



House of Commons
Public Administration Select
Committee

**Ministerial
Accountability and
Parliamentary
Questions**

Third Report of Session 2003–04



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*Report, together with formal minutes and
Appendices*

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The Public Administration Select Committee

The Public Administration Select Committee is appointed by the House of Commons to examine the reports of the Parliamentary Commissioner for Administration, of the Health Service Commissioners for England, Scotland and Wales and of the Parliamentary Ombudsman for Northern Ireland, which are laid before this House, and matters in connection therewith and to consider matters relating to the quality and standards of administration provided by civil service departments, and other matters relating to the civil service; and the committee shall consist of eleven members.

Current membership

Tony Wright MP (*Labour, Cannock Chase*) (Chairman)
Mr Kevin Brennan MP (*Labour, Cardiff West*)
Annette Brooke MP (*Liberal Democrat, Mid Dorset and Poole North*)
Mrs Anne Campbell MP (*Labour, Cambridge*)
Sir Sydney Chapman MP (*Conservative, Chipping Barnet*)
Mr David Heyes MP (*Labour, Ashton under Lyne*)
Mr Kelvin Hopkins MP (*Labour, Luton North*)
Mr Ian Liddell-Grainger MP (*Conservative, Bridgwater*)
Mr Gordon Prentice MP (*Labour, Pendle*)
Hon Michael Trend, CBE MP (*Conservative, Windsor*)
Mr Brian White MP (*Labour, Milton Keynes North East*)

The following members were also members of the committee during the parliament.

Mr John Lyons MP (*Labour, Strathkelvin and Bearsden*)
Mr Anthony Steen MP (*Conservative, Totnes*)
Mr Anthony D Wright MP (*Labour, Great Yarmouth*)

Powers

The committee is one of the select committees, the powers of which are set out in House of Commons Standing Orders, principally in SO No 146. These are available on the Internet via www.parliament.uk.

Publications

The Reports and evidence of the Committee are published by The Stationery Office by Order of the House. All publications of the Committee (including press notices) are on the Internet at www.parliament.uk/parliamentary_committees/public_administration_select_committee.cfm. A list of Reports of the Committee in the present Parliament is at the back of this volume.

Committee staff

The current staff of the Committee are Philip Aylett (Clerk), Clive Porro (Second Clerk), Chris Carrington (Committee Specialist), Jackie Recardo (Committee Assistant) and Jenny Pickard (Committee Secretary).

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Contents

	<i>Page</i>
Summary	3
Report	5
Introduction	5
Openness and accountability	5
Access to information	6
Citing the relevant exemption	10
Quality of responses—referral to the Committee	13
Coordinated replies	14
The public record and referral to the internet	16
Timeliness	16
Comparison of departmental guidance.	17
Conclusion	18
Conclusions and recommendations	20
Formal Minutes	22
Reports from the Public Administration Select Committee since 2001	23
Appendix 1	25
Letter from the Principal Clerk, Table Office	25
Pattern of answers list 2000–01	25
Appendix 2	44
Letter from the Clerk, Public Administration Select Committee	44
List of Memoranda	44
Appendix 3	66
Letter from the Principal Clerk, Table Office	66
Pattern of answers list 2001–02	66
Appendix 4	136
Letter from the Clerk, Public Administration Select Committee	136
List of Memoranda	136
Appendix 5	215
Letter from the Rt Hon Frank Field MP	215
Reply from the Rt Hon Paul Boateng MP, HM Treasury	215
Reply from the Rt Hon Jack Straw MP, Foreign & Commonwealth Office	215
Letter from Mr David Laws MP	216
Reply from the Rt Hon Paul Boateng MP, HM Treasury	217
Letter from Mr David Laws MP	217
Letter from Mr Barry Gardiner MP	218
Reply from Ruth Kelly MP, HM Treasury	218

Letter from Tony Wright MP	219
Reply from Mr David Lammy MP, Department of Health	219

Appendix 6 **221**

Letter from Tony Wright MP	221
Reply from the Rt Hon Andrew Smith MP, Department for Work and Pensions	221
Letter from Dr Richard Taylor MP	223
Reply from the Rt Hon Alan Milburn MP, Department of Health	223
Letter from Mr Paul Burstow MP	224

Summary

This is the sixth in the series of reports on Ministerial Accountability and Parliamentary Questions. The First Report, in 1995–96 by the Public Services Committee, followed the findings of Sir Richard Scott’s Inquiry into the export of defence equipment, and the issues it raised about ministerial answers to Parliamentary Questions. This Report is based largely on the pattern of answers for Sessions 2000–01 and 2001–02 provided by the Table Office.

The Report acknowledges the greater presumption in favour of openness within Government since the mid-1990s as a result of the introduction of the Code of Practice on Access to Government Information. However it notes the constraints applied by Government on the way it provides information to Parliament, in marked contrast to the recent Inquiry by Lord Hutton.

The Report provides data on the number of questions on which Ministers have withheld information and the proportion of those which cite the relevant exemption, as required by the Code of Practice. We examine how Questions are handled in terms of requests under the Code of Practice and we catalogue a number of other concerns surrounding the answering of Parliamentary Questions by departments. We also report for the first time on how the practice by Members of asking the Committee to take up complaints about unsatisfactory answers with Ministers has operated. The Report also compares departmental guidance to officials on how to answer Parliamentary Questions and makes recommendations on best practice.

Report

Introduction

1. The Committee and its predecessor, the Public Services Committee, have reported six times on the subject of Ministerial Accountability and Parliamentary Questions since the 1996–97 Session. In view of the short Parliamentary Session in 2000–01 this Report covers both that Session and Session 2001–02. The Report is based on the pattern of answers kindly provided to us by the Table Office. As in the past, we have also examined some of the wider issues surrounding the answers to Parliamentary Questions.

Openness and accountability

2. This series of Reports stems from one of the recommendations in the Public Service Committee’s Report on Ministerial Accountability and Responsibility¹ following the findings of Sir Richard Scott’s Inquiry into the export of defence equipment, popularly known as the Arms to Iraq affair.² The Scott Inquiry covered a period (1984–92) during which Sir Richard could claim that, “In circumstances where disclosure might be politically or administratively inconvenient the balance struck by the Government comes down, time and time again, against full disclosure”³ and the then head of the Civil Service famously described an official letter to an Australian Court as being economical with the truth. We should be careful however not to assume the existence of some earlier golden age of Ministerial candour in response to Parliamentary Questions. Rather, since the inception of Questions in broadly the current form following the Balfour reforms at the beginning of the last century, the Government’s approach to answering Questions has, at times, been characterised as minimising the opportunity for scrutiny of its actions through careful and skilful crafting of answers. By the middle of the last century that craft had been refined to the point where it was said of civil servants preparing answers for their ministers that they followed a simple rule, “Nothing may be said which is not true: but it is as unnecessary as it is sometimes undesirable, even in the public interest, to say everything relevant which is true; and the facts may be arranged in any convenient order. It is wonderful what can be done within these limits by a skilful draftsman”.⁴

3. In recent years the presumption has changed significantly in favour of greater openness. The duty resting on Government to be as open as possible is enshrined in a whole range of legislation, codes and official guidance. The Code of Practice on Access to Government Information (the Code) was introduced in 1994, alleged breaches of which are subject to the Parliamentary Ombudsman’s jurisdiction. The NHS is also covered by a Code of Practice on Openness. Ministers are bound by the Ministerial Code of Conduct and their officials by the Civil Service Code. There is also official guidance on giving evidence to Select Committees (the Osmotherly Rules) and on answering Parliamentary Questions. As

¹ Public Service Committee, Second Report of the Session 1995–96, *Ministerial Accountability and Responsibility*, HC 313–I.

² Sir Richard Scott, *Report of the Inquiry into the Export of Defence Equipment and Dual-Use Goods to Iraq and Related Prosecutions*, HC (1996–96) 115.

³ *Ibid*, D1.165 and quoted further in HC (1995–96) 313, para 47.

⁴ H E Dale, *The Higher Civil Service of Great Britain*, (London, 1941), pp 104–05, quoted in D N Chester and N Bowring, *Questions in Parliament*, (Oxford, 1962), p 239.

a consequence of our predecessor Committee's report, the House passed a resolution in early 1997 on ministerial accountability which sets the standard for ministers' responsibilities to the House.⁵ The Freedom of Information (FOI) Act 2000 will come fully into effect in January 2005. The Data Protection Act has been in force since 1984. Yet the quality of information provided to Parliament remains an issue of significance. In response to a question from Llew Smith MP about the reason for the different approaches to information disclosure to the Hutton Inquiry on the one hand and to Select Committees and in answer to Parliamentary Questions on the other, the Prime Minister replied that,

“The Government are committed to co-operating fully with the Hutton Inquiry. Relevant papers are being provided to the Inquiry. The decision on which papers to make public is a matter for the Inquiry...”

Information provided in response to PQs and Select Committees will continue to be decided as appropriate in accordance with the Ministerial Code, the Code of Practice on Access to Government Information and Information and Departmental Evidence to Select Committees”.⁶

We intend to return to some of these themes as part of our work this year.

Access to information

4. At present any request for information to a government department or other public body covered by the Code is treated in accordance with the requirements of the Code whether or not the applicant makes reference to it in his/her inquiry. The FOI Act will operate on the same basis. Where information is refused, the body has to inform the applicant not only of the reason for this and under which exemption but also that, if they are not satisfied that the information has been justifiably withheld, they can request an internal review. If still dissatisfied the applicant can take the case to the Parliamentary Ombudsman, via an MP.

5. With regard to Parliamentary Questions, the ability of Members to obtain information is less straightforward. The admissibility of questions is determined by the Ministerial pattern of answers in the same Session. If a Minister declines to provide information, citing an exemption in the Code or other policy reason, under the House's rules the same question will be inadmissible for the remainder of the Session from the date on which the exemption has been claimed unless circumstances change. If an answer is refused either on grounds of disproportionate cost or where no exemption has been explicitly cited the same question cannot be asked again for the next three months.

6. This apparent divergence of accessibility between the public and the Parliamentary route prompted us to investigate the degree to which MPs might be pursuing the public route as an option. The Department for Constitutional Affairs (DCA) publishes an annual report monitoring the operation of the Code. It states that all requests for information are treated in accordance with the principles of the Code. However for the purpose of monitoring the Code requests are defined more narrowly as those which either specifically mention the

⁵ CJ (1996–97) 328

⁶ HC Deb, 15 September 2003, Col 515W

Code; for which a fee is paid or which are refused under a Code exemption. Table 1 below, compiled from information contained in DCA's annual monitoring reports from 1998 to 2002, shows the breakdown of Code requests by source where these have been identified.

Table 1: Sources of Request 1998–2002

Department	1998	1999	2000	2001	2002
Individuals	15.1%	30.6%	26.5%	33.1%	40.0%
Businesses	49.2%	17.2%	17.3%	14.4%	8.0%
MPs/Peers	1.9%	1.4%	10.1%	18.4%	24.0%
Media	1.5%	4.8%	1.3%	3.6%	16.0%
Academics	4.5%	4.8%	3%	2.0%	5.0%
Charities/Lobbies	2.9%	1.6%	1.9%	10.7%	4.0%
Others	24.9%	39.6%	39.8%	17.8%	3.0%
Total no. of sources of requests	7459	3424	5351	4111	3614

Data source: Department for Constitutional Affairs—annual monitoring reports

7. The degree to which it is possible to extrapolate from this information across to the pattern of answers over the same period is, of course, limited. It is clear however that the proportion of Members of both Houses who are identified under the narrow definition of a Code request described in paragraph six above is on a significantly rising trend.

8. Moreover there must be some doubt about the accuracy of the data provided by departments for inclusion in these monitoring reports. For example the Department for Education and Skills (DfES) recorded 3,902 Parliamentary Questions, 15,595 Ministers' Cases and 57,701 other correspondence in the report covering 2002. None of these were sourced as requests from MPs and Peers.⁷ For its part the Department of Trade and Industry recorded 25,068 Parliamentary Questions, no Ministers' cases and 11,730 other correspondence out of which only one was sourced as a request from Members or Peers.⁸ The same report shows that Ministry of Defence and the Health and Safety Executive account for the overwhelming majority of code requests (as defined in paragraph six) by MPs and Peers.⁹ In short, the annual monitoring reports do not appear to provide a sufficiently robust statistical analysis of the use of the Code.

9. In his evidence to us Edward Adams, until recently Head of the Information Rights Division of the Department for Constitutional Affairs, hoped "it [the data in the monitoring reports] is consistent and complete and up-to-date," but he conceded that DCA "take on trust what [departments] tell us".¹⁰ He assured us that, "Under the Freedom of Information Act the monitoring requirements will be, I think, both more consistent and more rigorous. We are still discussing with departments what the precise scope of these will be but there will be more information about the timescales and the way exemptions have been triggered and more consistent agreements over essentially what is a request and how

⁷ Department for Constitutional Affairs, *Code of Practice on Access to Government Information: Monitoring Report for 2002*, October 2003, p 12.

⁸ *Ibid*, p 20.

⁹ *Ibid*, pp 12 and 16.

¹⁰ HC 41–ii, Q 189

they are monitored and measured”.¹¹ Evaluating the impact of the new Act will necessitate reliable statistics about its use. **We would expect the monitoring of requests under the FoI Act to be much more rigorous than appears to have been the case under the Code and so recommend.**

10. The recent debate in Westminster Hall on our last Report¹² reflected the concern in the House that Parliamentary Questions are not treated with sufficient priority by Departments and that Members would be disadvantaged in relation to the rights of ordinary citizens under the FOI Act.¹³ The Minister for the Cabinet Office sought to deal with these concerns in that debate by stating that “The Act is fundamentally blind to those requesting information, so it would be wholly wrong to suggest that its implementation would systematically and routinely disadvantage those Members of Parliament who wished to raise matters directly with Ministers. [...] Clearly, Parliamentary authorities will want to consider whether there is further scope, and whether in years to come the House authorities should give further consideration to the relationship between Parliament and the Executive in the light of the operation of the Freedom of Information Act. It would, however, be wholly wrong to interpret what I am sure most of us in the House this afternoon would agree is a significant step towards openness and transparency as disadvantaging Members, when we all stand to benefit from the greater openness and transparency that implementation of the Freedom of Information Act will secure”.¹⁴ He added that, “the inviolable right of Parliament to hold Ministers to account remains and endures,” but then noted that, “there are also long-standing parliamentary conventions under which we are, and continue to be, accountable to Parliament”.¹⁵

11. Similarly Mr Adams told us that whatever the formal position “I think as a matter of practice though I myself would find it inconceivable that a lower standard was being applied by officials or ministers to questions being asked by Members of Parliament than being asked by citizens, and I think it would be particularly unworkable and inconsistent if you had a position where a Member of Parliament could obtain more information by simply writing a letter to the relevant official than by asking a question to the minister in Parliament. So I simply cannot imagine that we will have a regime in which there is any difference between those rights”.¹⁶ He went on to say, “Our whole system is predicated, obviously, on supremacy of Parliament, and for a consequence of legislation to be that Members of Parliament enjoy lesser rights to information in relation to their parliamentary responsibilities than if they were to ask the same question as a private citizen is simply unreal”.¹⁷

12. Despite these assurances it seems to us there is a disjuncture between the requirement under the Code to remind individuals of their right to a review where a request for information is refused and the convention that Members should not table a question on a

¹¹ Ibid

¹² Public Administration Select Committee, Ninth Report of the Session 2001–02, *Ministerial Accountability and Parliamentary Questions*, HC 1086.

¹³ HC Deb, 8 January 2004, Cols 151 WH–186 WH.

¹⁴ Ibid, Col 184 WH.

¹⁵ Ibid, Col 185 WH.

¹⁶ HC 41–ii, Q 175

¹⁷ Ibid, Q 180

similar topic for a period of time after a department has refused to answer the original Question.

13. We have recommended in several of our earlier reports that, where departments withhold information in answer to Questions, Members should, in accordance with the Code, be informed under which exemption this is being done. It follows then that they should also be allowed a right of review. Good practice suggests that reviews should be undertaken by someone not involved in the original decision. It is difficult to see who is in such a position with respect to Ministerial answers to Parliamentary Questions. **Nevertheless, with the advent of the Freedom of Information Act, we recommend that the Government should give careful consideration to how best it might remedy the current, anomalous situation concerning the right of review and how the analogous rights of appeal in the new FoI regime should apply. We also recommend that in developing its guidance on the implementation of the FoI Act the Government should ensure clear advice is provided on the handling of Parliamentary Questions.**

14. Currently Members are able to refer cases of alleged breaches of the Code to the Parliamentary Ombudsman. For such a complaint to be made, Members must themselves use the good offices of a colleague, the MP filter. Despite this barrier there have been a small (but growing) number of referrals to the Ombudsman from Members over recent years. In response to our Committee's letter asking departments for explanations on their refusal to answer certain Parliamentary Questions the Department of Transport provided us with a copy of their letter to the Rt Hon Teresa May MP, whose request for information about Railtrack was initially refused under exemptions 2 (internal discussion and advice) and 4 (law enforcement and legal proceedings) of the Code. After the intervention of the Ombudsman the Department, with a new Secretary of State and Permanent Secretary, reassessed the public interest as now being in favour of making the information available.¹⁸

15. This example also serves to highlight the fact that as policy develops, including policy on access to information itself, information which might not have been disclosed at the time the question was originally asked may subsequently be deemed publishable. The DfES provided evidence of this to us. In November 2001 George Mudie MP asked for names of contracts and their financial value between the Department and the private company Capita.¹⁹ The former was provided but not the latter on the grounds that it was commercially confidential. Subsequently there was policy agreement to relax disclosure of information on procurement activities. "Consequently had we been asked the same question today the contract values would have been disclosed for all the named contracts".²⁰

16. We have verified that this is indeed the case. In response to a question from Malcolm Bruce MP about contracts for work carried out by Bechtel since 1997, including the value and nature of those contracts, the Secretary of State for Trade and Industry, the Rt Hon Patricia Hewitt MP, answered the question in full.²¹ Both the House's own 1997 Resolution and the Ministerial Code enjoin Ministers to be as open as possible with Parliament. **We**

¹⁸ See Appendix 4, memorandum 16.

¹⁹ HC Deb 15 November 2001, Col 868 W.

²⁰ See Appendix 4, memorandum 7.

²¹ HC Deb, 6 November 2003, Col 739W

recommend that where there are developments with regard to freedom of information either in a specific policy area or more generally, departments should announce the policy shift in a written ministerial statement to enable Members to re-table Questions which Ministers had previously refused to answer if they so wish.

Citing the relevant exemption

17. We have made recommendations in successive reports about the requirement that, where departments withhold information in their written answers, they should cite the relevant exemption under the Code. As a consequence the Government amended and re-issued its guidance on drafting answers to Parliamentary Questions, making this requirement explicit.²² While we recognise that the revised guidance post dates the Parliamentary Sessions covered by this Report nevertheless we would expect departmental practice to reflect the revised guidance, which merely reinforces the requirements of the Code itself. Tables 2 and 3 below shows the proportion by department of refusals to answer which cite the relevant exemption to the Code for the two Sessions under review. It takes account of answers where disclosure is regulated by other legislation, such as the Data Protection Act, or some other legitimate reason such as the transfer of responsibilities following devolution. The figures do not include Questions not answered due to disproportionate costs or “I will write” replies.

²² Public Administration Select Committee, First Report of the Session 2002–03 *Ministerial Accountability and Parliamentary Questions: the Government’s Response to the Committee’s Ninth Report of Session 2001–02*, HC 136, p 10.

Table 2: Totals of Written Questions to Departments Session 2000–01

	Total No. of Questions Tabled	Percentage Refused	No. of Questions Refused	No. of Questions citing exemptions	Percentage citing exemption
Attorney General + Solicitor-General	99	0.00%	0	N/A	N/A
Cabinet Office + Duchy of Lancaster	233	1.29%	3	3	100%
Church Commissioners	40	2.50%	1	0	0%
Culture Media and Sport	618	0.97%	6	2	33%
Education and Employment	1,143	0.00%	0	N/A	N/A
International Development	328	0.00%	0	N/A	N/A
Social Security	971	0.21%	2	2	100%
Health	1,720	0.17%	3	2	67%
Environment, Transport and the Regions	2,121	0.85%	18	9	50%
Agriculture	1,315	0.38%	5	1	20%
Foreign and Commonwealth Office	1,107	1.08%	12	2	17%
Home Office	2,011	0.65%	13	2	15%
Lord Chancellors Dept	343	0.29%	1	0	0%
Ministry of Defence	1,155	2.86%	33	29	88%
Northern Ireland Office	319	1.88%	6	1	17%
Trade and Industry	1,196	2.51%	30	20	67%
Office of the Secretary of State for Wales	183	0.00%	0	N/A	N/A
President of the Council	101	0.00%	0	N/A	N/A
Prime Minister	282	2.48%	7	3	43%
Treasury	1,157	0.43%	5	0	0%
Scotland Office + Advocate General for Scotland	200	0.50%	1	1	100%
TOTALS	16,642	0.88%	146	77	53%

Data source: Parliamentary On-Line Information System and Table Office

Table 3: Totals of Written Questions to Departments Session 2001–02

Department	Total No. of Questions Tabled	Percentage Refused	No. of Questions Refused	No. of Questions citing exemptions	Percentage citing exemption
Attorney General + Solicitor-General	405	2.22%	9	0	0%
Cabinet Office (incl. Deputy Prime Minister up to May 2002)	935	1.18%	11	5	45%
Church Commissioners	58	0.00%	0	0	-
Culture Media and Sport	2,328	0.99%	23	11	48%
Education and Skills	4,369	0.37%	16	5	31%
International Development	2,180	0.23%	5	4	80%
Work and Pensions	3,492	1.69%	59	50	85%
Health	8,948	0.32%	29	11	38%
Transport	1,609	0.25%	4	3	75%
Transport Local Government and the Regions	6,582	1.49%	98	44	45%
Environment Food and Rural Affairs	6,344	0.30%	19	8	42%
Office of the Deputy Prime Minister	909	0.66%	6	1	17%
Foreign and Commonwealth Office	3,537	1.44%	51	24	47%
Home Office	6,158	0.97%	60	11	18%
Lord Chancellors Dept	1,498	0.80%	12	3	25%
Ministry of Defence	4,630	4.17%	193	174	90%
Northern Ireland Office	919	2.18%	20	8	40%
Trade and Industry	4,957	1.51%	75	36	48%
Office of the Secretary of State for Wales	656	1.68%	11	8	73%
President of the Council	293	0.34%	1	1	100%
Prime Minister	899	4.23%	38	8	21%
Treasury	4,860	1.17%	57	20	35%
Scotland Office + Advocate General for Scotland	831	1.20%	10	4	40%
TOTALS	67,283	1.20%	807	395	49%

Data source: Parliamentary On-Line Information System and Table Office

18. The Code has been in operation since 1994. This Committee has recommended repeatedly that the relevant exemption should be cited where information is withheld in answers to Parliamentary Questions. The Government has accepted on three successive occasions that this should be the case. The FOI Act is due to come fully into effect in January 2005. Despite all this, overall performance by departments in this respect remains poor. At the same time departmental responses to the Committee's letter seeking a fuller explanation of why it was thought necessary to withhold information, and under what exemption, invariably refer to the appropriate exemption in the Code even where these were not cited in the original answers. Such references to the Code's exemptions are often also provided where the original refusal to answer was justified by reference to a 'practice', a 'policy' or a 'convention'. The ability of departments to cite exemptions when prompted by this Committee implies that this aspect of the Code is not being followed rigorously by officials nor enforced by Ministers and their private offices. It might also imply that their responsibilities under the Code of Practice are worn rather lightly by departments.

19. A notable exception is the Ministry of Defence. It is one of the departments of which the highest number of questions was asked in Session 2001–02 and which, less commendably, had the highest rate of refusals to answer. It is also a Department which most consistently cited Code exemptions to those answers. A reason for this may be because the MoD is pretty clear in its advice to officials. Its guidance states that, "If you are recommending to Ministers that some or all information is withheld, the answer must specify the exemption in the Code under which it is being withheld e.g. "I am withholding the information requested under exemption 1 of the Code of Practice on Access to Government Information. It is **NOT** acceptable to use formulations like "not appropriate to give details etc." We agree.

20. We welcome the revised Cabinet Office guidance to departments requiring that, where information is withheld, the relevant exemption should be cited. We remain concerned however that departmental performance is still less than satisfactory in this respect and deplore the fact that, after all this time and effort on our part, prompting by this Committee is still necessary. We intend to scrutinise closely the pattern of answers for Session 2002–03, which should reflect the revised Cabinet Office guidance, in the firm expectation that the Code and the guidance will have been properly adhered to. In our view there should be also no incompatibility between the Code of Practice and departmental policies, practices and conventions with regard to access to information. **We recommend that such policies, practices and conventions should conform to the requirements of the Code. If they cannot be justified under the exemptions provided for by the Code they should be discontinued.**

Quality of responses—referral to the Committee

21. We have pursued the recommendation in our Ninth Report of Session 2000–01 that this Committee, through its Chairman, should, where appropriate, refer unsatisfactory answers to Questions to the department concerned if requested to do so by a Member.²³ This service does not deal with every dissatisfaction, but it deals with inadequately answered questions. Where the Committee considers that there is a good case to answer we

²³ HC 1086, (2001–02), para 34.

have written to the Minister concerned asking for their comments. We aim to ensure that departments give a good service to Members, answering their Questions promptly, accurately and honestly, in line with the prevailing conventions and guidelines without attempting to second-guess Ministers.

22. Members continue to express concerns about the quality of replies to their Parliamentary Questions. By way of example we reported the regrettable episode where Steve Webb MP was able to obtain information on disabled people in hospital via his rights under the Data Protection Act which he had been told by the Department for Work and Pensions in response to a Question was not available.²⁴ Mr Webb wrote to the Committee asking us to take action with the Secretary of State. Andrew Smith MP replied to the Committee setting out the chronology of events and the steps he had taken to prevent a recurrence of this error. The letter is at Appendix 6.

23. We consider that this mechanism has proved worthwhile both to elicit explanations about inadequate responses on behalf of Members and to emphasise the seriousness with which the House takes the issue of ministerial accountability and the importance of Ministers meeting the required standards for answers to Questions. Members have used the facility extremely responsibly and, in turn, Ministers have responded positively and constructively. We therefore intend to continue with this task. Last year the Chairman wrote to colleagues reminding them of the assistance that can be provided by the Committee to those Members who believe that answers are inadequate and we plan to do so again in due course.

Coordinated replies

24. Members occasionally ask the same Question of several departments to elicit comparative information. Departmental guidance for officials in dealing with what departments call ‘round-robins’ advises that, before drafting a reply, officials should await central guidance provided by Cabinet Office on the advice of the lead department. Some departments also advise their officials that the guidance is not binding; that where the draft answer varies from central guidance this should be flagged up for ministers and that the coordinated replies should not prevent more information being provided, if available.

25. The Rt Hon Frank Field MP raised this practice with us. Barry Gardiner MP was dissatisfied with the coordinated response provided by HM Treasury to his question about contracts concluded as a result of the Government’s support to ethical banking. Although Department for International Development and Department for Culture, Media and Sport felt able to provide specific answers all other departments adopted the ‘round-robin’ reply. As one member of the Committee recently observed “When we ask the same question of different Departments, we either get the same answer from every Department, including the commas in the same places, which does not tell us anything, or we receive an informative answer from some Departments but not from others”.²⁵ We note the guidance to officials from the DCA which urges particular care in answering round-robins as “they

²⁴ Public Administration Select Committee, First Report of the Session 2002-03, *Ministerial Accountability and Parliamentary Questions: The Government Response to the Committee's Ninth Report of Session 2001-02* HC 136, paras 6-10.

²⁵ HC Deb, 8 January 2004, Col 167WH

are often designed to elicit information which can embarrass the Government” and that “it is important to put answers in context”. Paragraph 5 of the Cabinet Office guidance is clear, “Do not omit information sought merely because disclosure could lead to political embarrassment or administrative inconvenience”.

