Protection Act 2018 (DPA). In this instance we believe that the release of this information would contravene the first data protection principle and therefore section 40 (2) is engaged. The terms of this exemption mean that we do not have to consider whether or not it would be in the public interest to release the information. Furthermore, we are unable to disclose some information you requested under section 43 (commercial interest). This relates to minutes, agenda, briefing material, memorandums of conversations, and correspondence. A redacted copy of the notes provided to Minister Penrose and derived from the Minister’s meeting with Moy Park is attached at Annex B and has been redacted under section 43. Section 43 provides that information held by a government department is exempt if its disclosure would prejudice commercial interests. The exemption is qualified, which means it is subject to a public interest test. In deciding whether to disclose the information held, we have considered the following public interest reasons in favour of disclosing the information: • Increase public knowledge about the role of the Minister of State. • Increase public knowledge about the department’s relationship with businesses. • Increase openness and transparency, which may help increase public confidence. We have balanced this argument in favour of disclosure against the need to: • Ensure the interests of third parties are protected in a commercial environment

	• Ensure third parties are not discouraged from engaging in future projects • Ensure that Ministers and third parties can have free and frank conversations We have concluded in this case that the harm that would result from disclosure of the redacted information outweighs the public interest arguments in favour of disclosure.
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FOI Request Reference	FOI/19/085
Month Issued	June 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 period 1st Nov 2018 - 28th Feb 2019.</i>
Response	The Northern Ireland Office has looked through archives for the periods you cited. A parliamentary question was answered by Minister Penrose of the Northern Ireland Office on 22 nd January 2019.

FOI Request Reference	FOI/19/086
Month Issued	June 2019
Request	<i>I would like to know the amount of money your department spent on the services of external law firms and barristers for the year ending March 31st 2019.</i> <i>Please exclude legal services provided by the Government Legal Department. However, please include legal services that the Government Legal Department has outsourced to a third party.</i> <i>You can approximate spending levels, i.e. if you are not able to provide the exact figures, please give us your best estimate.</i> <i>Please note that the figure we have requested should exclude spending by your department on the GLD (Government Legal Department) and its predecessor the TSoL (Treasury Solicitor's Department).</i>
Response	The total figure paid by the Organisation towards the legal services, excluding services provided by Government Legal Services is £389,972.33.

FOI Request Reference	FOI/19/087
Month Issued	June 2019

Request	<i>This is a request for information under the Freedom of Information Act regarding a DUP Association Business Breakfast. Please confirm possession of and provide the following information held by the Northern Ireland office.</i> <i>Any letters, correspondence and or emails sent and or received by the former Secretary of State for Northern Ireland MP James Brokenshire in relation to a Lagan Valley DUP association Business Breakfast on Thursday 27th October 2016.</i>
Response	We have reviewed our systems and have identified one email exchange on the Lagan Valley DUP association Business Breakfast on Thursday 27 October. Please see attached a copy of the exchange at Annex A, which has been redacted under section 40 of the FOIA. We are not obliged, under section 40(2) of the Act, to provide information that is the personal information of another person if releasing it would contravene any of the provisions in the Data Protection Act 1998 (DPA). In this instance we believe that the release of this information would contravene the first data protection principle and therefore section 40 (2) is engaged. The terms of this exemption mean that we do not have to consider whether or not it would be in the public interest to release the information. You can find out more about Sections 40 by reading the full text of the Act, available at Personal information.