26. The practice of providing uniform answers to the same question asked by a Member of several departments seems contrary to the spirit of the Ministerial Code injunction to give “accurate and truthful information” and to “be as open as possible with Parliament and the public”. It is the responsibility of the Member putting down a question to ensure it is framed in a way which will best provide the comparative information sought. It should not be for departments to frustrate Members’ rights to request information by means of a coordinated standard response. The convention in the House is that Questions are addressed to and answered by the Minister responsible. Where a question is wrongly addressed it is transferred to the relevant department for answer. **We recommend that where a department replies to a Question, the Minister should be responsible for the accuracy and relevance of the answer to his department, whether or not the same question has also been asked of other departments.**

27. We also deplore the use of coordinated replies in an attempt to claw back areas where departments have shown themselves able to answer more fully and openly. An example of this is the series of questions asked in the 2001–02 Session by certain Members about Green Ministers i.e. those Ministers charged with the responsibility for their department’s performance in contributing to sustainable development. In response to a question from Malcolm Bruce MP on 17 July 2001 about future meetings of Green Ministers, the then Minister for the Environment, the Rt Hon Michael Meacher MP, replied that this group had now been reformed as a Cabinet sub committee under his chairmanship and dates for future meetings had yet to be set.²⁶ The following day the Secretary of State for Culture, Media and Sport, the Rt Hon Tessa Jowell MP, refused to answer the same question from the same Member citing exemption 2 of the Code not to disclose information relating to proceedings of Cabinet Committees.²⁷ Later the same Session, in January 2002, Mr Meacher could tell Llew Smith MP that Green Ministers had met once, in March 2001 and who had been present but claimed exemption for information relating to meetings after June 2001 because the group now had the status of a Cabinet sub committee.²⁸ In early July 2002 Sue Doughty MP asked a number of departments about the outcome of Green Ministerial meetings. Most Ministers again refused to answer, claiming the standard exemption about Cabinet committees. In contrast Hazel Blears MP for the Department of Health (DoH) could not only reveal that the next meeting would be on 15 July but also that the last meeting had discussed climate change adaptation and target setting for the Government estate on environmental management systems.²⁹ Exemption 2 of the Code is not intended to protect factual information. Furthermore the presumption remains information should be disclosed unless the harm likely to arise would outweigh the public interest in releasing it. **We recommend that, in answering Questions where such an**

²⁶ HC Deb, 17 July 2001, Col 165W

²⁷ HC Deb, 18 July 2001, Col 187W

²⁸ HC Deb, 14 January 2002, Col 110W

²⁹ HC Deb, 9 July 2002, Cols 925-6W

exemption applies, Ministers should apply a harm test and not simply a class exemption to the information requested.

The public record and referral to the internet

28. The Rt Hon Frank Field MP raised two other matters with us. Firstly he contended that an answer should be a matter of public record, published in Hansard, rather than refer the questioner to information available elsewhere (usually either in the Library of the House or on a departmental website). Secondly he was concerned that information available on a website can, potentially, be withdrawn by departments at any time.

29. In our Ninth Report we agreed with Mr Field about the availability of information, recommending that wherever practicable the full answer should be placed on the official record.³⁰ Members are also often frustrated when Ministers answer a Question by stating that they will write and put a copy of the letter in the Library. In the recent Westminster Hall debate one Member of the Committee considered that it would be extremely useful if the letters that go to the Library could appear in a section of Hansard, like written ministerial statements, so that other Members could see the answers to those Questions. We note that it has been the practice since October 1992 for replies to Members from Chief Executives of Government agencies to be printed in Hansard. They had previously been treated like ‘I will writes’. The Speaker has raised his concern with the frequency of ‘I will write’ replies to Questions with the Leader of the House. In his reply, copied to the Chairman of the Committee, Mr Hain said he has asked his staff to explore in discussion with House officials whether anything can be done to increase the accessibility of these letters. We welcome this development and look forward with interest to the outcome of these discussions.

30. We strongly agree with Mr Field about the use of website references in answering Questions. Unlike information placed in the Library, the House has no control over the archiving and availability of information placed on the Internet. The Department for Transport alone provides guidance for officials on how to deal with this now common form of answer. It states that, where referral to an internet site has been made, the Department should also provide hard copies where a document is more than twenty pages long (although to whom, the Member or the Library is not specified); the Internet should not be the sole source of reference where documents are likely to be in heavy demand; internet references should be as precise as possible and internet references should only be given if the Department is confident that the document will remain on the Internet indefinitely. **We note with approval DfT’s instructions and recommend that all departmental guidance should include best practice on referral to the Internet in answers to Parliamentary Questions.**

Timeliness

31. Ordinary written questions do not have to be answered on a specific date but the convention is that the Member can expect to receive an answer within a working week of the date for which the Question is put down (i.e. about ten days from tabling). Named Day

³⁰ HC (2001–02) 1086, para 20

questions must of course receive an answer on the date specified by the Member tabling the question. David Laws MP and David Lidington MP have both written to the Committee recently, complaining about the quality of the answers provided by HM Treasury and the DoH, compounded by delays in answering of two months and six months respectively. We are aware of other instances of delays.³¹ Moreover Members have expressed concerns about intentional delays in particular circumstances.³² We will monitor this situation carefully to determine whether an unwelcome trend is developing and report our findings.

32. A continuing source of dissatisfaction is still the delay on the part of departments in answering letters from Members. This is an issue faced by the Committee itself. The Chairman wrote to the Secretary of State for Health on 10 February 2003 concerning a complaint from Dr Richard Taylor MP about his department. Mr Milburn replied assuring him that the system for managing its correspondence had been changed and “delays like this should become a thing of the past”.³³ That letter was dated 30 May 2003. Paul Burstow MP provided the Committee with the outcome of his own investigations into departmental performance. His letter is at Appendix 6. The most recent report to the House on Departments’ and Agencies’ performance in handling Members’ and Peers’ correspondence during the 2002 calendar year shows significant problems in three big departments of state (Home Office, Health and Environment, Food and Rural Affairs) in that period.³⁴

33. While the Committee is not in a position to offer the same assistance to Members with regard to ministerial correspondence we consider that it is a matter of equally serious concern when the standards set by departments themselves for providing information are not being met. Nor do we consider that these matters are entirely unconnected. If Members feel that they have received timely and helpful responses to their letters this may in turn impact favourably on the number of questions, some of which are simple requests for an answer to outstanding correspondence (and Questions).

Comparison of departmental guidance.

34. In our Ninth Report we stated our intention to examine the separate guidance produced by departments to see if they are consistent with central guidance issued by Cabinet Office and to report our findings.³⁵ We considered guidance documents provided by 17 departments. We also had an informal session with three departmental Parliamentary Clerks. We are grateful for these contributions. In examining the guidance we looked particularly at certain aspects, such as appropriate use of the Code, the use of holding replies and advice on ‘round-robins’. We expected to see the Cabinet Office’s seven-point guidance at the heart of departmental advice to officials. Most departments have transcribed these central instructions, either as an integral part of their document or

³¹ Two recent examples are to be found at HC Deb, 19 November 2003, Col 876 and HC Deb, 1 December 2003, Col 8W.

³² HC Deb, 8 January 2004, Col 172WH and Col 177WH

³³ See Appendix 6

³⁴ HC Deb, 15 May 2003, Cols 18WS–21WS

³⁵ HC (2001–02) 1086, para 47

annexed to it in some way. However we were concerned to discover that different emphasis was placed by departments on the same parts of their respective guidance.

35. With regard to information withheld, the Cabinet Office guidance states categorically that, where it is concluded that information must be withheld through application of the Code and the Question cannot be fully answered as a result, officials should draft an answer which makes this clear “citing the relevant exemption of the Code of Practice...”. The Foreign and Commonwealth Office (FCO) and Home Office guidance however have a slightly different form of words. Officials are advised that a draft answer should make clear that information is being withheld explaining the reasons “in equivalent terms to that of the Code of Practice”. The Scotland Office, now part of the DCA, seems to have slightly dated guidance which still refers to “Questions of Procedure for Ministers” rather than to its successor, the Ministerial Code of Conduct. It also draws a curious distinction between information which is withheld “in line with established Parliamentary convention” such as dealings with the Royal Family and other information “normally omitted in line with the Code of Practice on Access to Government Information”. Nor is there any explicit requirement to cite the relevant Code exemption.

36. Guidance on holding replies is variable. The DCMS for example simply state that in the case of Named Day Questions, where officials are unable to meet the deadline or ministers are unable to clear a draft in time, “Parliamentary Branch will send a holding reply to the MP”. HM Treasury advise their officials that they “can if necessary” give a holding reply. Others are more stringent in their requirements. FCO require prior permission from private offices; the Department of Work and Pensions require a full explanation and operate a maximum target for the number of holding replies of 10% of all Named Day PQs and the Department for Environment, Food and Rural Affairs discourages their use as being “in effect a breach of Standing Orders of the House”. We have already discussed departmental guidance on coordinated replies and Internet referral elsewhere in this report (see paragraphs 24–27 and 30 above). We found no evidence in the guidance material provided to us which made a distinction between Members with regard to how the Question should be answered.

37. It is clear to us from our analysis of guidance produced by individual departments that there are some good examples of best practice. Equally, and despite the existence of central guidance from Cabinet Office, advice to officials is not always consistent across departments. We recognise the necessity for departments to tailor their guidance to reflect ways of working by individual ministers. However central guidance should be properly, consistently and strongly reflected by all departments in their drafting instructions. **We recommend that the Cabinet Office undertake a regular audit of the material produced by departments to ensure consistent application of central guidance and as a means of disseminating examples of best practice by individual departments across Whitehall.**

Conclusion

38. We will soon be writing to departments about the pattern of answers in Session 2002–03. We hope they will reply promptly to ensure the Committee is able to report to the House in timely fashion.

39. We have argued consistently in our reports on this subject that Questions are one of the most important instruments of Ministerial accountability to the House. For Members to scrutinise Government effectively it is necessary for Ministers to be as open as possible and the Code of Practice should be the benchmark for this. Our evidence suggests that where information in answer to Questions has been withheld those requests have not always been handled with full regard to the requirements of the Code.

40. We welcome the implementation of the FoI Act from January next year which we hope will further encourage a cultural shift towards greater openness and transparency for the benefit of both citizens and of their elected representatives. Indeed such a shift was deemed necessary by the independent review group on Government Communications, chaired by Mr Bob Phillis, which reported recently. We hope too that the Government will take note of the comments and recommendations made in this Report and the concerns expressed by Members about the impact of the FoI Act to ensure that Questions are handled at least as well as any other request for information under the Act.

41. This Committee, and no doubt others in the House, will be monitoring developments carefully.

Conclusions and recommendations

Access to information

1. We would expect the monitoring of requests under the Freedom of Information Act to be much more rigorous than appears to have been the case under the Code of Practice on Access to Government Information and so recommend. (Paragraph 9)
2. With the advent of the Freedom of Information Act, we recommend that the Government should give careful consideration to how best it might remedy the current, anomalous situation concerning the right of review and how the analogous rights of appeal in the new FoI regime should apply. We also recommend that in developing its guidance on the implementation of the FoI Act the Government should ensure clear advice is provided on the handling of Parliamentary Questions. (Paragraph 13)
3. We recommend that where there are developments with regard to freedom of information either in a specific policy area or more generally, departments should announce the policy shift in a written ministerial statement to enable Members to retable Parliamentary Questions which Ministers had previously refused to answer if they so wish. (Paragraph 16)

Citing the relevant exemption

4. We recommend that departmental policies, practices and conventions should conform to the requirements of the Code of Practice on Access to Government Information. If they cannot be justified under the exemptions provided for by the Code they should be discontinued. (Paragraph 20)

Coordinated replies

5. We recommend that where a department replies to a Parliamentary Question, the Minister should be responsible for the accuracy and relevance of the answer to his department, whether or not the same question has also been asked of other departments. (Paragraph 26)
6. We recommend that, in answering Questions where such an exemption applies, Ministers should apply a harm test and not simply a class exemption to the information requested. (Paragraph 27)

The public record and referral to the internet

7. We recommend that all departmental guidance should include best practice on referral to the Internet in answers to Parliamentary Questions. (Paragraph 30)

Comparison of departmental guidance

8. We recommend that Cabinet Office undertake a regular audit of the material produced by departments to ensure consistent application of central guidance and as a means of disseminating examples of best practice by individual departments across Whitehall. (Paragraph 37)

Formal minutes

Thursday 12 February 2004

Members present:
Tony Wright, in the Chair

Mr Kevin Brennan
Mr David Heyes
Mr Kelvin Hopkins

Mr Ian Liddell-Grainger
Mr Gordon Prentice
Mr Brian White

The Committee deliberated.

Draft Report (Ministerial Accountability and Parliamentary Questions), proposed by the Chairman, brought up and read.

Ordered, That the Chairman's draft Report be read a second time, paragraph by paragraph.

Summary agreed to.

Paragraphs 1 to 41 agreed to.

Resolved, That the Report be the Third Report of the Committee to the House.

Ordered, That the Chairman do make the Report to the House.

Several Papers were ordered to be appended to the Report.

Ordered, That the Appendices be reported to the House.

[Adjourned till Thursday 26 February at 9.15am

Reports from the Public Administration Select Committee since 2001

Session 2003–04

First Report	A Draft Civil Service Bill: Completing the Reform	HC 128–I
Second Report	The Work of the Committee in 2003	HC 229
Third Report	Ministerial Accountability and Parliamentary Questions	HC 355

Session 2002–03

First Special Report	The Public Service Ethos: Government's Response to the Committee's Seventh Report of Session 2001–02	HC 61
First Report	Ministerial Accountability and Parliamentary Questions: The Government Response to the Ninth Report from the Committee (Session 2001–02)	HC 136
Second Report	The Work of the Committee in 2002	HC 447
Third Report	Ombudsman Issues	HC 448 (<i>Cm 5890</i>)
Fourth Report	Government By Appointment: Opening up the Patronage State	HC 165–I
Fifth Report	On Target? Government By Measurement	HC 62–I (<i>HC 1264</i>)
Sixth Report	On Target? Government By Measurement: the Government's Response to the Committee's Fifth Report	HC 1264

Session 2001–02

First Report	Public Participation: Issues and Innovations: The Government Response to the Committee's Sixth Report of Session 2000–01	HC 334
Second Report	The Ministerial Code: Improving the Rule Book: The Government Response to the Committee's Third Report of Session 2000–01	HC 439
Third Report	Special Advisers: Boon or Bane: The Government Response to the Committee's Fourth Report of Session 2000–01	HC 463
Fourth Report	Ministerial Accountability and Parliamentary Questions: The Government Response to the Committee's Second Report of Session 2000–01	HC 464
Fifth Report	The Second Chamber: Continuing the Reform	HC 494–I (<i>HC 794</i>)
Sixth Report	The Second Chamber: Continuing the Reform: The Government Response to the Committee's Fifth Report	HC 794
Seventh Report	The Public Service Ethos	HC 263–I (<i>HC 61</i>)
Eighth Report	"These Unfortunate Events": Lessons of Recent Events at the Former DTLR	HC 303–I (<i>Cm 5756</i>)

Ninth Report

Ministerial Accountability and Parliamentary
Questions

HC 1086 (*HC 136*)

The response to the report is printed in brackets after the HC printing number.

Appendix 1

Submitted by the Principal Clerk, Table Office, House of Commons

Following the practice established in the last Parliament, I enclose a copy of the Table Office's digest of the pattern of answers: the list of questions which had been blocked by virtue of a minister's refusal to answer them in the Session 2000–01, which lasted from December 2000 to May 2001.

The Table Office's previous memorandum to the Public Service Committee in 1996 (attached) set out the procedure relating to the compilation, Office style and use of the pattern of answers list, which is of course neither a complete digest of blocking answers nor an absolute statement of what may not be asked. It is primarily an internal document designed as a practical guide to some of the limits set by ministers in replying to questions.

10 December 2001

Pattern of answers list for session 2000–01

ADVOCATE GENERAL

No.	Date	Subject	Comment	qno.	Col.
1	15.02.01	Law officers' advice	Long-standing convention that neither existence nor content of Law Officers' advice is normally disclosed outside Government	149841	228W

AGRICULTURE

No.	Date	Subject	Comment	qno.	Col.
1	01.02.01	Agricultural support	Details of recipients of agricultural support withheld under Exemptions 12 and 15 of the Code of Practice (personal details not released to third parties) (and reference to Article 9 of Council Regulation (EC) No. 3508/92 of 27 November 1992)	147543	295–96W

No.	Date	Subject	Comment	qno.	Col.
2	27.03.01	GM crops	Details of experimental approvals for the use of pesticide on GM crops are not published for reasons of commercial confidentiality (<i>but arrangements being reviewed to provide for greater openness</i>)	154337	604W
3	24.04.01	Foot and Mouth	Not practical or appropriate to comment on position of individual applicants under the various schemes to meet the needs of farmers during the foot and mouth outbreak	155923, 155926, 155928	256-7W

ATTORNEY GENERAL/SOLICITOR GENERAL

No.	Date	Subject	Comment	qno.	Col.
Nil.					

CHURCH COMMISSIONERS

No.	Date	Subject	Comment	qno.	Col.
1	16.01.01	Bishops' Houses	Not policy to make public information about expenditure on and working costs of individual bishop's houses	145383	178W

CULTURE, MEDIA AND SPORT

No.	Date	Subject	Comment	qno.	Col.
1	15.01. 01	National Lottery	Publication of details of bids to operate the National Lottery matter for the National Lottery Commission	145561	25W
2	08.02. 01	Millennium Dome	Details of individual contracts between NMEC and sponsors commercially confidential.	147784	683W
3	09.02. 01	Research and Advertising	Details of cost of contracts for research and advertising withheld on grounds of commercial confidentiality	149258	705W
4	13.02. 01	Officials' meetings (Hinduja brothers)	Not normal practice to disclose details of officials' meetings or discussions with private individuals or companies BUT see FCO item 10 for partial exception to the rule	148077	67W
5	13.02. 01	Terrestrial television	Responsibility for ensuring transmission of terrestrial TV channels not for government ('principally' a matter for BBC governors, ITC and the Welsh TV Authority	149669	68W
6	26.03. 01	Intelligence matters	Long-standing practice not to comment on the detail of intelligence matters	153734	473W

DEFENCE

No.	Date	Subject	Comment	qno.	Col.
1	13.12. 00	University College Birmingham	No information given on internal estimate of costs of future investment: Exemption 7 of Code of Practice	141381	162–63W
2	13.12. 00	Porton Down	Some text removed from MoD's letter (placed in Library) to the MRC relating to Porton Down volunteers (Code of Practice Exemptions 11, 12 & 14)	142419, 142418	165–66W

No.	Date	Subject	Comment	qno.	Col.
3	19.12.00	Repair Costs	Costs of repairs to HMS Fearless withheld under Code of Practice Exemption 7a1 (competitive position of department) <i>(though information about eg timetable of repairs given)</i>	143044, 143072	93W
4	09.01.01	Medical treatment of service personnel	Costs of contractual arrangements with private sector medical providers withheld under Exemption 7 of Code of Practice	144511	482W
5	15.01.01	Explosives research	Location and precise nature of research into new types of explosives withheld under Exemption 1 of the Code of Practice; see also 22.01 col 423W, 146072	145526	44W
6	23.01.01	Operations in Iraq	Detailed information on activity of coalition aircraft over Iraq withheld under Part II of section 1c of the Code of Practice	145425	532W
7	23.01.01	Holdings of munitions	Details of precise numbers of weapons held in stock withheld under Exemption 1 of the Code of Practice	145467	538W
8	24.01.01	Royal Army Medical College	Agreed selling price of RAMC withheld under Exemption 7 of the Code of Practice	146882	580W
9	25.01.01	Financial planning: Royal Hospital Haslar	Practice of successive governments to withhold detailed financial planning assumptions under Exemption 2 of the Code of Practice <i>(though broad forecast of costs given)</i>	146604	657–58W
10	29.01.01	Commercial exploitation levy	Details of individual rates of the levy and circumstances in which they apply withheld under Exemptions 7 and 13 of the Code of Practice <i>(though general information given)</i>	146068	61–62W
11	01.02.01	Personal injury compensation	Estimate of liability for compensation arising from personal injury by members of the armed forces deployed to Sierra Leone withheld under Exemption 4 of the Code of Practice while claims remain to be settled <i>(but information about number of claims given)</i>	148146	262–63W

No.	Date	Subject	Comment	qno.	Col.
12	05.02. 01	Submarines	Exact state of readiness of individual submarines withheld under Exemption 1 of the Code of Practice (<i>but general information given</i>)	147570	358W
13	26.02. 01	Sonarbuoys	Prices paid by the Defence Procurement Agency for UK sonarbuoys and price information on US Navy sonarbuoys withheld as commercially confidential (Exemption 13); funding allocation for demonstration and manufacture phase of sonarbuoys withheld as contract not yet awarded (Exemption 13); performance targets for active search sonarbuoy system classified (Exemption 1)	150289, 150288	564– 65W
14	01.03. 01	Terrorist threats	Not practice to discuss threat assessment publicly for reasons of national security	151589	725– 26W
15	01.03. 01	MoD police	Sums paid by Royal Ordnance for the services of MoD police withheld as commercially confidential (Exemption 13)	151590	727W
16	07.03. 01	Security measures	Not practice to discuss MOD security measures publicly (<i>though general answer given</i>)	151805	223W
17	09.03. 01	Ian Bannister	Amount of damages paid to Mr Bannister, a former serviceman, withheld as confidential (Exemption 4 of the Code of Practice) (<i>though other information given</i>)	153060	359W
18	19.03. 01	Missiles etc	(a) Information on number of missiles ordered by UK and partner nations under Meteor programme withheld (Exemption 1 of the Code of Practice) (b) Information regarding quantity of rockets held in stock by the armed forces withheld (Exemption 1a of the Code of Practice) (23.04)	154163, 158396	87–88W, 100W
19	23.04. 01	Ammunition used	Information on number of training rounds used by RAF and Fleet Air Arm pilots withheld (Exemption 1 of the Code of Practice)	156976	95W

No.	Date	Subject	Comment	qno.	Col.
20	23.04. 01	AWE Aldermaston	Nature of cargo sent from Aldermaston to Los Alamos National Laboratory withheld (Exemption 1 of the Code of Practice)	158097	97W
21	05.03. 01	Force Research Unit	Details of the activities of the FRU withheld under Exemption 1a of the Code of Practice (<i>though reason for acknowledging existence of FRU given</i>)	150583	17W
22	05.03. 01	Strategic Defence Initiative	US-UK SDI Memorandum of Understanding withheld under Exemption 1b of the Code of Practice	152052	21W
23	05.03. 01, 23.04. 01	Service careers	(a) Not normal practice to disclose details of when, and for what reason, an individual was discharged from the Army (Exemptions 8a and 12 of the Code of Practice) (b) Details of service careers, including units in which an individual served, not disclosed without consent of the individual to whom the information relates (Exemptions 8a and 12 of the Code of Practice)	152088, 158569	19W, 99W
24	23.04. 01	Bloody Sunday Inquiry	Inappropriate to publish documents submitted to the Bloody Sunday inquiry while it is sitting.	158505	99W
25	03.05. 01	Equipment numbers	Numbers of baton rounds issued to units withheld (Exemption 1 of the Code of Practice)	158050	715W
26	03.05. 01	Equipment costs	Information on cost of baton rounds issued to units withheld (Exemption 13 of the Code of Practice)	158050	715W
27	03.05. 01	HMS Beaver	Actual price realised by sale of HMS Beaver withheld as commercial in confidence	159720	719W
28	08.05. 01	Unit Histories	Dates of establishment, deployment and discontinuation, details of activities undertaken and normal complement of 14 Company and the Force Research Unit withheld; similar information about 22 SAS Regiment also withheld although date of formation given (Exemption 1a of the Code of Practice)	160324	17W

CABINET OFFICE/DUCHY OF LANCASTER

No.	Date	Subject	Comment	qno.	Col.
1	07.02. 01	Permanent Secretaries	Not policy to divulge information that would reveal details about performance of individual civil servants—contrary to Data Protection Act 1988	145188	542W
2	01.03. 01	Cabinet Committees	Established practice not to disclose information relating to proceedings of Cabinet Committees (Exemption 2 of the Code of Practice) (and question about meetings with other ministers to discuss coordination of rural policy answered by reference to same practice, 153403, 12.02 col 429W); also 159101, 2.05 col 702W	151538	752W
3	31.03. 01	Internal discussions	Information about internal discussions between Ministers not disclosed (Exemption 2 of the Code of Practice)	156205	857W

EDUCATION AND EMPLOYMENT

No.	Date	Subject	Comment	qno.	Col.
Nil.					

ENVIRONMENT, TRANSPORT AND THE REGIONS

No.	Date	Subject	Comment	qno.	Col.
1	18.12. 00	London traffic	(a) Mayor and/or Transport for London responsible for traffic in London with effect from 3.7.2000 (see also 142533, 142695) (<i>but DETR officials have met TfL to discuss road safety (142580)</i>)	142530	6W
	15.01. 01		(b) Mayor and London boroughs responsible for deciding on schemes for road user charging in London	144904	17W
2	21.12. 00	Railtrack	(a) Contractual arrangements for import of railway lines a commercial matter for Railtrack	143549	301W
			(b) Origin and quality of railway lines a matter for Railtrack	143441	301W
			(c) Balfour Beatty maintenance audit report a matter of commercial confidentiality between Railtrack and Balfour Beatty	143557	305W
	07.03. 01		(d) Detailed figures for the number of speed restrictions on <u>individual</u> railway lines a matter for Railtrack (<i>but general information available</i>)	152359	256W
3	21.12. 00	Millenium Dome	(a) Details of sale process of the Dome commercially confidential while negotiations continue (see also 144714, 11.01)	142176	287W
			(b) details of financial consideration for the sale of the Dome commercially confidential while negotiations continue	142177	287W
	11.01. 01		(c) Government estimate of financial value of Dome site commercially confidential while process of finding a buyer continues (see also 147177, 25.01)	144763	587W
4	08.01. 01	Correspondence	Correspondence between department and its correspondents in confidence unless originator seeks to make it public	144139	378W

No.	Date	Subject	Comment	qno.	Col.
5	16.01.01	Heathrow Terminal 5	(a) Inappropriate to comment on terminal 5 during the consideration of the public inquiry inspector's report	144748, 145582	185W
	06.02.01		(b) Building works at Heathrow Terminal 5 a matter for local planning authority	148835	460W
	30.04.01		(c) Enforcement of planning controls at Heathrow Terminal 5 a matter for local planning authority	159249	465W
6	01.02.01	Internal meetings and advice	Information about internal meetings and advice not disclosed under Exemption 2 of the Code of Practice	147444	253W
7	05.02.01	References	Details of references of the head of the Economic Regulation Group CAA, are personal and confidential	148551	382-3W
8	13.03.01	East coast main line	Details of bids put forward for replacement of the East Coast Main Line franchise are commercially confidential	153624, 153625	535W

FOREIGN AND COMMONWEALTH

No.	Date	Subject	Comment	qno.	Col.
1	09.01.01	Visa cases	(a) Names of hon Members who have contacted FCO in individual visa cases withheld on grounds of confidentiality	143172	506W
	3.04		(b) Not practice to comment on individual visa cases	156527	135W
2	16.01.01	Bishops' Conferences of the EC	Information on individual EC grants to the Bishops' Conferences a matter for the European Commission	144629	165W
3	17.01.01	Security and intelligence services	(a) Not Government's policy to comment on details of the staffing, including salaries, of the security and intelligence services (<i>but broad indication given of staff grades</i>)	145349, 145350	231W

No.	Date	Subject	Comment	qno.	Col.
4	24.01.01	Intelligence matters	(a) Not Government policy to comment on intelligence matters	147051	593W
	02.02.01		(b) Well-established policy not to comment on speculation about alleged intelligence operations	148177	352W
	12.03.01		(c) Long-standing policy not to comment on alleged surveillance systems	153269	426W
5	05.02.01	Internal telegrams	Internal telegrams not made public (Exemption 2 of the Code of Practice)	145258	403W
6	14.02.01	Officials' meetings (Hinduja brothers)	Not practice to disclose <u>details</u> of officials' meetings with private individuals and companies (<i>but some information given about these meetings</i>)	148385	144W
7	21.03.01	Royal Family	Government discussions with the Royal Family about the planning and pattern of overseas visits are always in confidence	154209	232W
8	04.04.01	Officials' salaries	Details of individual officials' salaries not revealed	156823	201W

HEALTH

No.	Date	Subject	Comment	qno.	Col.
1	22.01.01	Medical student places	Allocation of medical student places matter for HEFCE, hence Ministers cannot comment on individual proposals for providing additional places (<i>but general information given</i>)	146034	433W
2	24.01.01	Salaries	Not normal practice to publish actual salary in payment to an individual permanent secretary (<i>but broad pay range given</i>)	146955	598W

No.	Date	Subject	Comment	qno.	Col.
3	29.01.01	National Institute for Clinical Excellence	For NICE to decide appropriate comparisons used in their appraisals of medicines (hence no answer given to question about the reasons why a particular comparator was not used)	147073	47W

HOME

No.	Date	Subject	Comment	qno.	Col.
1	15.12.00	Legal Advice	Policy of successive governments not to publish legal advice made available to Ministers	143007	310W
2	12.12.00	Asylum applications	General policy of the IND not to disclose information on individuals to third parties without their consent	142427	93W
3	16.01.01	Animal procedures	S 24 of the Animals (Scientific Procedures) Act 1986 prevents Home Secretary from naming establishments licensed to supply or breed animals; not Home Office policy to name source companies for animals in Mauritius, Israel, Philippines and China	145375	203W
4	22.01.01	Warrants under the Intelligence Services Act	Not practice to publish information about warrants under the Intelligence Services Act 1994 (but available data published in annual reports of the Commissioner appointed under the Act (placed in Library))	146136	493W
5	02.02.01	Protection arrangements	Not policy to comment on protection arrangements for individuals, on security grounds (so will not discuss official car of ex-Northern Ireland Secretary); also 10.04, 157608 c 564W	148382	339W
6	05.02.01	Traffic wardens	Transfers of traffic wardens from police authorities to local councils a matter between the police force and local authorities concerned	147099	424W

No.	Date	Subject	Comment	qno.	Col.
7	07.02.01	Bullets	Not in the public interest to publish technical advice on the performance of ammunition suitable for police use	148859	611W
8	08.03.01	Disciplinary proceedings	Potentially prejudicial to reveal details of alleged misconduct by police officers before decision taken on whether to institute disciplinary hearings	152387	316W
9	12.03.01	Telephone tapping	Longstanding practice of successive governments neither to confirm nor deny whether a warrant authorising interception of communications exists, or has existed, in any specific case	152389, 152388	497W
10	15.03.01	Offers of employment	Home Secretary cannot comment on individual case concerning offer of employment	151784	691W
11	09.04.01	Criminal injuries	Ministers do not comment on or intervene in decisions in individual cases before the Criminal Injuries Compensation Board	157440	469W
12	30.04.01	Asylum seekers' accomodation	Information on per capita payments made to private sector accommodation agents in respect of dispersed asylum seekers withheld as commercially confidential	158913	543W

INTERNATIONAL DEVELOPMENT

No.	Date	Subject	Comment	qno.	Col.
Nil.					

LORD CHANCELLOR

No.	Date	Subject	Comment	qno.	Col.
1	24.01.01	Views of individuals	Views expressed by individuals in consultation exercises treated in confidence unless individual wishes otherwise	144665	573W

NORTHERN IRELAND

No.	Date	Subject	Comment	qno.	Col.
1	20.12.00	Illegal weapons	Estimate of number of illegally-held weapons withheld on grounds it is an intelligence matter and such matters are not disclosed (<i>but reply given in general terms</i>)	141775	192W
2	21.12.00	Bernard Griffin, Darren Neill, Michael Magowan	Not appropriate to comment on these cases while a judicial review is in progress	142330	256W
3	10.01.01	Devolved matters	Community relations a matter for the Assembly	144164	550W
4	26.02.01	Official cars	Information about purchase, adaptation and use of official cars not given on security grounds	148193, 148194	498W
5	12.03.01	Vincent McKenna	Inappropriate to give specific details of action taken in respect of allegations of child abuse	150837	427W

PRESIDENT OF THE COUNCIL

No.	Date	Subject	Comment	qno.	Col.
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Nil.

PRIME MINISTER

No.	Date	Subject	Comment	qno.	Col.
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1	25.01.01	Security vetting	Not Government policy to provide details of security matters, including relationships with other countries (<i>though general assessment given in respect of vetting checks</i>)	147002	691W
2	25.01.01	Special advisers	Established practice not to reveal details of individual adviser's salaries	147055	692W
3	29.01.01	Hinduja brothers	Not normal practice to release details of meetings with private individuals or companies (though relevant papers on meetings between DTI ministers and Hindujas made available to Hammond inquiry)	147818	70-71W
4	30.01.01	Lord Levy	Invitations he has received to Diwali parties a matter for Lord Levy	147989	182W
5	02.02.01	Honours	Established practice not to disclose information relating to information, opinions and assessments given in relation to recommendations for honours (hence no answer given to question about when the PM received a recommendation for an honour) (Exemption 8(c) of the Code of Practice).	148277	334W
6	08.05.01	Royal Family	Not practice to comment on whether or not there has been correspondence between the Royal Household and Ministers (Exemption 3 of the Code of Practice)	160639	50W

No.	Date	Subject	Comment	qno.	Col.
7	11.05.01	Discussion with other governments	Practice of successive governments not to disclose details of confidential discussions with Commonwealth and foreign governments or to confirm whether or not they have occurred	161078	408W

SCOTLAND OFFICE

No.	Date	Subject	Comment	qno.	Col.
Nil.					

SOCIAL SECURITY

No.	Date	Subject	Comment	qno.	Col.
1	19.12.00	Meetings of civil servants	Formal minutes of meetings between UK and overseas civil servants not published (Exemption 2 of the Code of Practice)	141341	102W
2	28.02.01	Contracts	Information about the status of the contract for winter fuel payments commercial in confidence (Exemption 13 of the Code of Practice)	151434	537W

TRADE AND INDUSTRY

No.	Date	Subject	Comment	qno.	Col.
1	14.12. 00	Whitbread plc	Not appropriate for Government to seek to influence decision by Whitbread to sell its public houses; for the Director-General of the OFT to advise the Secretary of State about referral of such a decision to the Competition Commission	142389	209W
2	18.12. 00	Post Office	(a) Industrial relations at Royal Mail a matter for the Post Office and trade unions	142953 142956	36W
	08.01. 01		(b) Usage by post offices of the LINK network a commercial matter for the Post Office	143581	356W
	08.01. 01		(c) Labour relations are a matter for the Post Office and the trade unions	143885	358W
3	08.01. 01	Corus	Representations from Corus include commercially confidential matters and thus cannot be placed in the Library	144141	364W
4	10.01. 01	Petroleum	Information supplied to DTI by petrol retailers about petrol sales is provided under commercial confidentiality; hence not published	144656	545W
5	15.01. 01	Post Office	(a) Business case for rural post offices submitted in strictest confidence and commercially sensitive; hence not published	144758	9W
	25.01. 01		(b) Re-direction service to overseas addresses an operational matter for the Post Office	146613	652W
	05.02. 01		(c) Income of Royal Mail from items of various weights commercially confidential under Exemption 13 of the Code of Practice (<i>but broad breakdown of the proportion of revenue from different categories given</i>)	148558	400W

No.	Date	Subject	Comment	qno.	Col.
6	24.01.01	MOX fuel	(a) Re-importation into the UK of MOX fuel assemblies owned by overseas companies a matter for the companies concerned	146902, 146903	632W
	30.01.01		(b) Information about annual capacity of Sellafield MOX plant and related contracts commercially confidential	146305	121W
7	26.01.01	ECGD	(a) ECGD's Project Underwriting handbook not placed in Library (Exemption 7 of the Code of Practice) (b) Minutes and agendas of meetings of the ECGD's management board and its Audit Committee, and lists of papers discussed, not published (Exemption 2 of the Code of Practice) (<i>but minutes of the Export Guarantees Advisory Council placed on Internet</i>)	146657, 146650, 146651	744W, 744W, 743W
8	06.02.01	Mivan Ltd & Kier International	Accounting officer's note of dissent concerning these firms not made available under Exemption 2 of the Code of Practice	148287	468W
9	15.02.01	Office of Fair Trading	Date of publication of reports from Office of Fair Trading a matter for the Director General of Fair Trading, not Ministers	150002	282W
10	26.02.01	Government investment	Conditions of government investment in development of aero engines commercially confidential, including details of expected rate of return (Exemption 13 of the Code of Practice)	150671	410W
11	26.02.01	Advice to government	Details of advice from independent financial advisers confidential to government (Exemption 13 of the Code of Practice)	150670	410W
12	26.02.01	Company's commercial transactions	Information about a particular company's commercial transactions commercial in confidence (Exemption 13 of the Code of Practice)	150533	412W

No.	Date	Subject	Comment	qno.	Col.
13	26.02. 01	Discussions with private companies	Not normal practice of Government to release details of meetings or discussions with private individuals; nor is it appropriate to place such information in the Library when it includes information given in confidence (Exemption 13 of the Code of Practice)	151206	419W
14	09.03. 01	Legal cases	Government does not speculate on outcome of legal cases in UK or overseas	152268	348W
15	16.03. 01	Intelligence briefings	Not the practice of government to comment on intelligence matters	154232, 153437	771W
16	19.03. 01	ECGD applications	Details of applications for credit guarantees which do not receive a guarantee not released (Exemption 13 of the Code of Practice)	153726	5W
17	28.03. 01	BNFL	Details of BNFL's commercial transactions a matter for BNFL and its customers	154420	650W
18	06.04. 01	OFT inquiry	Secretary of State unable to comment on a Competition Act inquiry by the OFT while it is being undertaken	157142	306W
19	10.04. 01	Advice from officials	Actual confidential minutes containing advice from officials to Ministers are not published (<i>but some information given</i>)	157167	516W
20	03.05. 01	Takeover Panel	Investigations being carried out by the Takeover Panel are a matter for the Panel	159085	770W

TREASURY

No.	Date	Subject	Comment	qno.	Col.
1	14.12. 00	Departmental spending submissions	Department's submissions to HM Treasury during the Spending Review 2000 confidential	142539	253W

No.	Date	Subject	Comment	qno.	Col.
2	22.01.01	Treasury model	Not the practice of successive governments to run Treasury model simulations to answer PQs, principally on grounds of cost	145866	428W
3	25.01.01	Foreign exchange markets	Not appropriate for Government to comment on day-to-day developments in the foreign exchange markets	145829	702W
4	26.02.01	Gold	Details of individuals, firms and financial institutions to which gold was loaned and leased are commercially confidential	151040, 151039	519W

WALES OFFICE

No.	Date	Subject	Comment	qno.	Col.
Nil.					

DOMESTIC COMMITTEES/COMMISSION

No.	Date	Subject	Comment	qno.	Col.
1	19.12.00	Security	Long-standing practice not to comment on matters of security in Palace of Westminster	141618	150W
2	19.12.00	Legg report on Portcullis House	Report will not be placed in the Library as it dealt with matters of commercial and personnel confidentiality	141609	150W
3	19.12.00	Appointments Commission	Nominations for people's peerages treated in confidence (and hence not placed in Library)	141613	151W

Appendix 2

Letter from the Clerk, Public Administration Select Committee, to all Departments

As you may remember, the Public Administration Select Committee has continued the practice initiated in 1995–96 by the Public Services Committee of obtaining from the Table Office of the House of Commons a list of the questions which Ministers have refused to answer. For the last three years the Committee has asked departments to expand on the reasons given for such refusals, and this year it has decided to do the same again, for answers given in the 2000–01 session. I enclose a copy of the letter from the Principal Clerk, Table Office dated 10 December 2001, and of the part of the list that relates to your department.

The Committee would like you to explain more fully why it was necessary to withhold information; to indicate, where a refusal is justified by reference to a ‘practice’ or a policy, what is the reason for that practice or policy; and to indicate in each case where there is not reference to the Code of Practice on Access to Government Information, how the refusal relates to the Code. As you know, the guidance on answering Parliamentary Questions says the Code should be referred to when departments withhold the information in response to a Question. The Committee does not need any further information on cases where the information requested was not held or collected by the Department, or was the responsibility of another Department.

It would be very helpful if Departments could, where possible, follow the example of the Prime Minister’s Office in the format of their replies. I attach a copy of a previous year’s return from that office as a guide. I would be grateful if you could send the information requested to the Committee Secretary, Jenny Nelson, in electronic form quoting the PQ number beside the subject. Please send in electronic form to nelsonj@parliament.uk and on disk by Friday, 1 November 2002.

On this point you may have noted the Committee’s recommendation, in its recent Report on Ministerial Accountability and Parliamentary Questions (HC 1086), that departments should respond to its requests for information within twenty days (recommendation a).

30 July 2002

List of Memoranda

<i>Submitted by</i>	<i>Page</i>
1 Cabinet Office	45
2 The Church of England Church Commissioners.....	45
3 Department for Culture, Media and Sport.....	46
4 Ministry of Defence.....	48
5 Office of the Deputy Prime Minister	52
6 Department for Environment, Food and Rural Affairs.....	52
7 Foreign & Commonwealth Office	53
8 Department of Health	54
9 Home Office	55

10	Lord Chancellor's Department	56
11	Northern Ireland Office	56
12	The Prime Minister's Office	57
13	Privy Council Office	58
14	The Scotland Office	58
15	Department of Trade and Industry	59
16	Department for Transport	62
17	HM Treasury	63
18	Department for Work and Pensions	64

MEMORANDUM 1

Submitted by the Cabinet Office

Thank you for your letter of 30 July 2002 seeking further information about why certain information was withheld in answer to some PQs in the 2000–01 Parliamentary session. I am sorry for missing your deadline.

Below is a schedule providing more detail, where appropriate, on the reasons why Cabinet Office Ministers decided to withhold certain information.

6 November 2002

07.02.01

Subject: Performance of Permanent Secretaries

Reason: Exemption 8(b) and Exemption 12—Information, opinions and assessment given in confidence in relation to public employment is not made public, and, as stated in the original answer, individual privacy is relevant.

01.03.01

Subject: Cabinet Committees

Reason: As stated in the original answer, Exemption 2 applies—Information whose disclosure would harm the frankness and candour of internal discussion, including proceedings of Cabinet and Cabinet committees, is not made public.

MEMORANDUM 2

Submitted by The Church of England Church Commissioners

Thank you for your enquiry of 30 July with reference to the answer given on behalf of the Church Commissioners to Mr Norman Baker on 16 January 2001.

In view of data protection requirements the Commissioners were unable to publish information attributable to individual bishops without their express permission. This could not realistically have been obtained in the time available. The cost and effort of collating this data would in any case have been prohibitive.

The Commissioners and bishops are committed to transparency in these matters. With bishops' agreement, full details of their working costs were published for the first time last year. The Commissioners consider that, in principle, housing costs of diocesan bishops should also be published but wish to look further at the practicalities.

21 October 2002

MEMORANDUM 3

Submitted by the Department for Culture, Media and Sport

Thank you for your letter of 30 July 2002 in which you seek an explanation as to why DCMS Ministers declined to answer a number of Parliamentary Questions during the 2000–01 Parliamentary session.

Attached is a schedule providing more details.

I also attach a copy of the guidance note we issue to officials when they receive a Parliamentary Question. Copies of this Guidance are available in the House Libraries. As you will see paragraph eight emphasises the need for officials to ensure that Parliamentary Answers comply with both the Ministerial Code and the Government's Code of Practice on Access to Government Information. In light of the recent report of the Committee into *Ministerial Accountability and Parliamentary Questions* the importance of this guidance will be reemphasised to all my staff.

As requested I am also sending my reply to you on disk and in electronic form to nelsonj@parliament.uk.

6 September 2002

15.1.01

Subject: **National Lottery—145561**

Reason: The National Lottery Commission invited bids for the second licence to run the National Lottery, and received two. The bids were not supplied or copied to the Department: and have not at any time been in the Department's possession. The Department was therefore not in a position to publish them, even if it had taken the view that it would not breach Exemption 13 of the Code, relating to commercial confidentiality, to do so. The answer given to Mr Ainsworth's question correctly indicated that it was for the Commission, rather than the Department, to decide whether or not bids or information within bids should be published, having regard to the Code.

8.2.01

Subject: **Millennium Dome—147784**

Reason: Exemption 13: The contracts between NMEC and its sponsors were subject to various requirements of confidentiality.

9.2.01

Subject: **Research and advertising—149258**

Reason: Exemption 13. Disclosure which would harm the competitive position of a third party.

13.2.01

Subject: **Officials' meetings (Hinduja brothers)—148077**

Reason: Exemptions 2 and 7—It is not normal Government practice to release details of specific meetings as some of these discussions may have taken place on a confidential basis.

13.2.01

Subject: **Terrestrial television—149669**

Reason: Standard line used which explains that the matters raised are for the BBC and the ITC.

26.3.01

Subject: **Intelligence matters—153734**

Reason: Exemption 1—For reasons of security the detailed information requested was withheld.

CODE OF PRACTICE ON ACCESS TO OPEN GOVERNMENT—MINISTERIAL ACCOUNTABILITY AND PARLIAMENTARY QUESTIONS

DCMS has been criticised in a recent Report by the Public Administration Select Committee on Ministerial Accountability and Parliamentary Questions. They report a number of examples where DCMS Ministers refused to answer parliamentary questions but in doing so failed to cite the appropriate exemption from the Code of Practice on Access to Open Government.

A Guidance Note on how to answer parliamentary questions accompanies each PQ jacket and includes a paragraph on the Code of Practice as follows—

PRESENTATION OF DRAFT REPLY. *Always aim for accuracy in the draft reply, background note and facts & figures briefing. Never forget Ministers' obligations to Parliament which are set out in the "Ministerial Code"—web site address www.cabinet_office.gov.uk/central/1997/mcode/index.htm. It is of paramount importance that Ministers give accurate and truthful information to Parliament, correcting any inadvertent error at the earliest opportunity. Ministers should be as open as possible with Parliament and the public, refusing to provide information only when disclosure would not be in the public interest, which should be decided in accordance with relevant statute and the Government's Code of Practice on Access to Government Information—web site address www.lcd.gov.uk/foi/ogcode981.htm. If you decide to withhold information under an exemption of the Code of Practice the relevant exemption must be cited in the draft reply.*

When the House returns in October can all drafting Divisions/Units ensure that when we decline to provide information in the answer to a parliamentary question we do cite the relevant exemption. The Select Committee are becoming increasingly concerned about this and failure to comply with their Report's recommendation (previously accepted by the Government) will inevitably lead to embarrassment for both Ministers and the

Department. You can view the full Report at the website address www.parliament.uk/commons/selcom/pubahome.htm.

MEMORANDUM 4

Submitted by the Ministry of Defence

In your letter of 29 July you asked for the reasons why information was not provided by the Ministry of Defence in answer to certain parliamentary questions in the session 2000–01.

In each instance, a brief explanation of the reason Defence Ministers were unable to provide the information requested was given in the answer. In 24 of the 28 cases cited by the Table Office, each refusal concerned a category of information which is expressly exempt from the disclosure commitment under Part II of the Code of Practice on Access to Government Information. Of the remaining four cases an Exemption reason should have been cited explicitly. Details are as follows:

- a) the answer to question number 151589 withheld the information for reason of national security. Exemption 1A should have been cited;
- b) for question number 151805, information regarding MOD security measures is not made public. Exemption 1A should have been cited;
- c) the answer to question number 158505 withheld the information as it was considered inappropriate to publish the documents requested while the Bloody Sunday Inquiry was still sitting. Exemption 4 would have been appropriate;
- d) the answer to question number 159720 withheld the information as it was considered “commercial-in-confidence”. Exemption 13 would have been appropriate.

As you requested, we have recast the list following the example of the Prime Minister’s Office in the format of their replies, and in some cases, expanded on the reason for withholding the information. This is enclosed.

31 October 2002

13.12.00

Subject: **University College Birmingham**

Reason: Exemption 7—Information whose disclosure could lead to improper gain or advantage or would prejudice negotiations or the effective conduct of personnel management, or commercial or contractual activities is not made public.

13.12.00

Subject: **Porton Down**

Reason: Exemptions 11, 12 and 14—The information was withheld to protect the privacy of individuals and the information was given in confidence. The information also related to research where disclosure could have deprived the holder of priority of publication or commercial value.

19.12.00

Subject: **Repair Costs**

Reason: Exemption 7a—Information whose disclosure could lead to improper gain or would prejudice the competitive position of the Department is not made public.

09.01.01

Subject: **Medical treatment of service personnel**

Reason: Exemption 7—Information whose disclosure could lead to improper gain or advantage or would prejudice negotiations or the effective conduct of commercial or contractual activities is not made public.

15.01.01

Subject: **Explosives research**

Reason: Exemption 1a—Information whose disclosure would harm national security or defence is not made public.

23.01

Subject: **Operations in Iraq**

Reason: Exemption 1c—Information received in confidence from foreign governments is not made public.

23.01.01

Subject: **Holdings of munitions**

Reason: Exemption 1a—Information whose disclosure would harm national security or defence is not made public.

24.01.01

Subject: **Royal Army Medical College**

Reason: Exemption 7—Information whose disclosure could lead to improper gain or would prejudice the competitive position of the Department is not made public.

25.01.01

Subject: **Financial planning: Royal Hospital Haslar**

Reason: Exemption 2—Details of the Governments' detailed financial planning assumptions are not made public.

29.01.01

Subject: **Commercial exploitation levy**

Reason: Exemption 7 and 13. Information whose disclosure could lead to improper gain or advantage or would prejudice negotiations or the effective conduct of commercial or contractual activities is not made public. Information including commercial confidences whose unwarranted disclosure would harm the competitive position of a third party is not made public

01.02.01

Subject: **Personal injury compensation**

Reason: Exemption 4—Not appropriate to disclose information about financial liability while claims for compensation remain to be settled.

05.02.01

Subject: **Submarines**

Reason: Exemption 1—Information on readiness of individual whose disclosure would harm national security or defence is not made public.

26.02.01

Subject: **Sonarbouys**

Reason: Exemption 1 and 13—Information whose disclosure could harm national security or defence is not made public. Information is commercial in confidence and is therefore not made public.

01.03.01

Subject: **Terrorist threats**

Reason: No exemption was used, however it is not the practice to discuss threat assessments for reasons of national security. Exemption 1a should have been used on this occasion.

01.03.01

Subject: **MOD police**

Reason: Exemption 13—Information that relates to third party's commercial confidences is not made public.

09.03.01

Subject: **Security measures**

Reason: No exemption was used. Information regarding security at MOD establishments is not made public. Exemption 1a should have been used on this occasion.

09.03.01

Subject: **Ian Bannister**

Reason: Exemption 4—Information relating to legal proceedings or the proceedings of any tribunal, public inquiry or other formal investigation which have been completed or terminated are not made public.

19.03.01

Subject: **Missiles etc**

Reason: Exemption 1—Information whose disclosure would harm national security or defence is not made public.

23.04.01

Subject: **Ammunition used**

Reason: Exemption 1—Information whose disclosure would harm national security or defence is not made public.

23.04.01

Subject: **AWE Aldermaston**

Reason: Exemption 1—Information whose disclosure would harm national security or defence is not made public.

05.03.01

Subject: **Force Research Unit**

Reason: Exemption 1—Information whose disclosure would harm national security or defence is not made public.

05.03.01

Subject: **Strategic Defence Initiative**

Reason: Exemption 1b—Information whose disclosure would harm the conduct of international relations or affairs is not made public.

05.03.01 &
23.04.01

Subject: **Service careers**

Reason: Exemptions 8a and 12—Information relating to personnel records of service personnel and their privacy is not made public.

23.04.01

Subject: **Bloody Sunday Inquiry**

Reason: No exemption used. It was considered inappropriate to publish the documents requested while an inquiry was sitting. On this occasion Exemption 4 should have been cited.

03.05.01

Subject: **Equipment numbers**

Reason: Exemption 1—Details of numbers of baton rounds issued is withheld as disclosure of the information would harm national security or defence.

03.05.01

Subject: **Equipment Costs**

Reason: Exemption 13—Details regarding the cost of baton rounds is not made public as its unwarranted disclosure would harm the competitive position of a third party.

03.05.01

Subject: **HMS BEAVER**

Reason: No exemption used. The information requested was “commercial in confidence” and therefore not released. On this occasion Exemption 13 should have been cited.

08.05.01

Subject: **Unit histories**

Reason: Exemption 1 a—Information whose disclosure would harm national security or defence is not made public.

MEMORANDUM 5

Submitted by the Office of the Deputy Prime Minister

Thank you for your letter of 30 July 2002 seeking further information about why certain information was withheld in answer to a number of Parliamentary Questions tabled to the Department for Transport, Local Government and the Regions in the last Parliamentary session. I understand that the Department for Transport have responded on the majority of these; below are the remaining questions relating to the remit of the Office of the Deputy Prime Minister and the reason for the reply.

5 December 2002

21.12.00

Subject: the Millennium Dome (142176 and 142177)
Reason: commercial confidentiality while negotiations take place; the exemption in part 11.7 of the Code of Practice on access to Government Information pertains (“disclosure could lead to improper gain or advantage would prejudice...the competitive position of a department or other body...”)

11.01.01

Subject: the Millennium Dome (144763)
Reason: commercial confidentiality while negotiations take place; the exemption in part 11.7 of the Code of Practice on access to Government information pertains (“disclosure could lead to improper gain or advantage would prejudice...the competitive position of a department or other body...”)

1.02.01

Subject: Internal meetings and advice (147444)
Reason: Exemption 2 of the Code of Practice on access to Government Information pertains (Information on internal meetings and advice.)

MEMORANDUM 6

Submitted by the Department for Environment, Food and Rural Affairs

You wrote to Brian Bender on 29 July seeking information about why certain information was withheld in answer to some parliamentary Questions in the last Session. I have been asked to reply.

I attach this information set out in accordance with your requirements.

25 September 2002

01/02/01

Subject 147543 **Agricultural Support**
Reason: Exemption 12—Privacy of an individual. Disclosure of information to third party could facilitate an unwarranted invasion of privacy

27/03/01

Subject: **154337 GM Crops**

Reason: Exemption 13—Third party's commercial confidences. Disclosure of information including commercial confidences would harm the competitive position of the third party

24/04/01

Subject: **155923–155926, 155928 Foot and Mouth Disease**

Reason: Exemption 12—Privacy of an individual. Disclosure of information to third party could facilitate an unwarranted invasion of privacy.

MEMORANDUM 7

Submitted by the Foreign & Commonwealth Office

The Permanent Under Secretary of State, Sir Michael Jay, has asked me to reply to Philip Aylett's letter of 30 July.

I attach our return on the reasons why we withheld information in giving answers to the specified Parliamentary Questions. I shall also send you this information by e-mail.

10 October 2002

Subject: **Visa Cases (143172 & 156527)**

Date: 9.1.01 & 3.4.01

Reason: Exemption 12 and 15b:

12) Unwarranted disclosure to a third party of personal information about a person (including a deceased person) or any other disclosure which would constitute or could facilitate an unwarranted invasion of privacy;

15b) Information whose release would constitute a breach of Parliamentary Privilege.

Subject: **Bishops' Conference of the EC (144629)**

Date: 16.1.01

Reason: No exemption. Answer given: A matter for the European Commission.