FOI Request Reference	FOI/19/088
Month Issued	June 2019
Request	<i>I am requesting the following information from the Northern Ireland office.</i> <i>1. How many extra staff have been employed by this department to work primarily or specifically on Brexit preparations or policy?</i> <i>2. How many staff have been seconded or transferred from other government departments or agencies to this department to work on Brexit?</i> <i>3. How many staff have been seconded or transferred out of the department into other departments or agencies to work on Brexit?</i> <i>4. How many of the staff currently within the department and working on Brexit are working primarily or specifically on preparations for a 'no deal' Brexit?</i>
Response	In response to questions 1 and 4, 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. In response to questions 2 and 3, there have been no staff members seconded or transferred from other government departments or agencies into the Northern Ireland Office (NIO), nor have any staff members of the NIO been seconded or transferred out to other departments or agencies, to work on Brexit.
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FOI Request Reference	FOI/19/089
Month Issued	June 2019
Request	<i>I was looking to request the costs associated with the annual NIO garden party hosted by the Secretary of State for the following years;</i> • <i>2019 (whilst the event has yet to occur I am happy to receive figures which are easiest for you to work with such as figure at time of compiling data rather than that which is available at time of request)</i> • <i>2018</i> • <i>2017</i> • <i>2016</i> • <i>2015</i>
Response	Since 2015 the Northern Ireland Office has incurred the following costs in delivering the annual Garden Party: - 2015 £40,598.35; 2016 £56,163.72; 2017 £60,773.08; 2018 £53,653.11; and 2019 £50,350.50*. *This figure represents the latest position.

FOI Request Reference	FOI/19/090
Month Issued	June 2019
Request	<i>I would like to see all correspondence sent *to or from* the NIO Sec and her private office to any other Secretaries of State, including the Prime Minister, between 06:00 and 19:00 on April 11 (11/4/2019), mentioning the word Brexit or any related phrase.</i> • <i>This is a request for the NIO so I am looking for correspondence to or from the NIO Sec and his private office.</i> • <i>Brexit or related phrases include e.g. UK exiting the EU, UK leaving the EU, UK departing from the EU.</i>

	• <i>To help you direct your search, I have narrowed my request to a specific time frame, i.e. between 06:00 and 19:00 on April 11 (11/4/2019). I am looking for all Brexit-related documents sent in these 13 hours.</i> • <i>Correspondence includes letters, emails and any other documents</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 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 by providing a shorter timeframe/date range or more specific types of stakeholders. 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. Please note that a further refined request may fall within the FOIA exemptions.

FOI Request Reference	FOI/19/093
Month Issued	June 2019

Request	<i>Please disclose the advice given to Home Office NI Ministers, including Lord Stonham, especially whether they were advised that Gang Counter Gang low intensity operations General Kitson doctrine would be unlawful on UK soil The advice given before initiating Operation Banner.</i> <i>It may be, if you have custody of those records, that Lord Stonham (Stowmarket Suffolk) also took advice from the EOKA campaign police commissioner late Frank BURNS who became Suffolk Chief constable. Please disclose such advice which may include about legality in international law of that former General KITSON campaign EOKA (which IRA planners had studied when developing their terrorist strategy before Banner began)</i>
Response	I can confirm that the Northern Ireland Office does not hold any information within the scope of your request.

FOI Request Reference	FOI/19/094
Month Issued	June 2019
Request	<i>Q1. Who is the manufacturer of the following solutions installed within your organisation please? (for example Avaya, Cisco, Mitel etc)?</i> <i>a. Telephony</i> <i>b. Unified Communications (Presence, Messaging, Video, Screen Sharing, Web collaboration)</i> <i>c. Contact centre</i> <i>Q2. Which company supports the solution(s) for the organisation?</i> <i>Q3. What is the duration of the contract? (start date and end date)</i> <i>Q4. What is the typical budget spend on telephony, unified comms and contact centre?</i> <i>Q5. Who in the organisation is responsible for telephony, unified communications and contact centre?</i>
Response	In respect of question 1, the NIO is located in 2 sites with differing telephony solutions. a. Belfast - Cisco London – Avaya b. Belfast and London – Google Suite c. Belfast and London – IT Assist and Cabinet Office In respect of your questions 2, the solutions are supported in Belfast by IT Assist (ITA), which is a service provided by Enterprise Shared Services, a body within the Department of Finance, Northern Ireland. The Cabinet Office supply solutions in London.