Subject: **Security and Intelligence Services (145349 & 145350),**

Date: 17.1.01

Reason: Paragraph 6, Part I: The Security and Intelligence Services are not within the scope of the Code of Practice on Access to Government Information, nor is information relating to them. It remains the long-standing practice of successive governments not to provide information on the activities of, or speculation about, the intelligence and security services which could have a bearing on the agencies, or the safety of their staff and those who operate with them. The reasons were set out by the then Prime Minister in his written answer of 14 July 1994 (Hansard col 711)

Subject: **Intelligence Matters (147051, 148177, 153269)**
Date: 24.1.01, 2.2.01 & 12.3.01
Reason: Paragraph 6, Part I: The Security and Intelligence Services are not within the scope of the Code.

Subject: **Internal Telegrams (145258)**
Date: 5.2.01
Reason: Exemption 2: Internal discussions and advice: Information whose disclosure would harm the frankness and candour of internal discussion.

Subject: **Officials Meeting (Hinduja Brothers) (148385)**
Date: 14.2.02
Reason: Exemptions 2 & 12:
2) Information whose disclosure would harm the frankness and candour of internal discussion;
12) Unwarranted disclosure to a third party of personal information about a person (including a deceased person) or any other disclosure which would constitute or could facilitate an unwarranted invasion of privacy.

Subject: **Royal Family (154209)**
Date: 21.3.03
Reason: Exemption 3: Information relating to confidential communications between Ministers and Her Majesty the Queen or other Members of the Royal Household, or relating to confidential proceedings of the Privy Council.

Subject: **Officials' Salaries (156823)**
Date: 4.4.01
Reason: Exemption 12: Unwarranted disclosure to a third party of personal information about a person (including a deceased person) or any other disclosure which would constitute or could facilitate an unwarranted invasion of privacy.

MEMORANDUM 8

Submitted by the Department of Health

Thank you for your letter of 29 July about the Department of Health's blocked questions in the 2000–01 Session.

There are three such questions about which you are seeking further clarification. Before I deal with each of these specifically, I should like to say that our practice, whenever the exact information sought in a PQ is not available, or cannot be disclosed, is to try nonetheless to provide material that we do hold, or that can be released, if it is relevant to that question and/or may prove helpful to the questioner. This is the case with all of these questions.

UIN 146034—medical student places

This question asked what representations the Secretary of State had received about a proposal to establish a York-Hull medical school, and what assessment he had made of them. As our reply made clear, responsibility for making a decision about that proposal lay with the Higher Education Funding Council for England (HEFCE), which is accountable to the Department for Education and Skills. Under higher education legislation, Ministers are precluded from involvement in the distribution of funds to higher education institutions and therefore at no time were they involved in the assessment of the proposals to provide extra medical school places. The reply gave a full, accurate and helpful account of the Department of Health's role in this process, but nonetheless made clear that the final decision lay with HEFCE. At the time of reply, no representations about this proposal (to establish a Hull-York medical school) had been received. We accept that it would have been more helpful if this information had been included in the reply.

UIN 146955—salaries

This question asked what salary was being paid to the holder of the office of chief executive of the National Health Service and permanent secretary to the Department of Health. We gave an answer within a pay band range (£145,000–£149,999). The reason for withholding the exact figure is because of the need to protect the privacy of individuals. A broad pay range was given, consistent with the manner in which information concerning the salaries of all Permanent Secretaries is published in the annual report of the Senior Salaries Review Body.

UIN 147073—National Institute for Clinical Excellence

This question asked why the national institute for clinical excellence had not used the drug Lysovir as a comparator in its appraisal of the drug Zanamivir. The broad reasoning behind the Institute's approach was set out in its published documents, but the Department did not hold the details requested. With hindsight, the reply could have made this point more explicitly and suggested that the Member obtain details from the Institute.

10 October 2002

MEMORANDUM 9

Submitted by the Home Office

Philip Aylett wrote to John Gieve on 30 July requesting further explanation of why the Home Office had withheld some information whilst answering certain Parliamentary Questions.

I attach a list giving reasons for Ministers not giving fuller answers and, where applicable, the corresponding reference to the Code of Practice on Access to Government Information.

If you need any further information or clarification, please do not hesitate to contact me.

7 October 2002

MEMORANDUM 10

Submitted by the Lord Chancellor's Department

Thank you for the letter of 30 July from Philip Aylett, Clerk of the Public Administration Select Committee, asking for further details about information which was not given in answer to a Parliamentary Question from Kevin McNamara MP.

The information the Committee has requested about this Parliamentary Question is set out in the attached schedule, in the prescribed format.

5 September 2002

24.1.2001

Subject: **Views of individuals**

Reason: Exemption 2(b)—internal opinion, advice, recommendation, consultation and deliberation is not made public.

MEMORANDUM 11

Submitted by the Northern Ireland Office

Thank you for your letter of 30 July 2002 in which you asked for a fuller explanation as to why it was necessary to withhold information in answering particular Parliamentary Questions during the 2000–2001 session. I attach a list in the form requested. I am sorry that, because of other pressures in recent weeks, we were not able to get this to you sooner.

We will strive to ensure that in future the relevant part of the Code will be referred to in those cases where we have to withhold information.

20 December 2000

Subject: **Illegal Weapons (PQ 141775)**

Reason: Exemption 1a—Information withheld on the grounds that this is sensitive information, the disclosure of which would harm national security or defence.

21 December 2000

Subject: **Bernard Griffin, Darren Neill and Michael Magowan (PQ 142330)**

Reason: Exemption 4—A judicial review was pending in this case so disclosure of information could have prejudiced the administration of justice.

10 January 2001

Subject: **Devolved Matters (PQ 144164)**

Reason: Although not covered in the Code as an exemption, the issues covered by this question, concerning Community Relations were the responsibility of the Northern Ireland Executive. The did not fall within the responsibilities of the Secretary of State for Northern Ireland.

26 February 2001

Subject: **Official Cars (PQs 148193 and 148194)**

Reason: Exemption 1a—Information withheld on the grounds that its release could compromise the security of the Secretary of State.

12 March 2001

Subject: **Vincent McKenna (PQ 150837)**

Reason: Exemption 4—Information withheld because it related to a formal investigation against Mr McKenna.

MEMORANDUM 12

Submitted by The Prime Minister's Office

Thank you for your letter of 30 July asking for information about why certain information was withheld by the Prime Minister in answer to certain PQs in the 2000–01 session. I attach the reply for the Prime Minister's Office in the specified format.

I have also arranged for you to receive a version of the reply electronically, including on disc as requested.

31 October 2002

25.01.01

Subject: Security Vetting

Reason: Exemption 1a and 1c—Information whose disclosure would harm national security or defence, and information received in confidence from foreign governments, is not made public.

25.01.01

Subject: Special Advisers

Reason: Exemption 12—information that would constitute an unwarranted invasion of privacy is not made public.

Subject: Hinduja Brothers: Note of Meeting

Reason: Exemption 7—It is not normal practice of Governments to release details of specific meetings or their content, as some of these discussions may have taken place on a confidential basis.

30.01.01

Subject: Lord Levy

Reason: The issue was a personal matter for Lord Levy, and the Government did not have the information to disclose.

02.02.01

Subject: Honours

Reason: Exemption 8c—Information, opinions and assessments given in relation to recommendations for honours are not made public.

08.05.01

Subject: Correspondence with Royal Family

Reason: Exemption 3—Information relating to confidential communications between Ministers and Members of the Royal Household is not made public.

11.05.01

Subject: Discussion with other Governments

Reason: Exemption 1c—Information received in confidence from foreign governments is not made public.

MEMORANDUM 13

Submitted by the Privy Council Office

Thank you for your letter of 5 November. Please accept my apologies for not coming back to you sooner.

Below is a schedule providing more detail, where appropriate, on the reason why the Leader of the House of Commons was not able to provide certain information:

Subject: Nominations for people's peers

Reason: The House of Lords Appointments Commission had assured all applicants that their nominations would be treated in strictest confidence. Exemption 8(c) applies—information, opinions and assessments given in relation to recommendations for honours are not normally made public.

Following your report last week, we will ensure that on future occasions the Exemption will be clearly stated in the answer.

P.S. Confusion on this end as LCD have responsibility for Appointments Commission—yet we answer PQs in the Commons.

9 December 2002

MEMORANDUM 14

Submitted by the Scotland Office

Thank you for your letter of 30 July seeking further information about why information was withheld in answer to one PQ in the last Parliamentary session. I discussed this letter with you orally on its arrival. I now attach, as requested, a schedule providing detail on why the Minister decided to withhold this information.

29 October 2002

15.2.01

Subject: **Law Officers' advice**

Reason: Long-standing convention that neither existence nor content of Law Officers' Advice is normally disclosed outside Government.

In addition, paragraph 24 of the *Code of Conduct and Guidance on Procedures for Ministers* states that “The fact and content of opinions or advice given by the Law Officers, including the Scottish Law Officers, either individually or collectively, must not be disclosed outside Government without their authority.”

The *Code of Practice on Access to Government Information* does not refer explicitly to Law Officers’ advice. However, exemption 2 (internal discussion and advice) and 4 (law enforcement and legal proceedings—information covered by legal professional privilege) are relevant.

MEMORANDUM 15

Submitted by the Department for Trade and Industry

I must apologise for the long delay in replying to you[r] letter of 30 July about the Committee’s examination of answers given to Parliamentary Questions in 2000–01 session. I enclose our response.

You will note that in most of the instances identified by the Table Office as refusals to answer by this Department, Ministers did in fact make reference to the relevant exemption under the Code of Practice on Access to Public Information. However there were 3 answers (152268–9 March, 153437–16 March, 157167–10 April) where no such exemption was given and the attached Response now gives the correct exemption.

A number of other questions tabled during the session referred to what could be termed as the ongoing day-to-day activities of private companies, and because of this Ministers were unable to provide a detailed response.

Our Parliamentary Clerk will continue to monitor all draft answers to ensure consistency and accuracy of answers as they are drafted.

26 November 2002

14 December 2000

Subject: Sale of Public Houses and the Competition Commission (142389), (142390)

Reason: Both of these Questions ask the Secretary of State to take a course of action and no information was requested. Hence the Code’s commitment to provide information does not apply.

18 December 2000

Subject: Postal Deliveries in London NW1 (142953)
Dispute between Royal Mail and Trade Unions (142956)

8 January 2001

Subject: Use by Post Offices of the LINK electronic banking network (143581)
Post Office labour relations (143885)

Reason: The subject of each of these questions directly relate to the day to day responsibilities of the Post Office as a company and as such the Government has no involvement.

8 January 2001

Subject: Corus redundancies at the Llanwern plant in South Wales.(144141)

Reason: Details of these representations are commercially confidential under Exemption 13—Third party's commercial confidences

10 January 2001

Subject: Marketing of motor fuels (144656)

Reason: Information is collected from companies on a confidential basis, therefore Exemption 13—commercial confidences whose unwarranted disclosure would harm the competitive position of a third party.

15 January 2001

Subject: Business case for rural post offices (144758)

Reason: Information supplied to the Department in the strictest confidence and therefore comes within Exemption 13—commercial confidences whose unwarranted disclosure would harm the competitive position of a third party.

25 January 2001

Subject: Royal Mail redirection service (146613)

Reason: The subject of this question directly relates to the day to day responsibilities of the Post Office as a company and as such the Government has no involvement.

5 February 2001

Subject: Royal Mail income from items by weight (148558)

Reason: Although a broad indication of the percentage of income revenue has been given, the detailed income levels of various weights is commercially sensitive and therefore commercially confidential under Exemption 13.

24 January 2001

Subject: Mox fuel assemblies owned by Swiss nuclear company (146902)

Mox fuel assemblies owned by Pruessen Electra (146903)

Reason: The subject of these questions directly relate to the day to day responsibilities of the named companies and as such the Government has no involvement.

30 January 2001

Subject: Annual capacity of the Sellafield Mox plant. (146305)

Reason: The information requested is commercially sensitive and therefore comes within Exemption 13—commercial confidences whose unwarranted disclosure would harm the competitive position of a third party.

26 January 2001

Subject: ECGD—Project underwriting handbook (146657), Copies of minutes of Management Board (146650), Copies of minutes of Audit Committee (146651)

Reason: Not disclosing details of the Handbook comes under Exemption 7—effective management of the public service. Not publishing the copies of the minutes of the Management Board or Audit Committee comes under Exemption 2—internal advice and discussion. These Committees are internal committees of the ECGD that will often discuss commercially sensitive issues and therefore are covered by Exemption 2. The Export Guarantees Advisory Council's task is to ensure that ECGD's policies and practices are consistent with its Mission statement and to monitor ECGD's compliance with its statement of Business Principles. The EGAC no longer discusses policy on particular markets and therefore the minutes can be made publicly available.

6 February 2001

Subject: Accounting Officer's note of dissent (148287)

Reason: The note was part of internal discussion and therefore the use of Exemption 2—internal advice and discussion was correct.

15 February 2001

Subject: Publication of OFT Report: (150002)

Reason: The report was received by the Minister and therefore treated as confidential under Exemption 2—internal advice and discussion. The date of publication of the report was decided by the Director General of Fair Trading under Exemption 4(a)—law enforcement : the proceedings of any tribunal, public inquiry or other formal investigations.

26 February 2001

Subject: Rate of return on launch-aid loan to Rolls-Royce (150671)
Private finance available for Rolls Royce Trent (150670)
Sale of RR Spey turbofan engines to China (150533)

Reason: Release of detailed information would be to the benefit of the company's competitors, therefore use was made of Exemption 13—commercial confidences whose unwarranted disclosure would harm the competitive position of a third party.

26 February 2001

Subject: Ministerial and ECGD officials' meetings with companies in relation to a project. (151206)

Reason: It is not the normal practice to release details of meetings with individuals or companies on grounds of commercial confidentiality hence the use of Exemption 13.

9 March 2001

Subject: Outcome of legal action in South Africa (152268)

Reason: Her Majesty's Government does not speculate on the outcome of cases and therefore Exemption 4 (a) protecting information whose disclosure could prejudice the administration of justice is appropriate.

16 March 2001

Subject: Intelligence matters (153437 and 154232)
Reason: Her Majesty's Government does not comment on intelligence matters under Exemption 1—Defence, security and International Relations.

19 March 2001

Subject: applications for credit guarantees relating to Saudi Arabia (153726)
Reason: No guarantees in respect of credit business issued for 20 years. Applications not the subject of guarantee are commercially sensitive and therefore Exemption 13—commercial confidences whose unwarranted disclosure would harm the competitive position of a third party is appropriate

28 March 2001

Subject: Quantities of reprocessed uranium sold by BNFL(154420)
Reason: Details of the commercial transactions of BNFL, as a private company's directly relate to the day to day responsibilities of the named companies and as such the Government has no involvement.

6 April 2001

Subject: OFT inquiry into BSkyB (157142)
Reason: The report was considered by the Director General of Fair Trading under Exemption 4(a)—law enforcement : the proceedings of any tribunal, public inquiry or other formal investigations.

10 April 2001

Subject: Advice the Secretary of State received on Hollis Industries (157167)
Reason: It has been the practice of successive Governments not to release copies of advice received from officials under Exemption 2—internal opinion, advice, recommendation and deliberation. However the Secretary of State did announce that he had ruled himself out of any inquiries associated with the particular matter.

3 May 2001

Subject: Investigations being undertaken by the Takeover Panel (159085)
Reason: The Takeover Panel is an independent body and the investigations are undertaken under Exemption 4(a)—law enforcement : the proceedings of any tribunal, public inquiry or other formal investigations.

MEMORANDUM 16

Submitted by the Department for Transport

Thank you for your letter of 30 July regarding “blocked” parliamentary questions.

I enclose a table listing the questions you identified that are the responsibility of this Department and explaining why the information was not provided with reference to the Code of Practice on Access to Government Information.

The questions you identified in respect of the Millennium Dome and question number 147444 on ministerial meetings are now the responsibility of the Office of the Deputy Prime Minister, rather than this Department.

12 August 2002

18.12.00 and 15.1.01

Subject: **London Traffic (142530, 142533, 142695 and 144904)**
Reason: From 3 July 2000, these are matters for the London Mayor

21.12.00 and 7.3.01

Subject: **Railtrack (143549, 143441, 143557 and 152359)**
Reason: These are commercial matters for Railtrack

8.1.01

Subject: **Correspondence (144139)**
Reason: Exemption 2—It is not the normal practice of Government to make public correspondence which is sent in confidence.

16.1.01, 6.2.01 and 30.4.01

Subject: **Heathrow Terminal 5 (144748, 145852, 148835 and 159249)**
Reason: Exemption 2—Internal discussion and advice is not made public.

5.2.01

Subject: **References (148551)**
Reason: Exemption 12—Privacy of an individual

13.3.01

Subject: **East Coast Main Line (153624 and 153625)**
Reason: Exemption 13—Commercial confidentiality

MEMORANDUM 17

Submitted by HM Treasury

Thank you for your letter of 30 July to Gus O'Donnell about answers to written questions in the 2000–01 session.

In each of the five cases identified by the Table Office the reason why the information sought could not be provided was explained in the written answer. Non-disclosure was permissible under the Code of Practice on Access to Government Information. The enclosed note gives the relevant details in the format you requested.

This letter and enclosure are also being sent to Jenny Nelson by e-mail and on disk, as you asked.

8 October 2002

14 December 2000

Departmental spending submissions (Q142539)

Exemption 2: Departments' submissions to the Treasury during the 2000 spending Review were confidential.

22 January 2001

Treasury model (Q145866)

Exemption 9: Treasury model simulations depend crucially on the assumptions that need to be specified in order to avoid ambiguous or misleading results. They are costly to undertake, place a heavy burden on resources and inevitably displace important work.

25 January 2001

Value of the euro (Q145829)

Exemption 6: The Government does not comment on day-to-day developments in the foreign exchange markets.

26 February 2001

Gold (Q151040 and Q151039)

Exemption 13: Information relating to individuals, firms and financial institutions to which gold was loaned, leased and sold is commercially confidential.

MEMORANDUM 18

Submitted by the Department for Work and Pensions

I am responding to Philip Aylett's letter of 30 July about Parliamentary Questions that Ministers refused to answer in the 2000-01 session.

As requested, I attach a table that sets out for each of the two questions the reason information was not given and the appropriate reference in the Code of Practice.

If you require any further information please do not hesitate to contact me.

8 October 2002

19.12.00 PQ no. 141341

Subject: **Meetings between UK and overseas civil servants**

Reason: Code of Practice part II paragraph 2. Minutes of meetings taken place are not published.

28.02.01 PQ no. 151434

Subject: **Contract with private sector partner**

Reason: Code of Practice part II paragraph 13. Contract details are commercial in confidence.

Appendix 3

Submitted by the Principal Clerk, Table Office, House of Commons

Following the practice established in the last Parliament, I enclose a copy of the Table Office's digest of the pattern of answers: the list of questions which had been "blocked" by virtue of a minister's refusal to answer them in the Session 2001–02, which lasted from June 2001 to November 2002.

The Table Office's previous memorandum to the Public Service Committee in 1996 (attached to last year's submission) set out the procedure relating to the compilation, Office style and use of the pattern of answers list, which is of course neither a complete digest of blocking answers nor an absolute statement of what may not be asked. It is primarily an internal document designed as a practical guide to some of the limits set by ministers in replying to questions.

11 December 2002

Pattern of answers list for session 2001–02

ADVOCATE GENERAL FOR SCOTLAND

No.	Date	Subject	Comment	qno.	Col.
1	06.11.01	Legal advice	(a) Law Officers' advice is always confidential	10336 (opq)	99
	25.01.02		(b) Precluded from giving information on occasions upon which she has given advice on Scots Law by convention that neither existence nor content of Law Officers' advice is disclosed (see also 25/01, col 1128W, 29340; 25.03.02, col 685W, ref 45766)	29336	1126W

CABINET OFFICE

No.	Date	Subject	Comment	qno.	Col.
1	18.07. 01	Ministerial duties	Not normal practice to publish roster	4905	304W
2	12.02. 02	Meetings	Not normal practice to release details of meetings with individuals or companies	33218/ 32813	190-1W
3	26.02. 02	Disaster plans	Government do not publish contingency plans or the operational and procedural matters relating to them	36721	1185W
4	25.03. 02	Secondments	Department does not disclose names of secondees under Exemption 12 of the Code	43668	584W
5	16.04. 02	Cabinet Committees	(a) Intervals of meeting of the panel for regulatory accountability withheld since information relating to the proceedings of Cabinet Committee business not disclosed under Exemption 2 of the Code	49065	584W
	05.07. 02		(B) Established practice under Exemption 2 of Part II of the Code not to disclose information relating to proceedings of Cabinet committees (see also 17.07.02, col 345W, ref 69678 on ministerial panel on regulatory accountability)	65986	843W
6	20.05. 02	GO London	Not practice to provide details of meetings held by GO London in line with Exemption 7 and 13 of the Code	55412	133W
7	24.05. 02	Special advisers	Number of submissions to and meetings of special advisers remuneration committee withheld under Exemption 2 of the Code relating to internal meetings and advice	58716/8	677W

CHURCH COMMISSIONERS

No.	Date	Subject	Comment	qno.	Col.
Nil.					

CULTURE, MEDIA AND SPORT

No.	Date	Subject	Comment	qno.	Col.
1	17.07. 01	Television	(a) Monitoring BBC's provision of benchmark quality programmes is a matter for the BBC board of governors	3708	77W
	13.11. 01		(b) Not policy to release information about individual shortlists for the post of BBC chairman in the interests of confidentiality (see also 24.01.02, 1020W, ref 29412-3, for ITC/BBC appointments)	13610	636W
	16.01. 02		(c) Not the role of Government to intervene in detailed issues of BBC programme content and scheduling (see also 19.04.02, col 1218W, ref 48737 on televised music)	26457	338-9W
	25.03. 02		(d) Right authorities for deciding what should be shown on television are the television companies and the owners	43149	555
	19.09. 02		(e) Conditions to be placed on BBC and Crown Castle on marketing digital television a matter for the ITC and the BBC Board of Governors	69075	161W
2	18.07. 01	Cabinet and Ministerial groups	(a) Information relating to proceedings of Cabinet Committees withheld under Exemption 2 of Part II of the Code of Practice	4819	187W

No.	Date	Subject	Comment	qno.	Col.
	18.06.02		(b) Refusal to place in Library minutes of meetings of Inter-departmental Group on Sport on grounds that to do so would inhibit discussions and reduce effectiveness (see also 5.11.02, col 180-1W, ref 79222)	61291	275W
	04.07.02		(c) Following upgrade to Cabinet Sub-Committee, proceedings of Committee of Green Ministers exempt under Exemption 2 of Part II of the Code	65987	515W
3	15.10.01	Advisory panels	Not policy to publish names of advisory panel members	5127	817W
4	16.10.01	National Lottery	(a) Proceeds not broken down by county but by local authority area breakdown, available in the Library	7502	1144W
	09.11.01		(b) Terms of contracts between retailers and Camelot are a matter for Camelot	12761-3	493W
5	25.10.01	Royal Prerogative	Records not kept of when exercised	9366	356W
6	21.11.01	National Stadium	(a) Nature and contents of discussions and meetings with Ministers, officials and Sports England on the stadium projects review withheld under Part II of the Code	16667-70	312-3W
	03.07.02		(b) Correspondence on Wembley withheld under Part II of the Code	58114/5	314W
7	21.01.02	PR consultants	DCMS has let only one PR contract in last four years and details of cost withheld to preserve commercial confidentiality	27398	624W
8	05.02.02	Ministerial meetings	Details of meetings with broadcasters withheld as it is not normal practice to release details of specific meetings with private individuals or companies (see also 18.06.02, col 277W, ref 62203)	33319	825W

No.	Date	Subject	Comment	qno.	Col.
9	23.04.02	Drugs inquiries	Not appropriate for Ministers to intervene in individual doping cases	51419	153W

DEFENCE

No.	Date	Subject	Comment	qno.	Col.
1	02.07.01	Porton Down	(a) Technical reports on trials at Porton Down withheld under Exemption 1 of the Code of Practice (<i>but protocol on nerve gas trials placed in Library</i>)	996	3W
	15.10.01		(b) Complete minutes of the Independent CBD Ethics Committee withheld under Exemption 2 (<i>but relevant section placed in Library</i>)	6561	935W
	15.10.01		(c) Report of study withheld under Exemption 1(a) because it contains operational information	6580	936W
	01.11.01		(d) List of biological samples supplied to other countries withheld under category 1 of the Code because it could reveal operational capabilities and deficiencies	11502	768W
	19.11.01		(e) Papers relating to decision of the War Pensions Agency withheld under Exemption 2 of the Code	14745	12W
	19.11.01		(f) Reports produced in 1972 and 1984 still classified and withheld under Exemption 1 of the Code	14759/14758	16-7W
	18.12.01		(g) Document on miosis withheld under category 1 of the Code (also minutes of committees overseeing the research undertaken within the Service Volunteer programme withheld under Exemption 2b of the Code, 1.05.02, col 789W, ref 53345 and 53412)	22930/22933	172-4W

No.	Date	Subject	Comment	qno.	Col.
	21.06. 02		(h) Minutes of meetings of advisory Committee scrutinising research protocols withheld under Exemption 2b (<i>protocols themselves placed in Library</i>)	63044	600W
2	02.07. 01	Weapons and ammunition	(a) Details of number, use, level of authorisation and rules of engagement relating to <i>stun grenades</i> withheld under Exemption 1 of the Code of Practice	1232, 1121	5–6W
	13.07. 01		(b) Statistical data on performance failures of <i>ammunition</i> fired by the Army in training classified and withheld under Exemption 1 of the Code of Practice	2782	660W
	09.11. 01		(c) Information on stock levels of <i>Charm 3</i> ammunition withheld under Exemption 1 of the Code	13763	437W
	12.11. 01		(d) Purpose of including depleted uranium in weapons withheld under Exemption 1 of the Code (stocks of weapons containing DU withheld under Exemption 1 of the Code, 7.11.02, col 465-6W, ref 79654)	14271	523W
	27.11. 01		(e) Information on stockpiles of <i>cluster bombs</i> withheld under Exemption 1 of the Code	18352	765W
	28.01. 02		(f) Number of <i>plastic baton rounds</i> procured withheld under Exemption 1 and costs withheld under Exemption 13 of the Code	29729	20W
	26.02. 02		(g) Details of programmes for <i>directed energy weapons</i> classified and withheld under Exemption 1 (<i>broad statement on evaluation of DEW given</i>)	36953	1143W
	18.04. 02		(h) Specific information relating to ammunition stock levels withheld under Exemption 1 of the Code	50931–2	1079W
	17.07. 02		(i) Details of regulations concerning qualifying age for carrying a weapon withheld under Exemption 1 of the Code (<i>but general description given</i>)	69286	277W

No.	Date	Subject	Comment	qno.	Col.
3	03.07. 01	Defence Science and Technology Laboratory	Details of potential suppliers of facilities management services to DSTL withheld under Exemption 7 of the Code of Practice	848	96W
4	04.07. 01	Wind farms	(a) Details of wind farm sites evaluated by MoD withheld under Exemption 7 of the Code of Practice (commercial sensitivity)	1978	183W
	17.12. 01		(b) Details of objections to proposals to site wind farms within Tactical Training Areas withheld under Exemption 13 of the Code	23136	73W
5	05.07. 01	Ships	(a) Precise manning level of warships withheld under Exemption 1 of the Code of Practice (<i>but total number of personnel on all warships given</i>)	962	245W
	01.11. 01		(b) Costings for sale of Batch Two frigates to Romania withheld under Exemption 1 and 13 of Code	11782	768W
	10.06. 02		(c) Cost of maintaining Upholder Class submarines before their reactivation commercially sensitive and withheld under Exemption 13 of the Code	58771	737W
	18.07. 02		(d) Information on discussions with Brazil/Argentina on possible sale of HMS Fearless withheld under Exemptions 1 and 13 of the Code	70163	492W
6	05.07. 01	Strategic tanker aircraft	(a) Details of bids for future strategic tanker aircraft project withheld under Exemption 7 of the Code of Practice (<i>but undertaking to provide more information when possible</i>)	867	247W
	31.01. 02		(b) Details of bids from consortia for contract withheld under Exemption 13 (<i>information given on identity of companies in consortia</i>)	30289	503W
7	10.07. 01	HMS Sheffield	(a) Much information put before the Board of Inquiry into the sinking of HMS Sheffield highly classified and withheld under Exemption 1 of the Code of Practice	2340, 2341, 2342	365W

No.	Date	Subject	Comment	qno.	Col.
	03.04. 02		(b) Publishing a list of those who provided witness statements to the Board of Inquiry would breach Data Protection Act and confidentiality	45836	1022W
8	12.01. 01	Kenya	Information on the lot numbers of munitions used by the British Army in Kenya withheld under Exemption 1 of the Code of Practice	2781	584W
9	16.07. 01	GCHQ (Menwith Hill)	(a) Numbers of GCHQ staff withheld under Exemption 1 of the Code of Practice	4176	6W
	15.10. 01		(b) Information on detailed operations withheld under Exemption 1 (see also 8.11.01, col 380W, ref 12066)	7173	941W
	15.10. 01		(c) Details of individual contracts in connection with Menwith Hill withheld under Exemption 14 and names of individual contractors withheld under Exemption 4e	6259	954W
	19.11. 01		(d) Cost of MDP deployed at RAF Menwith Hill withheld under Exemption 1 of the Code	15878	8W
10	17.07. 01	Nuclear weapons	(a) Practice neither to confirm nor deny presence of nuclear weapons at any place or time	5030	140-1W
	01.02. 02		(b) Details of numbers of US nuclear weapons in UK withheld under Exemption 1 of the Code (<i>but fact that weapons remain in UK confirmed</i>)	31708	601W
	01.02. 02		(c) Information on number of warheads deployed on nuclear missiles withheld under Exemption 1 of the Code (<i>but confirmation that Trident submarines carry 48 nuclear warheads</i>) (see also 22.04.02, col 8W, ref 51137; 23.04.02, col 194W, ref 51138)	31705	601W

No.	Date	Subject	Comment	qno.	Col.
	19.09. 02		(d) Details of operational training of the Nuclear Weapons Convoy Group withheld under Exemption 1 of the Code (<i>but acknowledgement given that the group was training in East Anglia on particular date</i>)	73185	321W
11	18.07. 01	Ministerial duties	Not normal practice to publish ministerial duty rosters	4892	212W
12	20.07. 01	Missiles	(a) Information on missile numbers to be procured from the USA withheld under Exemption 1 of the Code of Practice (also cost of individual missiles withheld on grounds that it would enable deductions to be made on the size of inventory: 16.07.02, col 155W, ref 67835)	5925	714W
	19.11. 01		(b) Details of live missile firing programme on warships withheld under Exemption 1 of the Code	14627	9W
	18.12. 01		(c) Precise numbers of Cruise missiles fired in conflicts and for testing purposes withheld under Exemption 1 of the Code	21552-3	171-2W
	31.01. 02		(d) Copy of contract for Beyond Visual Range Air-to-Air Missile withheld under Exemption 13 of the Code (<i>but details of contractual breakpoints will be published</i>)	31104	506W
	14.02. 02		(e) Number of missiles collected by HMS Vengeance withheld under Exemption 1 of the Code	32709	568W
	22.10. 02		(f) Cost of assessment phase of the lightweight mobile artillery weapon system rocket programme withheld under Exemption 7 because negotiations are still underway with the preferred bidder	76000	144-5W
13	15.10. 01	Discipline/ inquiries	(a) Not normal practice to comment on the result of an internal investigation or resultant disciplinary action	7082	947-8W
	15.10. 01		(b) Inappropriate to comment on ongoing police inquiry (Stevens inquiry)	7115	953W

No.	Date	Subject	Comment	qno.	Col.
	24.04. 02		(c) Details of cost of providing security to former soldiers named by Saville Inquiry withheld under Exemption 1 of the Code	52043	254W
	10.06. 02		(d) Result of internal investigations or resulting disciplinary action relating to firearms missing from Royal Irish Regiment withheld under Exemption 12 of the Code	59698	743W
	15.10. 02		(e) Inappropriate to comment on written statements on films etc relevant to Saville inquiry made by MoD as officials will be giving evidence in future. Information therefore exempt under Exemption 4 of the Code	74474	545W
14	15.10. 01	Kursk	No UK Government involvement in recovery operation	7185	950W
15	15.10. 01	QinetiQ	(a) Detailed financial information on income withheld in commercial interests of company	7335	951W
	08.01. 02		(b) Payments to advisers on flotation withheld under Exemption 14 of the Code	24521	563W
	05.02. 02		(c) Fees paid to Arthur Andersen for work on QinetiQ withheld under Exemption 14 of the Code as commercial in confidence	33087	859W
	05.03. 02		(d) Cost incurred by QinetiQ as a plc on the future strategic tanker aircraft at Boscombe Down withheld under Exemption 14 of the Code as commercially confidential	39315	165W
	13.03. 02		(e) Information relating to business plans commercial in confidence and details of current property redevelopment and disposal plans withheld under Exemption 14 of the Code (<i>details of developments prior to vesting on 1 July 2001 given</i>)	42347	1162W
	10.04. 02		(f) Publishing list of parties interested in becoming a strategic partner to QinetiQ would not be consistent with maintaining competitive tension among bidders	47644	14W

No.	Date	Subject	Comment	qno.	Col.
	16.05. 02		(g) Value of Throckmorton airfield site withheld under Exemption 13 of the Code as part of QinetiQ's commercial planning process	57085	775W
	23.05. 02		(h) Memorandum sent to potential bidders for QinetiQ withheld under Exemption 13 as commercial in confidence	57796	475W
	10.06. 02		(i) Cost of sponsorship of the QinetiQ1 manned space balloon commercially confidential and withheld under Exemption 13 of the Code	60614	749W
16	15.10. 01	Research programmes	(a) Costs of individual research programmes withheld under Exemption 1	7322	951W
	08.05. 02		(b) Conclusions of fluorescent particle trials withheld in accordance with Exemption 1a of the Code	54343	180W
	10.06. 02		(c) Details of research programmes which contribute to non-lethal capabilities (urban warfare) withheld under Exemption 1 of the Code	59726	741W
	28.10. 02		(d) Value of each of two contracts for focus group research withheld under Exemption 13 of the Code but total cost given	74999	693W
17	15.10. 01	Spending	(a) Total expenditure not available by nation and region	6833	960W
	12.11. 01		(b) Departmental expenditure on information, advertising and campaign material since 1995 withheld under Exemption 9 (voluminous and vexatious requests) (<i>but information on PR available in annual report</i>)	12274	518W
	12.11. 01		(c) Costs of artists performing for UK forces overseas withheld for reasons of commercial confidentiality under Exemption 13 of the Code	14122	526W

No.	Date	Subject	Comment	qno.	Col.
	14.11.01		(d) Expenditure on advertising etc since 1995 withheld under Exemption 9 (voluminous and vexatious requests) of the Code	6938	740W
	09.01.02		(e) Details of individual budget holders' proposals for expenditure under the defence programme withheld under Exemption 2 of the Code	25677/25634	827W
	31.01.02		(f) Annual outlay by MOD for use of Duchy land on Dartmoor commercial in confidence and withheld under Exemption 13 of Part II of the Code	31183	505W
	05.03.02		(g) Cost of lawyers employed by Dstl withheld under Exemption 14 of the Code (<i>details of numbers and services used given</i>)	36146	164W
	01.03.02		(h) Departmental funding for NGOs in South West region withheld under Exemption 9 (voluminous and vexatious requests)	39190	476W
	13.03.02		(i) Expenditure in next three years on the multi-role armoured vehicle project and air-launched anti-armour weapon project withheld under Exemption 2 of the Code (<i>total procurement cost and expenditure to date given</i>)	42258/9	1160W
	22.10.02		(j) MoD contribution towards cost of childcare schemes withheld under Exemption 9	50341	143W
	28.10.02		(k) Projected salary costs of MoD civilian personnel over next four years withheld under Exemption 2 of the Code since decisions on the allocation of the budget are taken as part of the annual planning process	76355	695W
18	16.10.01	Ordnance Board Project	Report of Board Project G/220A withheld under Exemption 1 but status under review	7114	1114W

No.	Date	Subject	Comment	qno.	Col.
19	19.10.01	International agreements	(a) MoD does not make agreements between nations publically available so withheld under Exemption 1 of the Code (refers to non-lethal weapons)	7116	1370W
	22.10.01		(b) UK participants in meetings held under agreement on non-lethal weapons withheld under Exemption 1 of the Code	7117	3W
20	23.10.01	Reports	(a) Reports on US biological detection devices withheld under Exemption 1	6579	113W
	31.10.01		(b) Defence industry paper produced by Defence Procurement Agency for internal discussions only and withheld under Exemption 2 of Code	11455	663W
	12.11.01		(c) Not the practice of MoD to publish Board of Inquiry reports (on medical preparedness) in full because they are internal documents and confidential	11621	518W
	14.11.01		(d) Report on defence medical services constitutes internal discussion and advice and withheld under Exemption 2 of the Code (<i>summary of findings has been placed in Library</i>)	13703	741W
21	31.10.01	Afghanistan	(a) Precise number of Tomahawk cruise missiles fired in Afghanistan withheld under Exemption 1a of the code (<i>but information given that a small number were fired</i>)	11014	662W
	29.11.01		(b) Information and plans about operations in Afghanistan withheld under Exemptions 1a and b of the Code	18215-7/ 18220-1/ 18226	1050W
	05.12.01		(c) Details of circumstances and injuries sustained by British casualties withheld under Exemptions 1 and 12. Not appropriate to provide information on casualties sustained by other coalition members	19877	343W

No.	Date	Subject	Comment	qno.	Col.
	11.12. 01		(d) Precise number of Cruise missiles launched in Afghanistan withheld under Exemption 1 of the Code	21652	743W
	13.12. 01		(e) Details of advice given by, numbers of and role played by British military personnel in Qala-I-Jangi prison revolt withheld under Exemption 1 of the Code	20026/20 236/2023 7/20240/ 20242	964W
	19.12. 01		(f) Number of UK personnel operating in Afghanistan withheld under Exemption 1	23639/23 644	340W
	11.01. 02		(g) Details of assistance requested from the US for ground troops withheld under section 1 of the Code	26351	1063W
	17.01. 02		(h) Dates guidance was issued on handling of prisoners in Afghanistan withheld in accordance with Exemption 1(a) of the Code [<i>but fact that appropriate guidance given to UK forces confirmed</i>]	26436	392W
	23.01. 02		(i) Copies of guidance issued on handling of prisoners withheld under Exemption 1(a) of the Code	29405	919W
	07.02. 02		(j) Instructions to British special forces on transfer of prisoners to US forces withheld under Exemption 1	33608	1087W
	12.02. 02		(k) Specific details of guidance given to UK forces withheld under Exemption 1(a) of the Code	35032	173W
	10.06. 02		(l) Security clearance arrangements for aircrew and aircraft maintenance staff in Afghanistan withheld under Exemption 1 of the Code	59725	754W
	11.07. 02		(m) Cost of Minimis light support weapons used in Afghanistan withheld in accordance with Exemption 13 of the Code (<i>but exact numbers given</i>)	69155	1137W

No.	Date	Subject	Comment	qno.	Col.
22	01.11.01	Staff	(a) Reasons for departure of deputy head of MoD police withheld under Exemption 8 of Code	11766	767W
	22.01.02		(b) Under Exemptions 8a and 12 of the Code personal data is not disclosed without the consent of the individual who can decide whether or not to disclose his personal files (see also 17.06.02, col 42W, ref 61872, and 21.10.02, col 58W, ref 75461 on Shaun Rusling)	28387	734W
	25.02.02		(c) Names of secondees withheld under Exemption 12 of the Code	35840	692W
23	05.11.01	Contracts	(a) Details of individual contracts and their values withheld under Exemption 14	12175	28W
	31.01.02		(b) Values of individual contracts with KPMG withheld under Exemption 13 of the Code (<i>number and total value given</i>)	31326	505W
	07.02.02		(c) Value of individual contracts with Arthur Andersen withheld under Exemption 13 (<i>total value given</i>)	33091	1085W
	12.02.02		(d) Details of companies with IT contracts with MoD withheld under Exemption 9	33684	167W
	14.02.02		(e) Value of individual accountancy contracts withheld under Exemption 13 of the Code (<i>total value of contracts with each company given</i>)	34998	569W
24	06.11.01	Equipment	(a) Commercial information on failed bids to supply personal radios withheld under Exemption 13 of the Code	11785	127W
	09.11.01		(b) Information relating to operational availability of vehicles used for NBC defence withheld under Exemption 1 of the Code	13283	434W
	20.11.01		(c) Number of stocks of NBC suits withheld under Exemption 1 of the Code	16159	170W

No.	Date	Subject	Comment	qno.	Col.
	10.01.02		(d) Specific quantities of refurbished and operational NBC equipment withheld under Exemption 1 of the Code	25701	959–60W
	05.02.02		(e) Cost of the programme to procure Tempest vehicles withheld under Exemption 7a(2) of the Code as contract negotiations have yet to be completed	32160	858W
	14.02.02		(f) Information as to categories of equipment for which there are contractual arrangements with manufacturers for surge production capacity withheld under Exemption 1	35038	858W
	21.05.02		(g) Cost of options to replace Trigat withheld under Exemption 13 of the Code	56688	166W
25	08.11.01	Nuclear installations	Details of improvements to air defence of nuclear installations withheld under Exemption 1 of the Code	13235	378W
26	12.11.01	Army foundation college	Details of sites under consideration withheld under Exemption 7 of the Code	13932	525W
27	22.11.01	Aircraft	(a) Details of defensive measures associated with Hercules aircraft deployments withheld under Exemption 1a	15226	371W
	22.11.01		(b) Information on operational capability of UK special forces withheld under Exemption 1	15231	377W
	04.12.01		(c) Draft plans for relocation of the fixed wing business unit at Cardiff International Airport contain commercially sensitive information and withheld under Exemption 13 of the Code	18612	220W
	11.01.02		(d) Numbers of C130 Hercules with defensive aids suites withheld under Exemption 1a of the Code (see also 14.01.02, ref 26350, col 61W)	26352	1064W

No.	Date	Subject	Comment	qno.	Col.
				31105	506W
	31.01. 02		(e) Contract for development and manufacture of <i>A400M</i> withheld under Exemptions 1 and 13 of the Code		
	07.02. 02		(f) Information on fitting lighting and flight deck armour to C130Ks withheld under Exemption 1	33095/33 093	1088W
	07.02. 02		(g) Customer specification for Jaguar engine upgrade withheld under Exemption 13 of the Code	34019	1089W
	26.02. 02		(h) Value of payments and penalties relating to milestones in contract for Eurofighter withheld under Exemption 13 as commercially sensitive	37667/37 665	1140– 1W
	26.02. 02		(i) Disclosure of detailed information about defensive capabilities of heavy lift aircraft operationally sensitive and exempt under Exemption 1a of the Code	37289	1144– 5W
	13.03. 02		(j) Detailed results of evaluation of Gripen aircraft withheld under Exemption 1 of the Code	36950	1159W
	15.04. 02		(k) Savings in procurement costs from decision to purchase Nimrod MRA4s is commercial in confidence between the relevant parties	49764	712W
	15.05. 02		(l) Detailed lease costs and underlying aircraft price for C17s withheld under Exemption 13 of the code as commercially sensitive (overall cost of 4 aircraft for full term of lease given) (see also 22.07.02, col 760W, ref 70781)	54646	640W
	15.05. 02		(m) Cost of fitting JTIDS to Sea Harriers withheld under Exemption 13 of the Code because costs currently subject of negotiation with contractors	56198	644W
	24.05. 02		(n) Details of AWSR's bid costs for the strategic airlift service commercially sensitive and withheld under Exemption 13 of the Code	56110/56 115	609– 10W

No.	Date	Subject	Comment	qno.	Col.
	10.06. 02		(o) NATO standard of flying hours withheld in accordance with Exemption 1a of the Code	57804	736W
	03.07. 02		(p) Location of stores for Eurofighter parts withheld in accordance with Exemption 1	66018	321W
	22.10. 02		(q) Annual profile of expenditure on the F35 aircraft withheld under Exemptions 2 and 7	75949/51 /56	146W
28	30.11. 01	HMS Gannet	(a) Cost of leases for HMS Gannet site at Prestwick commercially confidential and withheld under Exemption 13	17658	1153W
	19.12. 01		(b) Details of costs of leases of property withheld under Exemption 13 of the Code	23938	339-9W
29	18.12. 01	Far East PoWs	Calculations behind budgetary provisions for payment scheme withheld under Exemption 2 of the Code (<i>information on estimated numbers given</i>)	23768/9	177-8W
30	14.01. 02	BAe Systems (Tanzania Contract)	(a) Not policy to provide details of individual marketing campaigns for reasons of commercial confidentiality	25202	59-60W
	30.01. 02		(b) Date on which Ministers were informed of views of the World Bank on the air traffic control system withheld under Exemption 2 of Part II of the Code	29443	336W
	29.01. 02		(c) Assessment under MOD form 680 procedure withheld under Exemptions 2 and 13 of Part II of the Code	29442	218W
	10.04. 02	Export licences	(a) Information on end-use provided in support of an export licence application (for aircraft to India) confidential and withheld under Exemptions 1, 13 and 14 of the Code	45797	19W

No.	Date	Subject	Comment	qno.	Col.
	29.04. 02		(b) Access to detailed information on F680 clearances restricted for commercial reasons and information withheld under Exemption 13 of Part II of the Code	51747	537W
	02.07. 02		(c) Details of discussions and examination of licence applications withheld under Exemption 2 of Part II of the Code	65425/65 448	230W
	19.09. 02		(d) Information held on companies and individuals involved in the export of military supplies is withheld as commercial in confidence under Exemption 13 and 14 of the Code, as is information relating to applications forwarded by the authorities in Jersey, Guernsey and the Isle of Man	72786	313W
	15.10. 02		(e) Details of discussions with DTI on export licensing withheld under Exemption 2 of Part II of the Code	74696	558W
32	01.02. 02	Rules of engagement	(a) MoD never comment on the rules of engagement for UK forces (<i>but see 23.10.02, col 351W, ref 76921, for exception made in case of baton rounds in Northern Ireland</i>)	32132	604W
	22.07. 02		(b) Details of rules of engagement for justification in using force withheld under Exemption 1 of the Code	67803	750W
33	06.02. 02	No-fly zones (Iraq)	Details of minor adjustments to responses to violations of no-fly zones and to procedures governing operations by coalition aircraft withheld under Exemption 1 of the Code	31013/4	998–9W
34	25.02. 02	Departmental events	Information on events held in non-Departmental premises withheld under Exemption 9 of the Code	34180	687W
35	26.02. 02	Security	(a) Details of number of MoD police at Faslane on specified dates withheld under Exemption 1 of the Code (<i>but confirmation given that additional police were deployed</i>)	37256	1146W

No.	Date	Subject	Comment	qno.	Col.
	04.03. 02		(b) Policy not to disclose details of security measures at military bases (including US bases in UK) (see also 1.03.02, col 1458W, ref 38064; 17.07.02, col 279W, ref 69647)	38063	29W
	21.03. 02		(c) Details of protection or security operations (for Golden Jubilee) withheld under Exemption 1 of the Code	44583	450W
36	03.04. 02	Dangerous substance rules	Reasoned Opinion infraction cases are confidential matters between Member States and the Commission so copies of correspondence cannot be placed in Library	44727	1025W
37	11.04. 02	Joint services group	All information on JSG withheld under Exemption 1a of the Code	48026	559W
38	17.04. 02	Firearms deaths	(a) Result of internal investigations or disciplinary action arising from firearms deaths in the armed services withheld in accordance with Exemption 12 of the Code	48677	942W
	22.04. 02		(b) Police investigation into Private Collinson's death at Deep Cut Army Camp is ongoing so inappropriate to comment at this stage (for Private Gray, see 24.04.02, col 261-2, ref 51149 et seq)	51031- 33	7W
	09.07. 02		(c) Precise location of deaths at army barracks withheld as not readily available and would compromise Service personnel confidentiality	66697	848W
	24.10. 02		(d) MoD unable to discuss the specific circumstances surrounding deaths at Deepcut whilst police investigations continue	76908	438-9W
39	24.04. 02	Army training (Kenya)	Terms of agreement between UK and Kenya for training purposes in Kenya withheld under Exemption 1 of the Code	49307	263W

No.	Date	Subject	Comment	qno.	Col.
40	25.04.02	Information warfare	Information on Government contribution to development of policies and measures to protect against information warfare withheld in accordance with Exemption 1 of the Code	51492	426W
41	26.04.02	Blue Danube Atomic Bomb	Not appropriate to go into detail of aspects of bomb which might be of value to a potential nuclear weapons proliferators	51023	485W
42	02.05.02	Service accommodation	Responses to attitude survey withheld under Exemption 2 of the Code as respondents have been assured of their continuing anonymity	52106	958W
43	08.06.02	Nuclear materials (transportation)	Details of nuclear materials delivered from US to Brize Norton on 19 April withheld in accordance with Exemption 1 of the Code	61960	201W
44	21.06.02	AWE	Details of discussions in Joint UK/US Working Groups on nuclear weapon matters withheld under Exemption 1 of the Code	63454	601W
45	24.06.02	Military bases	(a) Detailed figures for annual rental at Colchester garrison withheld under Exemption 13 (also projected and current cost of building withheld for same reason, 1.07.02, col 36W, 65759)	63351	682W
	08.07.02		(b) Estimates of value of Dean Hill site withheld under Exemption 7 of the Code as it could influence eventual receipt arising from sale (see also 15.07.02, col 25W, ref 68907)	65705	713W
46	02.07.02	Asymmetric Surface threats	Details of measures taken to protect fleet units withheld in accordance with Exemption 1 of the Code	64809	229W
47	16.07.02	Mox lead test assemblies	Minutes of meeting with French and US officials withheld under Exemption 1 of the Code as touching on programme and planning matters within the authority of respective Governments	68257	157W

No.	Date	Subject	Comment	qno.	Col.
48	19.09.02	Professional Indemnity Insurance	Not the practice to provide details of discussions that form part of the process of policy development and analysis	50824	308W
49	15.10.02	Colombia	Nature of advice and assistance given to Colombian government confidential between governments and details withheld under Exemption 1 of the Code	74179	545W
50	21.10.02	Strategic Sealift contract	Advice tendered by Accounting Officer withheld under Exemption 2 of the Code	74653	53W

DEPUTY PRIME MINISTER

No.	Date	Subject	Comment	qno.	Col.
1	25.06.02	Royal Prerogative	Records are not kept of occasions upon which exercised	63127	812W
2	26.06.02 16.07.02	Millennium Dome	(a) Details of legal agreements with Meridian Delta and Anschutz Entertainment Group commercially confidential (b) Precise valuations commercially confidential	6457569 202	930W24 1-2W
3	15.07.02	Personnel matters	Personnel matters relating to individuals (Chief Executive of Fire College) are a confidential matter between them and the Department	58734	18W
4	17.07.02	Special advisers	Not normal practice to release details of salaries paid to advisers	67551	340W
5	07.11.02	Meetings	Not normal practice to provide details of meetings	79589	602W

EDUCATION AND SKILLS

No.	Date	Subject	Comment	qno.	Col.
1	15.10.01	Head teachers	Costs of training courses for head teachers commercial and in confidence	7715	995W
2	22.10.01	Cabinet Committees/Ministerial meetings	(a) Information withheld on whether Anaphylaxis will be referred to Cabinet Committee on children and young people as is standard practice not to comment on the proceedings of Cabinet Committees	8449	41W
	06.03.02		(b) Not the practice to disclose details of discussions between Ministers under Part II of the Code	40477	391W
	09.07.02		(c) Following upgrade to Cabinet Subcommittee, proceedings of committee of green ministers withheld under Exemption II of Part II of the Code	65985	822W
3	25.10.01	Royal Prerogative	Records not kept of when exercised	9368	328W
4	15.11.01	Contracts	(a) Financial value of individual contracts between department and Capita is commercial in confidence	13735	867-8W
	25.03.02		(b) Details of various biddings stages during contractual negotiations with Capita on PFI/PPPs are commercial in confidence (see also 16.04.02, col 897W, ref 45601)	45616	633W
	09.07.02		(c) Details of any payment made to Amraf Training by the department withheld as commercial in confidence	65492	821W
5	11.12.01	Further education colleges	Information on colleges subject to a recovery plan or in category C for financial health is commercially sensitive and confidential and withheld under Part 2 of the Code	19618/19909	822-3W
6	31.01.02	ILAs	(a) Amount of payment owed to individual providers commercial in confidence	28855	483W

No.	Date	Subject	Comment	qno.	Col.
	23.04. 02		(b) Not appropriate to list ILA providers as the information on compliance is commercial in confidence (see also 30.04.02, col 636-7W, ref 49880)	49879	155W
7	01.03. 02	Meetings	(a) Not normal practice to release details of meetings with private individuals or companies (Enron)	32436	1540-1W
	27.06. 02		(b) Not the practice to provide details of meetings with organisations and individuals	62204	1041W
8	25.04. 02	Professional Indemnity Insurance	Details of discussions within Government withheld as not practice to provide details of discussions which form part of the process of policy development and analysis	50827	417W
9	14.05. 02	Asylum seekers	Names of those consulted on removing asylum seekers from provisions of Education Act 1996 withheld on grounds that consultees were approached on a confidential basis	54736	539W

ENVIRONMENT, FOOD AND RURAL AFFAIRS

No.	Date	Subject	Comment	qno.	Col.
1	25.10. 01	Foot and mouth	(a) Cannot publicly identify farmers whose buildings have been demolished because of Data Protection Act	7249	367W
	03.04. 02		(b) Not normal practice to publish letters of appointment so letter appointing Dr Anderson to the Lessons Learned inquiry withheld	38841	1035w

No.	Date	Subject	Comment	qno.	Col.
	22.04. 02		(c) Cost of claims for work in connection with foot and mouth not provided for reasons of legal and commercial confidentiality	44295	613W
	21.05. 02		(d) Minutes of meetings with CVO, EA, SEAC and EU and advice from Chief Scientist withheld as not normally disclosed	3959/525 3	177W
	01.07. 02		(e) Amount of money owed to contractors cannot be disclosed for reasons of legal and commercial confidentiality (see also 17.07.02, col 306W, ref 70167; 7.11.02, col 574W, ref 76841)	58063	64W
2	20.11. 01	Special advisers	Career history of individual special advisers withheld under Exemption 12 of the Code	15367	204W
3	05.12. 01	Advisory Group on Veterinary Medicines	Minutes of meetings withheld while agreement of all members of AGVR is sought in accordance with Part II, paragraph 14(a) of the Code (see also 8.01.02, col 762W, ref 23645)	20701	394–5W
4	08.01. 02	Sheep and cattle subsidies	Names or holdings of those claiming subsidies withheld for reasons of confidentiality and data protection	20714	739W
5	14.01. 02	Green ministers	Information relating to proceedings of Cabinet Committees withheld under Exemption 2 of Part II of the Code (see also 17.07.02, col 307W, ref 64839)	19884	111W
6	25.02. 02	Meetings	Not normal practice to release details of specific meetings with private individuals or companies	32434/33 219	918W
7	18.03. 02	Fishing track records	Information on individual transfers is confidential to the parties concerned	42375	130W
8	19.03. 02	Rural enterprise/vocational training schemes	Size of individual awards is commercially confidential	43323	264W