	In respect of question 3, The Northern Ireland Office can neither confirm nor deny that it holds the information you requested as the duty in section 1(1) (a) of the FOI Act does not apply, by virtue of both section 24(2) that relates to national security and sections 31(1) (a) and 31(3) (a) that relates to law enforcement and the prevention of crime. However, this should not be taken as conclusive evidence that the information you have requested exists or does not exist. Section 24 is a qualified exemption and so we have considered whether it would be in the public interest for us to confirm or deny whether we hold the information. In this case, we have concluded that the public interest favours neither confirming nor denying whether the requested information is held. Section 31 is a prejudice based exemption and is subject to the public interest test. With regard to your request, we recognise the public interest in knowing whether the government holds particular information. Balanced against this, is the public interest in not releasing information that would aid a criminal intent on launching cyber-attacks on the Department's IT systems. In this case we consider that the wider public interest lies in neither confirming nor denying that information, which may have been disclosed in an unauthorised manner, is held. In respect of question 4 the NIO made payments in the financial year 17/18 to the Cabinet Office of £2,085, and £21,802.56 to IT Assist, in respect of telephony, please accept these as typical figures. In respect of question 5, the person responsible for the organisation, infrastructure and purchasing would be the Head of Estates and Services. As this person is below SCS (Senior Civil Servant) grade their details should not be disclosed.
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FOI Request Reference	FOI/19/095
Month Issued	June 2019
Request	<i>I would like to know details of any spending by the Department on special adjustments for transgender employees/service users from January 2016 to date.</i> <i>I would like the information broken down on a monthly basis with a brief summary of any adjustments.</i> <i>For example</i> <i>February 2017 - creation of gender neutral toilets in Whitehall offices, £2,000.</i>
Response	There has been no spending on special adjustments by the Northern Ireland Office from January 2016 to date. A recent refurbishment included all-inclusive toilets, but these were part of the standard, planned business refurbishment process.

FOI Request Reference	FOI/19/096
Month Issued	June 2019
Request	<i>Under the Freedom of Information Act, I would like to request details of the cost to the department so far of a legal challenge relating to the NI Historical Institutional Abuse Inquiry recommendations.</i> <i>More details on this can be found here: https://www.bbc.co.uk/news/uk-northern-ireland-47908233</i> <i>Please disclose the following:</i> <i>1. The overall cost to the department so far.</i> <i>2. Any available breakdown of the costs, e.g. spending on legal fees, etc.</i> <i>3. Is it anticipated that there will be any more costs incurred from this case, or have all costs now been confirmed?</i>
Response	The Northern Ireland Office has looked into your request. To enable us to identify whether we hold the requested material, officials would be required to open and read a large amount of records individually across all our information repositories. 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 this case, section 12 of the Freedom of Information Act 2000 applies: cost of compliance exceeds appropriate limit. You may wish to submit a new FOI request focussing on a specific time period or search terms. Please be advised that this would not guarantee that a refined request will result in the disclosure of information, as other exemptions may apply if the information can be located before hitting the costs threshold.

FOI Request Reference	FOI/19/097
Month Issued	June 2019
Request	<i>I wish to submit a request for some of the organisation's information around the internal plans and strategy documents regarding the ICT department.</i> <i>The ICT documents I require are the 2019 – Onwards iteration. If any of the documents are, for example 2017-2020 they will suffice, but it would be ideal to see the 2019 version of the document. Or the most recent update.</i> <i>I wish to obtain the following documents:</i>

	1. <i>ICT/IM&T/IS Strategy- the IT department strategy or plans; highlights their current and future objectives.</i> 2. <i>ICT Org Chart- A visual document that present the structure of the IT department. If possible, please include name and job titles. If this can't be sent, please consider a version with just the job titles, and the names and any other sensitive information redacted.</i> 3. <i>ICT Annual or Business Plan- An annual update on the progress of working according to the ICT strategy / a document that highlights specific goals that you are working towards within your ICT department.</i> 4. <i>ICT Capital Programme/budget- A document that shows financial budget regarding current and future ICT projects or goals.</i> <i>If some of these documents are not yet available, please state if you have any plans to publish the documents; if so, please give a rough date of when the documents will be available.</i>
Response	Your request has been handled under the Freedom of Information Act 2000 (FOIA). In respect of your questions 1 – 4, 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/19/098
Month Issued	June 2019
Request	<i>Can you tell me the following information via freedom of information please?</i> 1. <i>Can you tell me how much your department approximately spent on social media advertising in the year ending March 2019?</i> 2. <i>Can you please break this down between social media advertising channels? For instance, can you break down the spend between Snapchat, Instagram, Facebook, Twitter and any other social media channel?</i> 3. <i>For each advertising channel, can you tell me the names of the government department campaigns which ran in the year to March 2019 and which social media channel they ran?</i> 4. <i>Can you also tell me please an overall figure your department spent on each social media channel- be it Snapchat, Twitter, Instagram, Facebook or another- in the year ending March 2018?</i>
Response	The Northern Ireland Office has not spent any money on social media advertising in the year ending March 2019 or social media channels in the year ending March 2018.