No.	Date	Subject	Comment	qno.	Col.
9	12.04.02	Dangerous substance rules	Cabinet Office rules require that details of relations between the Commission and Member States on inspection proceedings are confidential	40647	650W
10	04.11.02	Sea angling	Details of institutions expressing an interest in conducting research for DEFRA held in confidence because the information is commercially sensitive and disclosure might create difficulties for the remainder of the tender exercise	77263	16W
11	06.11.02	Internal advice and discussions	Information relating to internal opinion and advice or confidential communications between departments (on the Home Energy Conservation Bill) withheld under Exemption 2 of Part II of the Code	77405/6/8	336W

FOREIGN AND COMMONWEALTH AFFAIRS

No.	Date	Subject	Comment	qno.	Col.
1	28.06.01	Internal discussions	(a) Internal discussions between Ministers not disclosed under Exemption 2 of the Code of Practice	850	165W
	22.04.02		(b) Information on discussions with other Government departments on Professional Indemnity Insurance withheld under Exemption 2 of the Code	50833	22W
	10.17.02		(c) Details of discussions with other departments on licensing issues exempt from disclosure Exemption 2 of the Code (see also 15.10.02, col 533W, ref 74698)	65413/4	1015W
2	05.07.01	Entry clearance/visas	(a) Not practice to disclose details of individual entry clearance cases in a public forum (<i>but Joint Entry Clearance Unit will write privately to the Member concerned</i>) (see also 22.04.02, ref 50696/50701, col 22W; 30.04.02, col 649W, ref 51523)	2487	258W

No.	Date	Subject	Comment	qno.	Col.
	16.07. 01		(b) Not practice to disclose details of individual visa cases in a public forum	3146	45W
	14.11. 01		(c) Not policy to comment on individual visa cases in a public forum	13904	745W
	29.11. 01		(d) Well established practice not to disclose names of applicants or details of individual visa applications on confidentiality grounds in accordance with Exemption 12 of the Code and the Data Protection Act 1998 (see also 13.06.02, col 1397W, ref 59004-5)	18628	1080W
3	12.07. 01	Diplomats	Information on the numbers used to identify each country on diplomatic car licence plates withheld on security grounds	1683	587W
4	13.07. 01	Personal data	Not appropriate to disclose personal data except to the individual concerned (Data Protection Act 1998) (the question concerned the date of a request for documents under the Act from Lord Ashcroft)	1000	678W
5	18.07. 01	Ministerial duties	Not normal practice to publish ministerial duty roster	4901	262W
6	20.07. 01	Contracts	(a) Details of individual payments to contractors under PFI contracts usually commercially confidential	5730	496W
	12.02. 02		(b) Contract for FCO telecom network withheld from Library under Exemption 13 of the Code	34622	163W
7	23.10. 01	Arms sales	(a) Details on end-use of arms exports to Sri Lanka withheld under Exemption 13 of Code.	8736	136W
	26.02. 02		(b) Information collated on arms dealing activities of Mr John Bredenkamp withheld under Exemption 1 (see also 29.10.02, col 756-7W, ref 77983, on UN report)	34903	1149W

No.	Date	Subject	Comment	qno.	Col.
	23.10. 02		(c) Cannot disclose details of possible diversion to undesirable end users of military equipment sold to one country as much of the information is obtained from sensitive sources (<i>general description of process given</i>)	75690	361W
8	20.11. 01	International terrorism	Details of support by other countries not disclosed for operational reasons	13383	182W
9	20.11. 01	Intelligence	(a) Policy not to comment on details of intelligence and security matters (see also 3.07.02, col 396W, 65651)	14946	182W
	29.11. 01		(b) Not Government policy to comment on specific intelligence matters or assessments	18260/18 268	1079W
	04.12. 01		(c) Cannot comment on intelligence matters (regarding terrorist organisations (in Yemen))	19131	211W
	22.01. 02		(d) Policy not to comment on intelligence-related arrangements that might exist between the UK and other countries (see also 3.07.02, col 396W, 65157)	28624	776W
	22.01. 02		(e) Long-standing practice not to comment on detail of confidential arrangements which might exist for the UK's national security (see also 2.07.02, col 276W, 65155; 17.07.02, col 390W, ref 69415 on GCHQ Bude)	28628/9	774W
	10.04. 02		(f) Long standing policy not to comment on details of the staffing of the security and intelligence services (<i>but presence of US NSA personnel at GCHQ confirmed and rank of most senior given</i>)	47607	52W
	15.10. 02		(g) Refusal to add to information given in the House on Lockerbie as long-standing policy not to comment on intelligence matters	73716	528W
10	22.11. 01	Subcontinent	Contents of discussions with Indian and Pakistani interlocutors withheld under Exemption 1c of the Code	16565	403W

No.	Date	Subject	Comment	qno.	Col.
11	29.11. 01	Afghanistan	(a) Not in public interest to disclose information and plans about operations in Afghanistan: Exemptions 1a and b of the Code apply	17951	1075W
	30.11. 01		(b) Amount of money given to Northern Alliance withheld under Exemption 1a and b of the Code	17450	1182W
	28.01. 02		(c) Names of officials who visited UK nationals detained in Cuba withheld under Exemptions 1a and 15 of the Code (see also 30.01.02, col 376W, ref 29801; 28.10.02, col 543W, ref 53080, for refusal to comment on statements of UK citizens in Camp X-Ray because information is exempt under Parts 4 and 12 of the Code and the Data Protection Act)	30657	35W
12	10.12. 01	Iraq	(a) Full details of knowledge of Iraq's activities as regards weapons of mass production withheld under Exemption 1 of the Code	19885	537W
	24.10. 02		(b) Content of exchanges with Dr Blix of UNMOVIC withheld under Exemption 1a, Part II of the Code	75869	498–9W
13	18.12. 01	Weapons	(a) Information received in confidence on destruction of weapons by parties to the Convention withheld under Exemption 1c. Also policy of successive Governments not to comment on specific intelligence matters or assessments	22865	207–8W
	23.04. 02		(b) Estimate of number of Israeli nuclear and chemical weapons withheld as the practice of successive Governments not to comment on intelligence matters	49480	196W
14	18.12. 01	Staff	(a) Not practice to make public names of unsuccessful candidates (for Permanent Secretary) under the Data Protection Act and Exemption 15A of the Code	23232	211–2W

No.	Date	Subject	Comment	qno.	Col.
	14.01. 02		(b) Not normal practice to comment on discussions about ambassadorial appointments before they are agreed with the host government	27134	4W
	26.02. 02		(c) Details of staff seconded to FCO withheld under Exemption 13 of the Code, without permission of seconding organisations	35837	1150W
	06.03. 02		(d) Not policy to release internal diaries of Ambassadors	39512	391W
	26.03. 02		(e) Not appropriate to release list of freelance employees under Exemption 8a and 12 of the Code (see also pursuant of 9.05.02, col 307W, ref 54100, for refusal to provide a breakdown of liaison officers under same Exemptions; and 21.05.02, col 259W, ref 57889 for refusal to give pay grades)	46225	815W
15	18.12. 01	Gibraltar	(a) Details of exchanges between Foreign Secretary and Governor of Gibraltar confidential and withheld under Exemption 1 of the Code	23765	204W
	01.02. 02		(b) Minutes of meetings under Brussels process withheld as talks under process are confidential	32729	593W
16	23.01. 02	Money laundering	Information on recent investigations into whether members of Governments of named countries have laundered money through the City withheld under Exemption 4(b) of the Code (see also 23.01.02, col 894W, ref 28759-61)	29118	889W
17	14.02. 02	Meetings: Ispat International	Not normal practice to release details of meetings with private individuals and companies	33114	567W
18	06.03. 02	Foreign investment	Number of companies receiving Government assistance subject to commercial confidentiality and withheld under Exemption 13 of the Code	39714	392-3W

No.	Date	Subject	Comment	qno.	Col.
19	26.03.02	Global Crossing	Contingency arrangements for failure of GC contained in the contract and withheld on the grounds of commercial confidentiality under Exemption 13	22930	812W
20	07.05.02	UK nationals abroad	(a) Cannot release details of individual consular cases (in Saudi Arabia)	53917	153W
	24.06.02		(b) Do not discuss in public the detail of contingency plans for evacuation of British nationals from any country (question on India/Pakistan)	61197	695W
	09.05.02		(c) Inappropriate to comment on details of case of plane spotters in Greece while appeal ongoing	54218	308W
21	24.06.02	Zimbabwe	Not appropriate to list recent security measures taken to protect the High Commission	63650	694W
22	27.06.02	Convention on the Future of Europe	Single reply to 115 questions from Mr Bercow on the Convention and correspondence received by FCO (see also 3.07.02, col 420W)	64049 (and 114 others)	1007– 1026W
23	15.10.02	Diego Garcia	Details of government talks with US on facilities at Diego Garcia confidential and withheld under Exemption 1a of the Code	74654	527W

HEALTH

No.	Date	Subject	Comment	qno.	Col.
1	05.07.01	Blind people	Data on numbers of blind people in Wales, Scotland and Northern Ireland a matter for the devolved administrations (<i>though total number of guide dog owners in UK given</i>)	1725	287W

No.	Date	Subject	Comment	qno.	Col.
2	28.01.02	Overseas treatment	(a) Precise costs of NHS operations in Lille withheld as commercially confidential (see also 12.02.02, col 315, ref 32876; 1.03.02, col 1412W, ref 37768). Block on costs of all treatment overseas as part of pilot schemes—26.02.02, col 1084W, ref 36517/36513/36519. (See also 12.03.02, col 1060W, ref 11474)	29717	154W
	11.03.02		(b) Legal advice on ECJ judgement on treatment abroad not published as not normal practice to do so	11042	809W
3	30.01.02	GPs	Data which identified individual practices not released under Data Protection Act	31357	440W
4	5.03.02	Vaccines	(a) Details of unsuccessful bidders for anti-TB vaccines and of value of NHS contracts held by Powderject for vaccines withheld as commercially confidential	38679–80	304/306W
	12.03.02		(b) Details of stockpiles of anti-toxin for biological agents not revealed for security reasons	12859	1026–7W
	25.04.02		(b) Information concerning quantities of smallpox vaccine or deployment are not made public for reasons of national security (see also 15.05.02, col 726W, ref 54022)	50792	460W
	15.05.02		(c) Names of participants in smallpox vaccine sub-group of the JCVI confidential	53897	727W
	15.10.02		(d) Value of contracts to supply vaccines withheld as commercially confidential	74234/5	800W
	29.10.02		(e) Details of vaccine stocks and their availability to protect against biological attack is not made public	75386	738W
	7.11.02		(f) Names of those attending meetings between department and Powderject on small pox vaccine withheld as discussions were confidential	54660	529W

No.	Date	Subject	Comment	qno.	Col.
5	06.03. 02	Enron	Not normal practice of Governments to release details of specific meetings with private individuals or companies	32429	426W
6	12.03. 02	NHS Personnel	(a) Information on salaries of individual hospital trusts chief executives confidential	7597	1066W
	22.07. 02		(b) Refusal to reply to questions about staff criticised in reports and their current position within the NHS because disclosure of personal information about any person which would constitute or could facilitate an unwarranted invasion of privacy prohibited under Part 2 paragraph 12 of the Code	56922– 56930	865–6W
	22.07. 02		(c) Content and outcomes of appraisals of staff working for the department are confidential	71574	875W
7	25.03. 02	Abattoirs	Details of throughput of individual abattoirs are commercial in confidence	40972	772W
8	17.04. 02	Healthcall	Financial details of penalties with Healthcall are commercially confidential	49328	936W
9	08.05. 02	Advice by NHS Trust	Information provided to Department officials and subsequent advice officials provide to Ministers is confidential	51931	264–5W
10	07.11. 02	Advisors' fees	Fees incurred in seeking specialist advice on foundation hospitals withheld as commercially confidential	76811	529W

HOME

No.	Date	Subject	Comment	qno.	Col.
1	16.07.01	Police: internal inquiries	Hoddinott Report into conduct of police in shooting of James Ashley is property of Sussex police authority and decision to publish rests with them	2317	48W
2	16.10.01	Police: operational matters	(a) Number of police cells is an operational decision for Chief Constables	6559/6612	1207W
	22.10.01		(b) Determination of staffing levels a matter for individual chief officers	7194	73W
	22.10.01		(c) Response times for answering 999 calls an operational matter	7292	86W
	24.10.01		(d) Training and deployment are operational matters	8079	277W
	19.11.01		(e) Resources deployed to individual boroughs (eg Bromley) an operational matter for the commissioner	13359	85W
3	21.03.02	Police: complaints	Details concerning Operation Helios withheld until trial (sub-judice)	39358–9/39363	482W
4	29.04.02	Police: demonstrations	Guidance to police not made publicly available for operational reasons	48534	616W
5	17.07.01	Extradition requests	(a) Not policy and practice to comment ahead of arrest on whether extradition request has been made or considered or whether contacts have taken place with authorities of other jurisdictions	4315	126W
	24.10.01		(b) Policy never to confirm or deny whether extradition requests have been made or received	8659	282W
	17.04.02		(c) Not policy or practice to list the names of those who are subject to extradition proceedings for offences committed in Great Britain	44334	958W

No.	Date	Subject	Comment	qno.	Col.
6	19.07. 01	Ministerial duties	Not normal practice to publish the roster	4900	345W
7	19.07. 01	Intelligence	(a) Policy not to confirm or deny whether interception of communications has taken place in any specific case	1921– 1923	345W
	14.11. 01		(b) Policy not to comment on the individual budgets of the Security and Intelligence agencies (see also 10.06.02, col 809W, ref 57523, for refusal to comment on employment figures)	14078	778W
	14.02. 02		(c) Not policy to discuss individual cases in relation to the Security Services	34092	620W
	24.04. 02		(d) Malcolm Rennie and Brian Peters: long standing policy not to comment on operational activity of the Security Service	51246	329W
	29.10. 02		(e) Refusal to give figures for number of occasions Security Services have sought access to communications data as policy not to comment on the operational matters of the Security Service	74482	763W
7	15.10. 01	Immigration	(a) Policy not to reveal any individual's immigration status to third party (in relation to exclusion orders)	6560	929W
	18.10. 01		(b) Value of individual contracts between NASS and its suppliers withheld as commercial in confidence	7412/13	1324– 5W
	24.10. 01		(c) Not policy to disclose details of an individual's immigration status to a third party	8658	285W
	13.11. 01		(d) Long-standing policy not to disclose details of a person's immigration status to third party since it is confidential information (see also 10.06.02, col 806W, ref 57958; 8.07.02, col 738W, ref 65065)	13521	645W

No.	Date	Subject	Comment	qno.	Col.
	18.12. 01		(e) Number of bed spaces provided by Landmark company for asylum seekers withheld as commercial in confidence. Also details of properties withheld to protect security and privacy of individuals	18346/7	254–5W
	2.05.0 2		(f) Number of expressions of interests from private landowners and operators for asylum seekers centres commercially confidential	52352	898W
	02.05. 02		(g) Cost of Yarl's Wood fire withheld at this stage for legal reasons (see also 24.10.02, col 413W, ref 75432)	49846	898W
	09.05. 02		(h) Inappropriate to list countries where there are particular difficulties with internal checks on security and international relations grounds	53211	321W
	23.07. 02		(i) Information about costs at accommodation centres commercially confidential while competition for delivery of centres is in progress	71326	1047W
	19.09. 02		(j) Details of discussions with BAA Lynton over the use of RAF Turnhouse as an accommodation centre are commercially confidential	69194	33W
8	06.11. 01	Security measures	(a) Not policy to disclose details of security measures at oil rigs and nuclear power stations	11544	187W
	15.04. 02		(b) Inappropriate to disclose in advance the number of police officers on duty or the cost of safety and security operations for the Golden Jubilee	44568–9	763W
	23.10. 02		(c) Not policy to comment on the reasons for, nor the extent of, protection arrangements (for Chinese Embassy in London), including costs	75095–6	338W
9	03.12. 01	Legal advice	Legal advice relating to the Anti-Terrorism bill withheld under Part II, section 4(d) of the Code	17194	102W

No.	Date	Subject	Comment	qno.	Col.
10	10.01.02	Charter of Fundamental Rights	Not practice to assess compatibility of acts with non-binding conventions	25817	1021–2W
11	16.01.02	Terrorists	(a) Names of those detained under anti-terrorism measures will not be disclosed unless they or their authorised representatives first do so (see also 24.10.02, col 420W, ref 75424 for refusal to give details of individual cases)	26119	350W
	23.01.02		(b) Not appropriate to comment on terrorist links in individual cases	25181–3	943–4W
	10.06.02		(c) Not normal practice to disclose the level of funding allocated to specific counter-terrorist measures(d) Do not disclose information on weaponry or capability of any terrorist organisation(e) Not appropriate, for security reasons, to disclose details of HO expenditure on counter-terrorism	5667668 3346918 8	802W55 2W552– 3W
12	23.01.02	Saville inquiry	Home Office has incurred costs for protective security arrangements for public figures. Comment on details withheld as would compromise safety	29068	936W
13	31.01.02	Keith Hellawell (special advisers)	Details of special adviser salaries below £90,000 are not disclosed to protect the individual	16890	532W
14	08.02.02	Meetings (Arthur Andersen)	Dates of meetings withheld as not normal practice to release them	32102	1248–9W
15	12.03.02	Money laundering	Contents of reports to NCIS on UK financial institutions' involvement in money laundering confidential	39005	974W
16	15.03.02	(Contracts) Protec	Not appropriate to comment on individual commercial contracts	20158	1262W
17	30.04.02	Prisons	(a) Practice not to publish the names of those appointed to the Board of Visitors in prison establishments because of concerns for their personal safety	51502	706W

No.	Date	Subject	Comment	qno.	Col.
	09.05. 02		(b) Not the practice to publish the names of visiting committee members	53217	320W
	22.07. 02		(c) Not appropriate to comment upon the decisions of the Parole Board in individual cases; nor is it normal practice to comment on an individual case supervised by the Probation Service	70093	837W
	15.10. 02		(d) Medical details relating to any prisoner cannot be disclose for reasons of confidentiality	74270	753W
18	09.05. 02	Criminal case review commission	Commission does not release details of its cases or their applicants	53753	333W
19	13.05. 02	Internal discussions	Discussions with colleagues and officials not disclosed (on illegal meat imports)	19545	476W
20	01.07. 02	Royal Prerogative of Mercy	Findings of review withheld as internal discussion and advice	61339	180W
21	18.07. 02	Cabinet committees	Established practice not to disclose information relating to proceedings of cabinet committees under Exemption two of Part II of the Code	65982	546W

INTERNATIONAL DEVELOPMENT

No.	Date	Subject	Comment	qno.	Col.
1	13.07. 01	Belize	Details contained in report not placed in Library owing to confidentiality requested by the Government of Belize (ref to Answer of 11 July 2001, OR, col 531W)	3375	654W
2	13.12. 01	British Geological Survey report (Bangladesh)	Cannot make a statement on the report while legal action in pending, under section 4 of the Code	21430	962W

No.	Date	Subject	Comment	qno.	Col.
3	12.03.02	LNM Holdings	Briefing provided to ERBD withheld from Library on basis that all such briefings are confidential	39139	897W
4	01.07.02	Export licences	Advice given to DTI on licence applications withheld under Part II, Section 2 of the Code	65450	140W
5	04.07.02	Green Ministers	Following upgrade to Cabinet Sub-Committee, proceedings exempt under Exemption 2 of Part II of the Code	65984	548W

LORD CHANCELLOR'S DEPARTMENT

No.	Date	Subject	Comment	qno.	Col.
1	11.12.01	Judges Accommodation	Data relating to individual capital values of judges lodgings are classified as commercial in confidence	21602	840W
2	16.01.02	1901 census	(a) Contracts awarded for construction, operation and support of website commercially sensitive. Details of penalty clauses withheld and copy of contract not placed in Library	26507/26509	374W
	21.01.02		(b) Tender price of contract to design census website commercially sensitive and withheld	26801	642-3W
3	18.01.02	Legal Professions (Ethics)	Not the practice to provide details of confidential discussions so information on meetings between Lord Chancellor and Home Secretary withheld	25054	529W
4	18.04.02	Professional indemnity insurance	Not Government's practice to provide details of discussions that form part of the process of policy development and analysis (refusal to state what recent discussions dept has had within Government on professional indemnity insurance)	50840	1172W

No.	Date	Subject	Comment	qno.	Col.
5	09.05. 02	Libra project	OGC reviews of project withheld from Library because of commercial sensitivity	53459	314W
6	13.05. 02	Departmental functions	Contractual payments to contractors commercially confidential under Exemption 13 of the Code	42994	477W
7	25.06. 02	Royal prerogative	Records not kept of individual occasions when exercised	63048	837W
8	08.07. 02	Special advisers	Amount spent on special advisers withheld to protect the privacy of the appointee concerned under Exemption 12 of the Code	41253/43 270	771W
9	24.07. 02	Counsels' fees	Counsels' fees in specific cases are commercially confidential	63971	1308W

NORTHERN IRELAND OFFICE

No.	Date	Subject	Comment	qno.	Col.
1	20.07. 01	Ammunition	(a) Not appropriate to place in public domain exact numbers of baton rounds/grenades held or issued to police	1227/122 9	480– 481W
	27.11. 01		(b) Operational guidelines on plastic baton rounds is classified document so not placed in the Library	17752	760W
2	15.10. 01	Schools	No longer responsibility of NIO	7125/712 6	998W
3	15.10. 01	Foot and mouth	No longer responsibility of NIO	2737	999W
4	25.10. 01	PFI	NIO had no involvement in PFI in last 10 years	5720–1	339W

No.	Date	Subject	Comment	qno.	Col.
5	29.10. 01	Population statistics	Devolved to NIA	11055	496W
6	29.10. 01	Prisoner releases	(a) Not policy to release information on individual cases	11056	496W
	11.03. 02		(b) Government policy not to name individuals released under the early release scheme	41618	705W
7	07.11. 01	IRA weapons	Not practice to disclose intelligence matters such as number of weapons held by IRA	10874	278W
8	29.11. 01	Police informants	Police service of NI does not comment on matters relating to the number of covert human intelligence sources	17806	1073W
9	10.12. 01	Police reserve	Number of members of the police reserve at each police station withheld under Exemption 1 of the Code	20373	541W
10	16.01. 02	Real IRA	Assessment of financial support for Real IRA withheld as it would rely on intelligence upon which it is Government policy not to comment	25656	304W
11	24.01. 02	Ministerial transport	Details of travel arrangements for SoS are by convention not published	28105	1005–6W
12	19.03. 02	Nuclear plants (security)	Not possible for security reasons to divulge details of measures put in place to safeguard against effects of a terrorist attack on nuclear plant at Sellafield or elsewhere in the UK	35340	213W
13	12.04. 02	Terrorism	Information on representations on amnesty for terrorists withheld because not Government practice to make private discussions or submissions a matter of public record	44323–4	643W
14	23.10. 02	Intelligence matters	Refusal to make a statement on membership of the Provisional IRA Army Council because comment on intelligence matters withheld under part 2 of the Code	74006	367W

PRESIDENT OF THE COUNCIL

No.	Date	Subject	Comment	qno.	Col.
1	14.05.02	Sick leave	Number of staff suffering from stress and mental health problems and cost to department withheld under Exemption 12 of the Code as could result in an individual being identified	56475	597W

PRIME MINISTER

No.	Date	Subject	Comment	qno.	Col.
1	03.07.01	Cabinet Committees	(a) Details of proceedings of Cabinet Committees exempt from disclosure for 30 years under internal discussion and advice Exemption of the Code of Practice	1977	94W
	30.01.02		(b) Dates of discussions in Cabinet and details of discussions between Cabinet Ministers (on NATS) withheld under Exemption 2, Part II of the Code. Details of discussions prior to deal on NATS withheld.	31607–8/31651–2	319W
	21.10.02		(c) Refusal to make exception of Green Ministers committee under Exemption 2 of Part II of the Code	75455	79W
2	16.07.01	Meetings	Not practice to provide details of meetings with organisations and individuals (see also 22.10.01, ref 7523, col 15W; 19.11.01, ref 15190, col 102W; 17.12.01, ref 23243, c.97W; 8.01.02, ref 25618, col 816W; 4.02.02, ref 32506, col 689W; 4.02.02, ref 32810, col 690W; 4.02.02, ref 33670/33116, col 691W; 2.05.02, col 890W, ref 53807: et seq)	4352	74W
3	20.07.01	Internal advice	(a) Information relating to internal advice and consultation not disclosed under Exemption 2, Part II of the Code of Practice	5479	468W

No.	Date	Subject	Comment	qno.	Col.
	22.11. 01		(b) Recommendations made on the timetable for implementation of the Freedom of Information Act withheld under Exemption 2 of the Code	14834	469W
	19.12. 01		(c) Internal advice (on NHS review) to Ministers confidential	24092/24 618	367–8W
4	15.10. 01	Intelligence	(a) Cannot comment in detail on intelligence matters but all necessary information [on Afghanistan] is shared with coalition partners	8036	820W
	19.12. 01		(b) Normal policy of Government neither to confirm nor deny allegations in respect of interception of communications except for policy on MPs	24376	367W
5	24.10. 01	Ministers	Not practice to provide details of confidential discussions with ministerial colleagues and others	9632/5/6	292–3W
6	29.11. 01	Pledge to British Muslims	Not practice to give details on matters such as dates of invitation to sign pledge	15121	1056W
7	09.01. 02	Honours	Government policy not to discuss individual cases for removal of honours	25392	815W
8	14.01. 02	Units	(a) Not policy to publish Forward Strategy Unit reports as internal policy advice remains confidential	25974/25 976	87W
	12.02. 02		(b) PIU: Not practice to release details of its meetings or discussions with private individuals or companies	34060/34 054/3397 5	261W
	25.03. 02		(c) Policy Unit: Not normal practice to release details of meetings and discussions with officials in course of their work	45709	621W
9	21.01. 02	Staff	(a) Details of terms of employment of individual staff are confidential	28500	594W

No.	Date	Subject	Comment	qno.	Col.
	22.01.02		(b) Lord Birt: Not policy to make public information on meetings with ministers, special advisers or other civil servants or their content. Details of an individual's conditions of employment are not made public	29183-6	723-4W
	23.01.02		(c) Lord Birt: Information relating to internal discussion and advice withheld under Exemption 2, Part II of the Code	29653	855W
	01.03.02		(d) Not policy to comment on individuals (refusal to give names of press officers since 1997)	39365	1600-1W
10	23.01.02	Nuclear sites and materials	Not Government policy to disclose details of security measures taken at civil nuclear sites or of nuclear materials in transit	28646	854-5W
11	30.01.02	Hospitality	(a) Not practice to give details of every visitor to 10 Downing Street	31606	319W
	11.02.02		(b) Not practice to list names of guests at receptions at 10 Downing street	34771	77W
12	04.02.02	Enron	Reasons why details have been given about meetings with Enron—not a precedent (see 22.01.02, ref 28623, col 724W for refusal)	33303	690W
13	14.02.02	British companies	Not normal practice to release letters from PM to other Heads of Government under Exemption 13 of the Code	37011	611W
14	26.03.02	Peers (salaried appointments)	Details of individual salaries not disclosed under Exemption 12 of the Code	40870	890W
15	10.04.02	Property protection	Not practice to give details of measures to maintain security and integrity of office	47252	10W
16	13.05.02	The Queen Mother	Long standing convention that wills of senior members of Royal family are sealed and cannot be inspected or published	55826	468W

PUBLIC ACCOUNTS COMMISSION

No.	Date	Subject	Comment	qno.	Col.
Nil.					

SCOTLAND OFFICE

No.	Date	Subject	Comment	qno.	Col.
1	16.11.01	Royal Prerogative	Records not kept of individual occasions upon which exercised	9370	930W
2	27.11.01	Nuclear installations	Not Government policy to disclose details of security measures at civil nuclear sites	16777/16780/16781	791W
3	14.02.02	Scottish Parliament	Information relating to internal advice and discussion on powers of SP to confer functions on UK bodies withheld under Exemption 2	34800/34801	630W
4	11.07.02	Government liabilities	Regulation and administration of teachers and NHS pension schemes in Scotland a matter for the Scottish Executive	67026	1186W
5	06.11.02	Friends of Scotland	Names of individual Friends cannot be disclosed without their permission	79561	360W

SOLICITOR GENERAL

No.	Date	Subject	Comment	qno.	Col.
1	18.10.01	Advice on legality of targets in Afghanistan	Convention that neither the substance of Law Officers' advice, nor the fact that they have been consulted is disclosed outside Government	8208	1284-5
2	05.11.01	Cluster bombs	(a) Convention that neither the substance of Law Officers' advice nor fact they have been consulted is disclosed outside Government	11844	1W
	15.11.01		(b) Ministerial Code provides that the fact and content of advice given by Law Officers must not be disclosed outside Government without their authority	14691	833W
3	07.02.02	Human Rights Act	Convention on advice prevents answer to question on whether she has made an assessment of the risk of the Govt facing legal action under the HRA (see also 7.02.02, col 1057W, ref 31443)	31437	1025 (oral)
4	17.04.02	PFI/PPPs	Actual contract price for PFI Compass project subject to commercial confidentiality	45680	963W
5	22.04.02	Property protection	Not the practice of the Law Officers to make public details of security arrangements	47322	1W
6	02.05.02	Ronald Maddison	Copy of coroner's request for fresh inquest not placed in Library as could prejudice jury	53394	928W
7	09.05.02	Professional indemnity insurance	Details of discussions with other Govt departments withheld as not practice to provide details of discussions which form part of the process of policy development and analysis	50841	296W

No.	Date	Subject	Comment	qno.	Col.
8	23.10.02	Iraq	Asked to make it her policy to publish advice, reply repeats that it is a longstanding convention that neither the substance of advice, nor the fact that they have been consulted, is normally disclosed outside Government	75817	308W

SPEAKER'S COMMITTEE ON THE ELECTORAL COMMISSION

No.	Date	Subject	Comment	qno.	Col.
Nil.					

TRADE AND INDUSTRY

No.	Date	Subject	Comment	qno.	Col.
1	12.07.01	Cheque shops	Monitoring the operation of cheque shops a matter for the Director General of Fair Trading	3061	623W
2	18.07.01	Data Protection Act	Disclosure of information to third party without consent prohibited under Act and recognised by Exemption in the Code of Practice covering statutory and other restrictions	3820	263W
3	18.07.01	Post Office	(a) Operational matters for the Royal Mail are a matter for the company	4591	267W
	30.10.01		(b) Estimates of costs of Universal Bank confidential under Exemption 13 of the Code	10130	589W

No.	Date	Subject	Comment	qno.	Col.
	29.01.02		(c) Consignia strategy plan would be commercially confidential and could not be placed in the Library under Exemption 13 of the Code	30105	167W
	19.03.02		(d) Provisional terms negotiated between Consignia and the National Federation of Sub Postmasters on urban postal services are an operational matter and commercially confidential	43337	248W
	19.04.02		(e) Details of discussions between Consignia and Dutch Postal Service withheld as has been the policy of successive Governments not to go into the detail of commercially confidential matters	48635	1203W
	19.09.02		(f) Redundancy packages at Consignia an operational matter, as are days lost due to strikes and sickness	72507/72491	184-5W
4	18.07.01	Ministerial duties	Not normal practice to publish roster	4891	271W
5	20.07.01	Meetings	(a) Not policy to make minutes of meetings between dept officials and retail petrol industry publicly available as they contain commercially sensitive information (see also 24.07.02, col 1330W, ref 71466 and col 1331W, ref 71469 for details of discussions with major oil and gas companies on gas storage)	5308	557W
	11.02.02		(b) Not normal practice to release details of meetings or discussions with private individuals or companies (Arthur Andersen)	32101/31701	60W
	11.02.02		(c) Not normal practice to release details of meetings or discussions with private individuals and organisations (see also 14.02.02, col 523-4, ref 33115/36739; 4.03.02, col 3W, ref 39668; 1.03.02, ref 37929/38853; 1.03.02, col 1578W, ref 35070; 7.05.02, col 4W, ref 52164)	32812/32919/34053/34061	63W
6	20.07.01	Departmental legal advice	All advice covered by legal professional privilege and exempt from disclosure	4301	587W

No.	Date	Subject	Comment	qno.	Col.
7	20.07.01	Company Investigations	(a) Practice is to neither confirm nor deny the existence of investigations into share-dealings, nor discuss the affairs of individual companies or persons involved	5900	602W
	18.10.01		(b) Dept does not comment on whether or not it has received complaints about individual companies under Exemption 4 of the Code	6635/33	1278W
	21.03.02		(c) DTI does not comment on the affairs of companies that are or have been the subject of inquiries under the Companies Acts	41166	460-1W
	24.07.02		(d) Long established practice not to comment on the affairs of individual companies nor to confirm or deny any particular investigation	70754	1329W
8	22.10.01	Individual companies	(a) Not policy to comment on the affairs of particular companies (Railtrack)	8182	9W
	10.12.01		(b) Not policy to comment on the affairs of particular companies but is willing to consider any information Member may have suggesting insider dealing (Railtrack)	19784	668W
	24.01.02		(c) Issues discussed at meeting with Centrica withheld under Exemption 13 of the Code	29474	1075W
9	29.10.01	Nuclear	(a) Not policy to release details of security measures at civil nuclear sites (see also 10674, 6.11.01, col 160W; 16186, 22.11.01, col 393W; 25891, 18.01.02, col 511W; 29831, 24.01.02, col 1075W; 10.06.02, col 969W, ref 58899, et seq)	8372	501W
	15.11.01		(b) Cost of storing plutonium at Sellafield commercial matter and withheld under Exemption 13 of the Code	14693	847W
	15.11.01		(c) Detailed information on nuclear material accountability arrangements at Sellafield withheld under Exemption 1.1 of the Code	14688	847W

No.	Date	Subject	Comment	qno.	Col.
	20.11.01		(d) Throughput capacity of MOX plant is commercially sensitive	14860	163W
	22.11.01		(e) Details of BNFL contracts with overseas THORP customers withheld under Exemption 13	15851	561W
	08.05.02		(f) Detailed information about the timings and routes for transports of nuclear material (MOX fuel shipments) not disclosed for security reasons (see also 22.07.02, col 786W, ref 69133; 19.09.02, col 197W, ref 69134; 15.10.02, col 671W, ref 73952; 30.10.02, col 858W, ref 77769; 6.11.02, col 314W, ref 77771, for refusal to comment on numbers of police numbers)	53139	187W
	14.05.02		(g) Safety cases (on MOX) submitted to meet HSE's Nuclear Installations Inspectorate's requirements may not be made public when the licensee withholds consent	54363	525W
	11.07.02		(h) Work by Andersen as accountants and assessors of BNFL's finances commercially confidential	67641	1088W
	19.09.02		(i) Levels of investment by BNFL are a commercial matter for the company, as are details of meetings of BNFL employees or representatives	69446/69502	195W
10	14.11.01	Competition	(a) Conduct of Competition Act inquiries and publication of findings a matter for the DGFT (BSkyB)	12091	756W
	18.04.02		(b) Not appropriate to make statements about proposed mergers as Ministers have a role in the regulatory process (see also 19.4, col 1203W, ref 45362)	50499	1135W
	13.05.02		(c) Referrals to competition authorities a matter for DGFT, not Minister	54222	462W

No.	Date	Subject	Comment	qno.	Col.
11	21.11.01	ECGD/exports	(a) Details of application for ECGD support in relation to nuclear power station in the Ukraine withheld under Exemption 13 of the Code (<i>information given that one applications has been made</i>)	16324	299W
	09.01.02		(b) Individual details of specific swap transactions referred to in ECGD's supplementary estimates are commercially confidential (<i>summary given</i>)	25212	869W
	06.02.02		(c) Identity of UK company applying to ECGD for support for coal plants (Thailand) withheld as commercially confidential	32483	964W
	08.03.02		(d) UK exporters who have registered for CGEA in confidence exempt from disclosure under Exemption 13 of the Code	32275	588W
	09.05.02		(e) Identity of UK companies expressing an interest in projects commercially confidential and not disclosed in line with ECGD policy relating to discussions prior to issue of guarantees	55058	282W
	13.05.02		(f) Amount paid by ECGD to individual IT companies commercially confidential	54361	463W
	11.07.02		(g) Precise details of debt settlements withheld as disclosure could prejudice ongoing or future negotiations by ECGD with indebted countries	67309	1091W
	15.10.02		(h) Information on quantity of beryllium licensed for export withheld under Exemptions 13 and 14	74389	679W
12	10.12.01	Contracts	Not appropriate to comment on individual commercial contracts (Protec)	20159	662W
13	09.01.02	Tanzania	(a) Details of discussions with other Govt departments exempt from disclosure under the Code (<i>general procedure on export licence applications given</i>)	24975	870W

No.	Date	Subject	Comment	qno.	Col.
	14.01. 02		(b) Assessment of a country's defence requirements is exempt under the Code of Practice (Air Traffic Control in Tanzania)	25828	38W
	23.04. 02		(c) Date on which informed that BAe had received down payments on air traffic control system withheld under Part 2, Exemption 1 and 13 of the Code	49740	210W
14	24.01. 02	Launch Aid	Conditions of launch investment commercially confidential under Exemption 13 of the Code	28046	1058W
15	11.02. 02	Enron	Discussions on energy policy with US embassy withheld under Exemption 1 of the Code	32507	62W
16	12.02. 02	Arms exports	(a) Information on export licences issued to particular British companies commercially confidential and withheld under the Code (also information on export licences to particular end users and for particular products, and quantities involved, exempt under Part II, section 13 of the Code: 13.06.02, col 1377-83W, 60688, 60691-3, 60695, 60697, 60699-704)	34084	286W
	14.02. 02		(b) Inappropriate to comment on any agreement entered into during time of a previous Administration (Pakistan Ordnance Factories)	32271/32 279	441W
	10.04. 02		(c) Information on end use documentation provided in support of an export licence application (for cluster munitions) is confidential and exempt under Part 2, Sections 1, 13 and 14 of the Code; discussions with individual exporters on export control issues are confidential and exempt from disclosures under the same sections; previous administrations have not considered it appropriate to publish information on individual licensing decisions	46149/46 151- 4/46159	366W

No.	Date	Subject	Comment	qno.	Col.
	22.05. 02		(d) Information requested on export licences granted for grenade systems commercially confidential (<i>company involved, PW Defence, has been asked to waive this right</i>)	57226/7	399W
	11.07. 02		(e) Internal discussions with DFID on export licence issues exempt from disclosure under Part II, Exemption 2 of the Code	65444	1088W
	24.07. 02		(f) Export licence applications are commercially confidential and exempt from disclosure under Part II, Exemption 13 and 14 of the Code	68811	1329W
17	12.02. 02	Internal advice	(a) Details of advice given by officials to Ministers is not disclosed (staff payments)	34420	293W
	14.02. 02		(b) Not practice to disclose internal advice under Exemption 2 of the Code (Enron)	31937	521W
	01.03. 02		(c) Date on which DTI was informed of LNM attempt to acquire SIDEX withheld as internal advice exempt under Exemption 2 of the Code	37932	1481W
	25.03. 02		(d) Date of receipt of request to British Trade Partners for advice on Sidex withheld under Exemption 2 of the Code (internal advice to Ministers)	44473	698W
	03.07. 02		(e) Advice from DTI officials withheld under Exemption 2 of the Code (Cefn Croes Wing Farm)	65515	349W
18	15.03. 02	Insolvency service	Minutes of meetings between Ministers and Insolvency Service withheld under Exemption 2	42082	1253W
19	09.05. 02	Coal health claims	Figures relating to contractors' fees are commercially confidential	54839	281W
20	03.07. 02	Cabinet Committees	(a) Green Ministers committee upgraded to Cabinet Sub-Committee in June 2001 and its proceedings are exempt from disclosure under section 2 of Part II of the Code	65988	343W

No.	Date	Subject	Comment	qno.	Col.
	19.09.02		(b) Information relating to the proceedings of the Ministerial Panel for Regulatory Accountability withheld under Exemption 2 of the Code	70099	204W
21	19.09.02	Network Code	Details of discussions with Transco, shippers and Ofgem on the Network Code are commercially confidential	72558	160W
22	21.10.02	Ministerial discussions	Date on which discussions began on NICs withheld under Exemption 2 of the Code	75231	75W

TRANSPORT, LOCAL GOVERNMENT AND THE REGIONS

No.	Date	Subject	Comment	qno.	Col.
1	10.07.01	Roads	North Circular Road a matter for the Mayor of London and TfL	2722	436W
2	22.10.01	Departmental staff	(a) Policy that details of individual salaries for special advisers should remain confidential	8117	93-4W
	25.10.01		(b) Not practice to disclose details of internal communications under paragraph 2 of part II of the Code (Jo Moore)	9630/9631/10222	394-5W
	25.10.01		(c) Not the usual practice to disclose details of internal meetings under Part II of the Code (Jo Moore)	9897	395W
	25.10.01		(d) Details and comparisons of salaries are confidential (Jo Moore)	10224	395W
	02.11.01		(e) Details of internal communications withheld under paragraph 2 of Part II of the Code	12234-7	906-7W

No.	Date	Subject	Comment	qno.	Col.
	01.03. 02		(f) Details of payments following resignation confidential between individuals and department (see also 26.03.02, col 985–6W, ref 40090/40176) (Jo Moore)	38326	1374W
	21.11. 01		(g) Details of consultations on transfer of Alun Evans exempted under Part 8 of Section II of the Code	16525–6	286–7W
	25.01. 02		(h) Date on which recommendation received on appointment for head of media withheld under Section 2 of Part II of the Code (internal advice)	30624	192W
	01.03. 02		(i) Minutes, dates and times of meetings relating to resignations withheld under Part II of the Code (see also 1.03.02, col 1590W, ref 38449); involvement of Ian Jones in drafting the press release on the resignations withheld under Part II of the Code (25.03.03, col 657, ref 41996)	39227/39 230/3922	1524–5 2/39223
	19.03. 02		(j) Not Government policy to comment upon the reasons for the departures of individuals (from the press office)	40103	220W
	18.04. 02		(k) Refusal to comment on whether Department sought legal advice on Martin Sixsmith on grounds that it is not normal practice to disclose whether legal advice has been taken under paragraph 7, Part II of the Code	49448	1087W
	18.04. 02		(l) Not practice to provide details of discussions with the FDA on status of Sixsmith and Moore in accordance with paragraph 7 of Part II of the Code	49447	1087W
	18.04. 02		(m) Personnel matters relating to individuals are a confidential matter between them and the Department (outcome of leak inquiry)	49789/49 792	1087W
	16.05. 02		(n) Personnel matters relating to individuals are a confidential matter between them and the department	55976	784W

No.	Date	Subject	Comment	qno.	Col.
3	24.10. 01	Royal prerogative	Records not kept when exercised	9372	234W
4	26.10. 01	Millennium Dome	(a) To reveal details of discussions on future would compromise negotiations and be against the public interest	10688	431W
	29.11. 01		(b) Not appropriate to release commercially sensitive information on offers to purchase or lease the Dome while discussions on long term future are continuing	18070	1060W
5	30.10. 01	Railtrack	(a) Documents provided to dept on requests for extra funding remain commercially confidential	9837	570W
	09.11. 01		(b) Details of meetings with Alun Evans exempted from disclosure under Part 2 of Section II of the Code	12993	455W
	14.11. 01		(c) Details of internal communication (when he ordered drafting of legislation) exempt from disclosure under section 2 of Part II of the Code	14785	735W
	14.11. 01		(d) Minutes of meetings with rail regulator withheld under section 2 of Part II of the Code	14784	739– 40W
	15.11. 01		(e) Details of internal communication (when he ordered drafting of legislation) exempt from disclosure under section 2 of Part II of the Code	10404	828W
	16.11. 01		(f) Details of internal communication (meetings with Chairman and rail regulator) exempt from disclosure under section 2 of Part II of the Code	15499	899W
	16.11. 01		(g) SAYE schemes held by employees of Railtrack is a matter for the company	14438	898W

No.	Date	Subject	Comment	qno.	Col.
	26.11. 01		(h) Date of seeking legal advice and of briefing press officers and advice received withheld under sections 2 and 4 of Part II of the Code	15501/17 795/1779 1	605W
	27.11. 01		(i) Date of instructing drafting of Order and legislation withheld under section 2 of Part II of the Code	15624	746W
	06.12. 01		(j) Dates concerning notes to official minute of meeting on 25 July exempt under Section 2 of Part II of the Code (see also 19.12.01, PQ 23210, col 495W)	20377	438W
	06.12. 01		(k) Identity of officials and advisers consulted on note of meeting withheld under Section 2 of Part II of the Code	20533	439W
	10.12. 01		(l) Railtrack is a private company so Information on vacancies a matter for the administrator	19960	556W
	10.12. 01		(m) Liabilities for poor performance since 5 October a commercial matter between Railtrack and the train operating companies	19958	556W
	10.12. 01		(n) Steps to ensure a supervisor is present in signal boxes is an operational matter for Railtrack	21124	586W
	18.12. 01		(o) Minutes of meetings between 1 July and 30 September between Government and Credit Suisse First Boston withheld under section 4 of Part II of the Code because disclosure may be an issue in legal proceedings	21591	218W
	25.02. 02		(p) Discussions between Government and potential bidders for Railtrack commercially confidential	33997	783W

No.	Date	Subject	Comment	qno.	Col.
	25.03. 02		(q) Not normal practice to release details of meetings or discussions with private individuals or companies (Railtrack: meetings with administrators) (see also 16.04.02, col 809W, ref 49790, for meetings with shareholders)	45451	659W
6	30.10. 01	Public interest trusts	Details of internal communications withheld under para 2 of Part II of the Code	10192	574W
7	06.11. 01	GoVia	Progress in negotiations on new franchise commercially confidential	12526	137W
8	08.11. 01	TfL	(a) Croyden Tramlink is a matter for Mayor of London and TfL (no information given)	12754	338W
	26.03. 02		(b) Not appropriate to place correspondence on London Underground with TfL, the Mayor and LT in the Library under the Exemption for internal discussion and advice	42113	954W
9	12.11. 01	Rosyth ferry terminal	Correspondence between DTLR and grant applicants is commercially confidential	13936	513W
10	14.11. 01	Planning	Policy not to give reasons for decisions in cases where declined to intervene in particular planning applications (Ebley Wharf)	14840	739W
11	21.11. 01	Channel Tunnel Rail Link	(a) Track access charges set out in agreements which are commercially sensitive and cannot be made public	15736	284W
	29.11. 01		(b) Track access charges paid by Eurostar commercially sensitive and cannot be made public	15950	1058W
12	26.11. 01	Renewco/Network Rail	(a) Correspondence and details of meetings between DTLR and SRA on Renewco withheld as commercially sensitive communications under section 2 of Part II of the Code	17112/17 138/1713 7	607W

No.	Date	Subject	Comment	qno.	Col.
	05.12. 01		(b) Information relating to confidential communications between the department and the SRA on the financial position of Railtrack covered by Exemption from disclosure	19717	382W
	14.05. 02		(c) Negotiations between SRA and Network Rail are commercially confidential	55780	519W
13	08.01. 02	Cabinet Committees	(a) Dates of discussions in Inter-Ministerial group on Homelessness withheld under Exemption 2 of Part 2 of the Code	24189	593W
	06.02. 02		(b) Information about discussions with the Chancellor withheld under Section 2, Part II of the Code	33724	1009W
14	21.01. 02	Advice to Ministers	(a) Not policy to publish Forward Strategy Unit reports. Internal policy advice to Ministers is confidential.	26758– 61	567–8W
	01.03. 02		(b) Details of internal communications and meetings withheld under Part II of the Code (see also 1.03.02, c.1590W, ref 38446)	392281	524W
	05.03. 02		(c) Memorandum on the rail industry submitted by Sir Alistair Morton not placed in Library as it falls under Exemption 2, part II of the Code	40203	191W
	13.05. 02		(d) Not practice to disclose details of internal discussions and advice from Government Office for London to dept	55410	445W
15	30.01. 02	NATS	Details of discussions prior to conclusion of commercial deal on NATS withheld	31653/31 645/3164 8	327W
16	31.01. 02	Contracts	(a) Individual values of contracts with KPMG withheld as commercially sensitive (<i>but total value and names of individual contracts given</i>)	31318	453W
	05.03. 03		(b) Date for payment of deferred sale proceeds by Airline Group withheld as commercially confidential	37057	176W

No.	Date	Subject	Comment	qno.	Col.
	07.03. 02		(c) Individual contract values with Capita withheld as commercially confidential	39344	565W
17	01.02. 02	Railway policy	(a) Neither customary nor practicable to publish individual civil servants' job descriptions (see also 27.2, col 1365W, ref 37566)	31524	589W
	25.02. 02		(b) Report on rail passenger demand withheld under Section 13 of Part 2 of the Code	37224	815W
	25.02. 02		(c) Report on rail freight withheld under Section 13 of Part 2 of the Code	37573	815W
	30.04. 02		(d) Details of meetings with ATOC on Network railcards withheld as not the practice to release details of specific meetings with private individuals or companies	52385	676W
18	05.02. 02	Airport/seaport security	(a) Do not discuss security measures at airports (see also 11.04, col 508W, ref 47375; 2.05.02, col 902W, ref 53647, for reference to paragraph 1 of Part II of the Code)	30520	836W
	25.04. 02		(b) Not the practice to disclose details of security matters at UK ports under paragraph 1 of Part II of the Code	52104/5/ 7/8	404W
19	07.02. 02	Meetings	(a) Not normal practice to reveal details of specific meetings with private individuals and companies (Arthur Andersen)	32100	1096W
	08.02. 02		(b) Details of meetings with aviation industry withheld as not normal practice to release them	34134/5	1192W
	12.02. 02		(c) Not normal practice to release details of meetings or discussions with individuals or companies (see also 1.03.02, col 1512W, ref 32433; 26.03.02, col 983W, ref 45357; 18.04.02, col 1104, ref 49868; 13.05.02, col 447W, ref 56004; 13.05.02, col 450W, ref 55411)	33215	223W

No.	Date	Subject	Comment	qno.	Col.
	29.04. 02		(d) Not the practice to release details of specific meetings with private individuals or companies (Westfield) (see also 29.04.02, col 558W, ref 52163)	50080	555W
	29.04. 02		(e) Whether Minister knew of Lord Levy's links with Westfield before meeting withheld as not the practice to release details of specific meetings with private individuals or companies	49884	555W
20	04.02. 02	Ordnance Survey	Details of agreements between OS and partners commercial in confidence (<i>although broad information given</i>)	32608	740W
21	13.03. 02	Housing	(a) Business plans for housing transfers are commercially sensitive documents	41952	1082W
	16.04. 02		(b) Assessment of Birmingham city council's application for a place on the housing transfer programme is internal advice and as such would be inappropriate to make it publicly available	49823	799W
22	22.04. 02	Fire College, Glos	Internal auditors report will fall within various Exemptions of the Code including that relating to law enforcement and legal proceedings when complete so its contents cannot be disclosed	51226	47W
23	22.04. 02	Correspondence	Letters between the Dept and its correspondents are treated as confidential unless the originator chooses to make them public	51448	56W
24	07.05. 02	Rail freight	Terms of contracts commercially confidential and cannot be disclosed without agreement of all parties	54453	28W
25	07.05. 02	Deep sea ports	Charges for hauliers to transfer freight at sea ports confidential contractual matter between port and customers	54603	28W
26	15.05. 02	Bus services	Amounts paid to individual claimants for fuel duty rebate are commercially confidential	56191	675W

TRANSPORT

No.	Date	Subject	Comment	qno.	Col.
1	04.07. 02	Green Minister	Following upgrade to Cabinet Sub-Committee in June 2001, proceedings are exempt under Exemption 2 of Part II of the Code	65990	460W
2	05.07. 02	Ministerial meetings	Notes of meetings with Paddington Survivors Group withheld as not normal practice to place notes of Ministerial meetings in the Library	59820	611W
3	28.10. 02	Competition Act	Cannot make a statement on complaints against railways businesses under the Act because no information relating to the affairs of an individual or business or undertaking can be disclosed during the individual's lifetime or while the business is carried on, without consent under the Competition Act 1998.	76400	589W
4	29.10. 02	Tonnage Tax	Identities of shipping companies which have benefitted from the tonnage tax is commercially confidential and exempt under Section 13 of Part II of the Code	77928	787W

TREASURY

No.	Date	Subject	Comment	qno.	Col.
1	16.07. 01	Security services	National security considerations preclude publication of breakdown of expenditure between different services and of public service agreements with each agency (<i>but information available to Intelligence & Security Comm</i>)	3662	20-21W
2	16.07. 01	Legal advice	Legal advice on GCAT and SCAT is confidential to the parties and commercially sensitive	3816	22W

No.	Date	Subject	Comment	qno.	Col.
3	19.07. 01	FSA	(a) Exercise of powers under Banking Act 1987 a matter for the FSA and not policy of Government to comment on possible on-going investigations	5296/529 5	384–5W
4	15.10. 01		(b) FSA discussions with companies it regulates are confidential	6554	836W
	07.11. 01		(c) Inappropriate to disclose information, opinions and assessments given in confidence in relation to public employment (performance of Chairman)	12847/13 257	259W
5	23.10. 01	Royal prerogative	Records not kept of when exercised	9375	207W
6	25.10. 01	Bank accounts (terrorists)	Govt cannot disclose details of individual frozen accounts without consent of financial institutions holding accounts	10080	377W
7	26.10. 01	Customs and Excise	(a) Not policy to identify staffing resources at individual locations	9186	444W
	18.01. 02		(b) Internal discussion and advice leading to published C&E alcohol revenue forecasts withheld under Exemption 2 of the Code	26411	513W
	31.01. 02		(c) Not the policy to either confirm or deny involvement of a C&E informant in a case or to disclose information on amounts paid to informants	31533/31 566	521W
	26.03. 02		(d) Not Customs law enforcement policy to disclose information on operational deployment of staff or the level or nature of checks at specific locations (see also 24.04.02, col 333W, ref 51772, 51769 for general block; 25.06.02, c 766W, ref 63710, includes budgetary provision for specific teams)	45875/7– 9	862W
	07.05. 02		(e) Fuel smuggling: Not general practice for C&E to comment on the existence and nature of investigations of individuals and companies not yet accused of criminal offences	54300	38W

No.	Date	Subject	Comment	qno.	Col.
8	07.11.01	VAT (Home repairs)	Research relating to internal policy analysis withheld under Exemption 2 of the code	13058	250W
9	12.11.01	Heroin seizures	Not policy to give details of investigative techniques	13714	530W
10	22.11.01	NIRS2	Legal advice withheld under Exemption 4 of the Code	16723	467W
11	04.12.01	Internal advice/discussions	(a) Illegal meat imports: Details of inter-departmental discussions on operation and effectiveness of controls withheld under Exemption 2 of the Code	19544	201W
	06.12.01		(b) Railtrack: Reason for not providing details of internal consultation and discussions in previous answer, with reference to Exemption 2 of the Code	20134	520W
	01.02.02		(c) Extent and nature of discussions within Government on the aggregates tax withheld under Exemption 2 of the Code	32303	642W
	10.06.02		(d) Inappropriate to disclose information concerning internal consultations on PQs under Exemption 2 of the Code	59600	852W
	15.10.02		(e) Results of C&E research programme into UK drugs market resulted in confidential threat assessments covered by Exemption 2	74779	609W
12	18.12.01	Mr Graham Mills	Information on enforcement and investigation matters withheld under Exemption 4 of the Code	18534	195W
13	10.01.02	Inland Revenue	Inappropriate to publish correspondence between IR and solicitors acting for PCS union in accordance with Exemptions 4 and 12 of the Code	25768	963W
14	29.01.02	Eurozone	Interest rate paths underlying the economic forecasts not published	30666	224-5W