FOI Request Reference	FOI/19/099
Month Issued	June 2019
Request	<i>Could you please tell me how many government procurement cards are being used by your department?</i> <i>Could you please provide me with a breakdown of spending on these cards and itemised bills dating back to the beginning of 2015?</i>
Response	We have responded to your information request as follows: Could you please tell me how many government procurement cards are being used by your Department? The Department has one Government Procurement Card. Could you please provide me with a breakdown of spending on these cards and itemised bills dating back to the beginning of 2015? I can confirm that the department holds information that you have asked for. The information is exempt under section 21 of the FOI Act because it is reasonably accessible to you, and I am pleased to inform you that you can access it via the following link: https://www.gov.uk/government/publications/nio-transparency-data-on-gpc-and-spending-over-25000--3 Section 21 of the Freedom of Information Act exempts disclosure of information that is reasonably accessible by other means, and the terms of the exemption mean that we do not have to consider whether or not it would be in the public interest for you to have the information. You can find out more about Sections 21 by reading the full text of the Act, available at Information accessible to the applicant by other means.

FOI Request Reference	FOI/19/100
Month Issued	June 2019
Request	<i>I would like to ask the Northern Ireland Office for the following information under the 2000 Freedom of Information Act:</i>

	<i>To ask for copies of all correspondence received by and sent by the Secretary of State for Northern Ireland, Karen Bradley, pertaining to abortion in Northern Ireland or access to abortion for women travelling to England, Scotland, Wales or the Republic of Ireland since January 1 2019.</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, as well as the department's 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 refining the specific types of correspondence you are seeking access to, or correspondence between the NIO and specific stakeholders and/or departments you are seeking access to, or specific key phrases/terms for us to use in searching our records. 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 http://www.legislation.gov.uk/ukpga/2000/36/section/12.

FOI Request Reference	FOI/19/101
Month Issued	June 2019
Request	<i>Please tell me the number of civil servants who were temporarily moved from the NIO, or diverted internally from their usual responsibilities, to help prepare the UK for the possibility of a no-deal Brexit in advance of 29 March 2019.</i> <i>And please tell me the number of those civil servants who have since been moved back to NIO, or returned to their usual responsibilities, since 29 March 2019.</i> <i>Please provide these figures in both full-time-equivalent and total headcount forms.</i>

Response	In response to your questions, no civil servants were temporarily moved from the Northern Ireland Office to help prepare for the possibility of a no-deal Brexit in advance of 29 March 2019. 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.
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FOI Request Reference	FOI/19/103
Month Issued	June 2019
Request	<i>Under the Freedom of Information Act, I am requesting the release of records relating to the arrests of Trevor Birney and Barry McCaffrey and the investigation into their making of a BBC documentary.</i> <i>I am seeking the release of any correspondence sent to the NIO by Taoiseach Leo Varadkar, the Tánaiste Simon Coveney, TDs, MPs or MLAs from Sinn Féin or the DUP and the National Union of Journalists regarding Mr Birney and Mr McCaffrey between 31 August and the present date, as well as any replies from the NIO regarding the same.</i>
Response	The Northern Ireland Office does not hold this information.

FOI Request Reference	FOI/19/106
Month Issued	June 2019
Request	<i>I would be grateful if you could provide me with the following information:</i> <i>What percentage of your contractors are deemed to be outside IR35 and are therefore being paid with no deduction of taxes and National Insurance?</i>
Response	The Northern Ireland Office is fully compliant with tax legislation. All workers either contracted directly or through an intermediary have the appropriate taxes deducted.