No.	Date	Subject	Comment	qno.	Col.
15	31.01.02	Individual tax matters	(a) Railtrack: Tax paid by an individual or corporate body is not disclosed under Exemption 15 of the Code	27653	516W
	04.03.03		(b) Tax affairs of companies and individuals are confidential under section 182 of the Finance Act 1989 (LNM Group)	38702/4/5	117-8W
	07.03.02		(c) Lakshmi Mittal: Inland Revenue cannot comment on the tax position of particular individuals or companies	38399	470W
	30.04.02		(d) Vaccines, medicines and medical supplies: Details of claims for tax relief by individual taxpayers are confidential	53117	730W
	06.11.02		(e) Details of tax collected from payments from the Thalidomide Trust to victims cannot be disclosed for reasons of confidentiality	79354	278W
16	01.02.02	Compliance costs	Information on cost of contract for study of compliance costs is commercial in confidence	21772/3	638-9W
17	01.02.02	Fuel contracts	Specific details of Government fuel contracts with Esso cannot be disclosed under Exemption 13 of the Code	31833	641W
18	04.02.02	Reputational externalities	Internal guidance not placed in Library and withheld under Exemption 2 of the Code	28934	705W
19	11.02.02	Meetings	Not practice to provide details of meetings with organisations and individuals (see also 12.03, col 964W, ref 41668; 24.04.02, col 336W, ref 52364; 29.04.02, col 541, ref 52165; 9.05.02, col 337W, ref 53566; 16.05.02, col 805W, ref 56890; 10.06.02, col 845W, ref 58898)	32811/32918/3397	114W
20	01.03.02	Office of National Savings	Not appropriate to place strategic marketing review in Library as it contains commercially sensitive material	39035	1433W

No.	Date	Subject	Comment	qno.	Col.
21	05.03. 03	Excise Duties (Tobacco and Alcohol)	Response to EC request for information withheld under Part II, section 1 (c) of the Code	39809	200-1W
22	10.04. 02	Property protection	Not Treasury practice to comment on protective security measures	47242	257W
23	21.05. 02	Oil and gas industry (taxation)	Information of impact of tax changes on investment withheld under Exemption 13 as commercially sensitive	58008/58 164	281W
24	10.06. 02	Self-employment	Not normal Government practice to give details of underlying analysis of possible behavioural responses to Budget measures	60588	867W
25	03.07. 02	Green Ministers	Following upgrade to Cabinet Sub-Committee in June 2001, information on proceedings exempt under Exemption 2 of Part II of the Code	65983	339W
26	22.07. 02	Network Rail	Legal documents studied by ONS in deciding the sector classification of Network Rail exempt from disclosure under section 13 of the Code	70511	820W
27	15.10. 02	BCCI	Information relating to BCCI matters in 1988 exempt under Exemption 4 of the Code	74516-7	590W

WELSH OFFICE

No.	Date	Subject	Comment	qno.	Col.
1	09.07. 01	Regeneration funds	Distribution of funds a matter for the National Assembly	1775	359W
2	23.10. 01	Royal prerogative	Records not kept of when exercised	9371	182W

No.	Date	Subject	Comment	qno.	Col.
3	06.03. 02	External contracts	(a) Value of contracts awarded by Department commercially confidential	38722	366W
	21.10. 02		(b) Cost of external consultants used since 2001 commercially confidential	74679	6W
4	16.04. 02	Sidex	Dates on which he received requests from other Ministers for advice in connection with attempted acquisition of Sidex withheld under provisions of Code relating to internal advice	37936	845W
5	11.07. 02	Extraction	Sand extraction in Ceredigion a matter for the Welsh Assembly Government	67479/67 027	1131W
6	17.07. 02	Water provision	Primarily a matter for NA	67881	317W
7	17.07. 02	Health expenditure	Expenditure per head by health authorities in Wales is a matter for the NA	69776	425W
8	30.10. 02	Flooding	Flood prevention measures to protect land and property in Wales is a matter for the Welsh Assembly	76074	870W
9	30.10. 02	Dairy farming	Matter for the National Assembly for Wales	76077	869– 70W

WORK AND PENSIONS

No.	Date	Subject	Comment	qno.	Col.
1	17.07. 01	IT contracts	(a) Costs of business allocated under ACCORD contract commercially confidential	3511	180W
	24.07. 02		(b) Cost of the new IT for the CSA commercially confidential	71557	1549W

No.	Date	Subject	Comment	qno.	Col.
2	18.07. 01	Ministerial duties	Not normal practice to publish the roster	4895	302W
3	24.10. 01	Royal prerogative	Records not kept of when exercised	9365	243W
4	16.11. 01	SEMA	Details of amounts of service credits claimed by department are not in public domain as commercially sensitive information	11906	937W
5	30.11. 01	Benefit fraud	(a) Legal advice withheld because internal discussion and advice not published in line with Part II, paragraph 2 of the Code	17216	1166W
	01.07. 02		(b) Do not discuss information about on-going investigations (into suspected fraud at post offices) under part 2, paragraph 4 of the Code	63479/63 481/6348 4	97W
6	11.12. 01	Public Service Agreement Targets	2001 departmental reports sets out progress and 2002 report will set out progress for next year	[38 Pqs, e.g. 19265]	777– 779W
7	11.12. 01	Integrated inquiry service	Reports to department from Affinity restricted by a statement of confidentiality	19510	780W
8	19.12. 01	New Deal	Details of amount of public money given to individual private companies involved in the New Deal withheld because of commercial confidentiality (<i>total amount given</i>)	20258	361W
9	08.01. 02	Ministerial groups	(a) Number of meetings of Inter-Ministerial Group on Aging withheld under paragraph 2 of Part II of the Code	23099	583W
	08.01. 02		(b) Details of meetings of Inter-ministerial Committee on Older People withheld under paragraph 2 of Part 2 of the Code	23117	703W
	10.06. 02		(c) Number of times Ministerial Committee on the Universal Banking Service has met withheld under part 2 of the Code	59190	1037W

No.	Date	Subject	Comment	qno.	Col.
	22.07. 02		(d) Information relating to the proceedings of the Green Ministers' Committee not disclosed under Exemption 2 of Part II of the Code	65980	812W
10	26.02. 02	Secondments	Names of individuals withheld for reasons of confidentiality	35843	1257W
11	06.03. 02	Universal Bank	Investment levels of Government and Post Office commercially confidential	34794	414W
12	22.05. 02	Property protection	Policy not to disclose details of security measures under part 2, paragraph 4 of the Code	47251	376W
13	17.06. 02	Medical Services Contract	Details of service credits for failure to meet contractual service level targets applied in each of last 12 months are commercial in confidence and not disclosed under part 2, paragraph 13 of the Code (although fact given that credits have been applied)	60477	90W
14	27.06. 02	Special advisers	Details of cost for special advisers within individual departments withheld in order to protect privacy of individuals concerned	41261	1065W
15	05.11. 02	Individual cases	Cost of sending girocheques to named individual withheld as information about individuals is confidential and not disclosed under part 2, para 12 of the Code (general answer given)	78323	187W

DOMESTIC COMMITTEES/HOUSE OF COMMONS COMMISSION

No.	Date	Subject	Comment	qno.	Col.
1	02.11. 01	Commission meetings	Papers of meetings are not published	11105	864W

No.	Date	Subject	Comment	qno.	Col.
2	18.12. 01	Parliamentary Commissioner for Standards	(a) Not the practice of the Commission to make public letters written to the Speaker by Officers of the House	21982	213W
	27.02. 02		(b) Details of Mrs Filkin's pay are confidential, as in the case of any individual employed by HCC (see also 7.03, col 468W, ref 40199)	37118	1277W
3	19.12. 01	Commission staff	Not the practice of the House to reveal ethnic mix of small groups of staff	23664	332-4W
4	29.01. 02	Mr John Stonborough	(a) Salary withheld as the House does not publish commercially-sensitive contractual details	30877	210W
5	29.01. 02		(b) Advice to Commission is given in confidence	30878	210W
6	21.10. 02	Security	Long-standing practice not to comment on details of security expenditure or arrangements on the Parliamentary estate	74953	6W

Appendix 4

Letter from the Second Clerk, Public Administration Select Committee, to all Departments

As you may know, the Public Administration Select Committee has continued the practice initiated in 1995–96 by the Public Services Committee of obtaining from the Table Office of the House of Commons a list of the questions which Ministers have refused to answer. For the last three years the Committee has asked departments to expand on the reasons given for such refusals, and this year it has decided to do the same again, for answers given in the 2001–02 session. I enclose a copy of the letter from the Principal Clerk, Table Office dated 11 December 2002, and of the part of the list that relates to your department.

The Committee would like you to explain more fully why it was necessary to withhold information; to indicate, where a refusal is justified by reference to a ‘practice’ or a policy, what is the reason for that practice or policy; and to indicate in each case where there is not reference to the Code of Practice on Access to Government Information, how the refusal relates to the Code. As you know, the guidance on answering Parliamentary Questions says the Code should be referred to when departments withhold the information in response to a Question. The Committee does not need any further information on cases where the information requested was not held or collected by the Department, or was the responsibility of another Department.

It would be very helpful if Departments could, where possible, follow the example of the Prime Minister’s Office in the format of their replies. I attach a copy of a previous year’s return from that office as a guide. I would be grateful if you could send the information requested to the Committee Secretary, Ms Jenny Pickard, in electronic form quoting the PQ number beside the subject. Please send in electronic form to pickardj@parliament.uk and on disk no later than Friday, 3 October 2003.

In its most recent Report on Ministerial Accountability and Parliamentary Questions (HC 1086), the Committee expressed its intention to examine the separate guidance produced by departments for consistency with central guidance issued by the Cabinet Office with a view to reporting its findings when it next considered the matter. As part of this exercise therefore the Committee would also welcome a copy of your latest instructions on answering parliamentary questions.

7 July 2003

List of Memoranda

<i>Submitted by</i>	<i>Page</i>
1 Attorney General’s Chambers.....	137
2 Cabinet Office	139
3 Department for Constitutional Affairs	141
4 Department for Culture, Media and Sport.....	142
5 Ministry of Defence.....	145
6 Office of the Deputy Prime Minister	158
7 Department for Education and Skills.....	160

8	Department for Environment, Food and Rural Affairs.....	166
9	Foreign & Commonwealth Office.....	168
10	Department of Health.....	171
11	Home Office.....	174
12	Department for International Development.....	181
13	Northern Ireland Office.....	182
14	Prime Minister's Office.....	185
15	Scotland Office.....	189
16	Department of Trade and Industry.....	190
17	Department for Transport.....	201
18	HM Treasury.....	206
19	Wales Office.....	211
20	Department for Work and Pensions.....	211

MEMORANDUM 1

Submitted by the Attorney General's Chambers

In response to Clive Porro's letter of 7 July seeking further information about why certain information was withheld in answer to some PQs in the last Parliamentary session, the following is a schedule providing more detail, where appropriate, on the reasons why the Law Officers decided to withhold certain information:

I hope the above explanations are adequate for the Committee. Please do not hesitate to contact me if you require any further clarification.

We have drawn the central guidance issued by the Cabinet Office to the attention of those members of LSLO responsible for drafting replies to Parliamentary Questions. The Head of Department will shortly be issuing additional guidance to staff on refusals to answer in light of the correspondence from your Committee. We would, of course, be happy to supply a copy of this guidance to the Committee when it is completed.

As requested, this information has also been sent to you by email and a copy is included on the attached disc.

2 October 2003

18/10/01

Subject: **Advice on Legality of Targets in Afghanistan**

PQ Number: 8208

Reason: By long-standing convention, neither the substance of the Law Officers' advice, nor the fact that they have been consulted, is disclosed outside Government. This is reflected in paragraph 24 of the Ministerial Code of Conduct. It is supported by paragraphs 2 and 4(d) of the Code of Practice on Access to Government Information.

05/11/01

Subject: **Cluster Bombs**

PQ Number: 11844

Reason: By long-standing convention, neither the substance of the Law Officers' advice, nor the fact that they have been consulted, is disclosed outside Government. This is reflected in paragraph 24 of the Ministerial Code of Conduct. It is supported by paragraphs 2 and 4(d) of the Code of Practice on Access to Government Information.

15/11/01

Subject: **Cluster Bombs**

PQ Number: 14691

Reason: The question asks if the Solicitor General will make it her policy to change the convention covering Law Officers advice and if she will set out the reasons for the current policy of non-disclosure. We believe that the answer given addresses both these points, stating that although there is constant review of all arrangements in relation to the Law Officers' work, there are no plans to change the policy at present. Also, as stated in the answer, the reason for this policy is to protect the confidentiality of Legal Advice given to the Government. This is reflected in paragraph 24 of the Ministerial Code of Conduct. It is supported by paragraphs 2 and 4(d) of the Code of Practice on Access to Government Information.

07/02/02

Subject: **Human Rights Act**

PQ Number: 31437

Reason: By long-standing convention, neither the substance of the Law Officers' advice, nor the fact that they have been consulted, is disclosed outside Government. This is reflected in paragraph 24 of the Ministerial Code of Conduct. It is supported by paragraphs 2 and 4(d) of the Code of Practice on Access to Government Information.

17/04/02

Subject: **PFI/PPPs**

PQ Number: 45680

Reason: Exemption 13—Information including commercial confidences, trade secrets or intellectual property whose unwarranted disclosure would harm the competitive position of a third party.

22/04/02

Subject: **Property Protection**

PQ Number: 47322

Reason: Exemption 4e—Information whose disclosure would harm public safety or public order, or would prejudice the security of any building or penal institution.

02/05/02

Subject: **Ronald Maddison**

PQ Number: 53394

Reason: Exemption 4a—Information whose disclosure could prejudice the administration of justice (including fair trial), legal proceedings or the

proceedings of any tribunal, public inquiry or other formal investigations (whether actual or likely) or whose disclosure is, has been, or is likely to be addressed in the context of such proceedings.

09/05/02

Subject: **Professional Indemnity Insurance**

PQ Number: 50841

Reason: By long-standing convention, neither the substance of the Law Officers' advice, nor the fact that they have been consulted, is disclosed outside Government. This is reflected in paragraph 24 of the Ministerial Code of Conduct. It is supported by paragraphs 2 and 4(d) of the Code of Practice on Access to Government Information.

23/10/02

Subject: **Iraq**

PQ Number: 75817

Reason: By long-standing convention, neither the substance of the Law Officers' advice, nor the fact that they have been consulted, is disclosed outside Government. This is reflected in paragraph 24 of the Ministerial Code of Conduct. It is supported by paragraphs 2 and 4(d) of the Code of Practice on Access to Government Information.

MEMORANDUM 2

Submitted by the Cabinet Office

Thank you for your letter of 7 July.

The Cabinet Office ensures that the guidance contained in *Guidance to Officials on Drafting Answers to Parliamentary Questions* is followed in the preparation of all Parliamentary Answers. This includes, since November 2002, ensuring that the relevant exemption from the *Code of Practice on Access to Government Information* is cited in the Answer when material information is withheld. We are currently updating our own internal guidance to staff on handling PQs. I have arranged for a copy to be sent to you once it has been finalised.

I attach the reply for the Cabinet Office for the earlier period of 2001/02 session in the specified format, including on disc. As requested, the reply has also been e-mailed.

2 October 2003

Thank you for your letter of 7 July 2003 seeking further information about why certain information was withheld in answer to some PQs in the 2001-02 Parliamentary session.

Below is a schedule, providing more detail, where appropriate, on the reasons why Ministers decided to withhold certain information.

2 October 2003

18.07.01

Subject: **Ministerial Duties (4905)**

Reason: Exemption 12—Unwarranted invasion of privacy. It is not normal practice for the Government to make public information that would reveal the detail of Ministers' holiday plans

12.02.02

Subject: **Ministerial Meetings (Lobbyists) (33218/32813)**

Reason: Exemption 2—Internal discussion and advice is not made public. It is not the normal practice of Governments to release details of specific meetings or their content as some of these discussions may have taken place on a confidential basis.

26.02.02

Subject: **Emergency Planning (36721)**

Reason: Exemption 1—Information whose disclosure would harm national security or defence is not made public.

25.03.02

Subject: **Secondments (43668)**

Reason: Exemption 12—As stated in the original answer, information that would constitute or could facilitate an unwarranted invasion of privacy is not made public.

(The Committee will wish to note however that Cabinet Office subsequently issued guidance to Departments in February 2003 advising that information concerning secondees should be made available to third parties providing Data Protection Act requirements are fulfilled, and there are no other special circumstances preventing disclosure).

16.04.02

Subject: **Panel for Regulatory Accountability (49065)**

Reason: Exemption 2—As stated in the original answer, proceedings of Cabinet and Cabinet Committees are not made public.

05.07.02

Subject: **Green Minister (65986)**

Reason: Exemption 2—As stated in the original answer, proceedings of Cabinet and Cabinet Committees are not made public.

20.05.02

Subject: **Aga Khan Development Network (55412)**

Reason: Exemptions 7 and 13—As stated in the original answer, information whose disclosure could harm the effective management and operations of the public service is not made public, and information whose disclosure could harm the competitive position of a third party is not made public.

24.05.02

Subject: **Special Advisers** (58716/8)
 Reason: Exemption 2—As stated in the original answer, information relating to internal discussion and advice is not made public.

MEMORANDUM 3

Submitted by the Department for Constitutional Affairs

I am replying to Clive Porro's letter of 7 July 2003 seeking further information about why certain information was withheld in answer to some Parliamentary Questions in the 2001–02 Parliamentary session.

I attach a schedule providing more detail on the reasons why the Department's Ministers decided to withhold certain information. I also attach below a copy of the Department's latest guidance to staff on answering Parliamentary Questions.

You may be interested to know that the DCA is currently revising its guidance to address recent changes in the department's remit.

26 September 2003

Reasons why the Department's Ministers withheld information in response to Parliamentary Questions tabled in 2001-2002

11.12.01

Subject: **Judges accommodation [PQ No 21602]**
 Reason: Exemption 7—individual capital values of judges' lodgings and other properties are considered to be commercially confidential. The disclosure of individual property values could prejudice the Department's negotiating position when progressing any plans to rationalise the Lodgings estate

16.01.02

Subject: **1901 census [PQ No 26507/26509]**
 Reason: Exemptions 7 & 13—the National Archives believes that making the contract, its penalty clauses or final tender price publicly available would prejudice its commercial activities and those of its partner, QinetiQ Ltd.

21.01.02

Subject: **1901 census [PQ No 26801]**
 Reason: Exemptions 7 & 13—the National Archives believes that making the contract, its penalty clauses or final tender price publicly available would prejudice its commercial activities and those of its partner, QinetiQ Ltd.

18.01.02

Subject: **Ethics of legal profession [PQ No 25054]**
 Reason: Exemption 2—disclosure of details of confidential discussions with other Government Departments would harm the frankness and candour of internal discussion.

18.04.02

Subject: **Professional indemnity insurance [PQ No 50840]**

Reason: Exemption 2—disclosure of details of discussions with other Government Departments would harm the frankness and candour of internal discussion.

09.05.02

Subject: **Libra project [PQ No 53459]**

Reason: Exemption 7b & 13—disclosure of the OGC Gateway reviews of the Libra project would harm the proper and efficient conduct of the operations of the Department as well as the competitive position of the contractors.

13.05.02

Subject: **Departmental functions [PQ No 42994]**

Reason: Exemption 13—the combined disclosure of money saving and percentage saving would harm the competitive position of contractors as it would allow contractual payments to contractors to be identified

25.06.02

Subject: **Royal prerogative [PQ No 63048]**

Reason: Records are not kept of the individual occasions on which powers under the Royal Prerogative are exercised, nor would it be practicable to do so

08.07.02

Subject: **Special advisers [PQ No 41253/43270]**

Reason: Exemption 12—the disclosure of details of costs of special advisers would constitute an unwarranted invasion of privacy.

24.07.02

Subject: **Counsels' fees [PQ No 63971]**

Reason: PQ TRANSFERRED TO DEPARTMENT FOR WORK & PENSIONS

MEMORANDUM 4

Submitted by the Department for Culture, Media and Sport

I am responding to Clive Porro's letter of 7 July in which the Committee is seeking an explanation as to why DCMS Ministers have "refused to answer" certain written parliamentary questions during the 2001-02 session.

Attached is a schedule in the requested format, which I hope answers the Committees queries.

I can assure the Committee that I continue to emphasise to all my staff the importance of complying with the Code of Practice on Access to Government Information when drafting answers to written parliamentary questions. Indeed, my Parliamentary Branch recently wrote to all Divisional Heads to reiterate this.

As requested, I am also sending my reply to you on disk and in electronic form to pickardj@parliament.uk

I will forward copies of our Departmental instructions on answering parliamentary questions to you shortly.

19 September 2003

17.07.01

Subject: **Television**

Reason: The BBC Charter places the responsibility for setting and monitoring the BBC's objectives on the BBC Board of Governors. The BBC Governors are required to report to Parliament through the BBC's annual report, which is laid in Parliament. The Code of Practice on Access to Government Information does not apply.

13.11.01

Subject: **Television**

Reason: Exemption 8—Public employment, public appointments and honours.

16.01.02

Subject: **Television**

Reason: It is a principle of the Government's approach to broadcasting that it does not seek to intervene or comment on detailed issues of programming content or scheduling on the grounds that these are properly a matter for broadcasters' editorial judgement subject to independent regulation. It is the responsibility of the BBC Board of Governors to ensure that the BBC meets all of its obligations as set out in the 1996 Charter and Agreement. The Code of Practice on Access to Government Information does not apply.

25.03.02

Subject: **Television**

Reason: It is the responsibility of the BBC Board of Governors to ensure that the BBC meets all of its obligations as set out in the Charter and Agreement including the specific and detailed provisions on impartiality. The Code of Practice on Access to Government Information does not apply.

19.09.02

Subject: **Television**

Reason: These matters relate to competition law and are, therefore, for the competition authorities and the BBC Board of Governors. The BBC is subject to competition law, enforced by the competition authorities, and also the Fair Trading Commitment, which is enforced by the Board of Governors. The Code of Practice on Access to Government Information does not apply.

18.07.01

Subject: **Cabinet and Ministerial groups**

Reason: Exemption 2. Internal discussions and advice including the proceedings of Cabinet and Cabinet Committees are not made publicly available.

18.06.02

Subject: **Cabinet and Ministerial groups**

Reason: Exemption 2. The Group exists to provide an informal forum for internal Government discussions of sports policy. Making its deliberations public would reduce its effectiveness.

04.07.02

Subject: **Cabinet and Ministerial groups**

Reason: Exemption 2. Internal discussions and advice including the proceedings of Cabinet and Cabinet Committees are not made publicly available.

15.10.01

Subject: **Advisory Panels**

Reason: Exemption 8—Public employment, public appointments and honours.

16.10.01

Subject: **National Lottery**

Reason: Answer cannot be expanded upon. The information requested is not held by the Department in the form requested. We did provide the most relevant information available to the Member.

09.11.01

Subject: **National Lottery**

Reason: Exemption 13. It is for the National Lottery operator (Camelot Group plc) and its retailers to decide the terms of the commercial agreements between them and what information about their contents should be made public; and it is not for the Government to disclose information, which is commercially confidential.

25.10.01

Subject: **Royal Prerogative**

Reason: Answer cannot be expanded upon. The number of times ministerial decisions were made under the Royal Prerogative is not recorded by the Department.

21.11.01

Subject: **National Stadium**

Reason: Exemption 2 & 13. Mr Carter was appointed as a consultant with DCMS. Discussions with him concerned matters of internal advice and opinion. The disclosure of details could also have been detrimental to the competitive position of third parties involved in the National Stadium project.

03.07.02

Subject: **National Stadium**
 Reason: Exemption 13. The disclosure of details of these discussions could have been detrimental to the competitive positions of third parties involved in the National Stadium project.

21.01.02

Subject: **PR Consultants**
 Reason: Exemption 13. Information including commercial confidences, trade secrets or intellectual property whose unwarranted disclosure would harm the competitive position of a third party is not normally made public.

05.02.02

Subject: **Ministerial meetings**
 Reason: Exemption 2 & 12. It is not normal practice to release details of specific meetings or their content given that some of these discussions may have taken place on a confidential basis.

23.04.02

Subject: **Drugs inquiries**
 Reason: Exemption 12. An individual case, which was the responsibility of a sponsored body. Any disclosure may have infringed the privacy of Mr Edwards.

MEMORANDUM 5

Submitted by the Ministry of Defence

Thank you for your letter of 7 July seeking further information about why information was withheld in answer to certain Parliamentary Questions in the session 2001–02.

Attached is a schedule providing more detail, where appropriate, on the reasons for withholding information. For the majority of answers, each refusal concerned a category of information which is expressly exempt from the disclosure commitment under Part II of the Code of Practice on Access to Government Information.

I also attach a copy of the guidance issued to officials involved in drafting answers to parliamentary questions.

3 October 2003

Subject—Porton Down

02.07.01 Exemption 1—Information whose disclosure would harm national security or defence is not made public.

15.10.01 Exemption 2 – Internal discussion and advice is not made public.

15.10.01 Exemption 1(a)—Information withheld as it contained operational information whose disclosure would harm national security or defence.

- 01.11.01 Exemption 1—Information withheld as it could reveal operational capabilities and deficiencies. Disclosure would harm national security or defence.
- 19.11.01 Exemption 2—Internal discussion and advice is not made public.
- 19.11.01 Exemption 1—Report contains classified information and accordingly withheld in interests of national security.
- 18.12.01 Exemption 1—Report is confidential and withheld in the interests of national security.
- 21.06.02 Exemption 2—Internal discussion and advice is not made public.

Subject—Weapons and Ammunition

- 02.07.01 Exemption 1—Details of Rules of Engagement are withheld as disclosure could harm national security or defence.
- 13.07.01 Exemption 1—Information withheld as it could reveal operational capabilities. Disclosure could harm national security or defence.
- 09.11.01 Exemption 1—Information withheld as it could reveal operational capabilities. Disclosure could harm national security or defence.
- 12.11.01 Exemption 1—Information withheld as it is classified. Disclosure could harm national security or defence.
- 27.11.01 Exemption 1—Information relating to stockpiles of weapons is classified. Disclosure could harm national security or defence.
- 28.01.02 Exemption 1 and 13—Information relating to procurement of plastic baton rounds could reveal details about operational capability. Disclosure could harm national security or defence. Information relating to commercial confidentiality is not released.
- 26.02.02 Exemption 1—Information is classified and therefore withheld as it could harm national security or defence.
- 18.04.02 Exemption 1—Information relating to stockpiles of ammunition is classified. Disclosure could harm national security or defence.
- 17.07.02 Exemption 1—Information on the detail of regulations in force is classified. Disclosure could harm national security or defence.

Subject—Defence Science and Technology Laboratory

03.07.01 Exemption 7—Information withheld as disclosure could lead to improper gain or advantage or would prejudice negotiations on commercial or contractual activities.

Subject—Wind Farms

04.07.01 Exemption 7—Information withheld due to commercial sensitivity.

17.12.01 Exemption 13—Information withheld for reasons of commercial confidentiality.

Subject—Ships

05.07.01 Exemption 1—Details of operational readiness are withheld as disclosure could harm national security and defence.

01.11.01 Exemptions 1 and 13—Information withheld as disclosure could harm the conduct of international relations or affairs and for reasons of commercial confidentiality.

10.06.02 Exemption 13—Information withheld for reasons of commercial confidentiality.

18.07.02 Exemptions 1 and 13—Information withheld as disclosure would harm the conduct of international relations or affairs and for reasons of commercial confidentiality.

Subject—Strategic Tanker Aircraft

05.07.01 Exemption 7—Information withheld as it would prejudice the negotiations or the effective conduct of commercial or contractual activities.

31.01.02 Exemption 13—Information withheld for reasons of commercial confidentiality.

Subject—HMS Sheffield

10.07.01 Exemption 1—Information is highly classified and is therefore withheld for reasons of national security and defence.

03.04.02 Information was withheld as it would have breached the Data Protection Act.

Subject—Kenya

12.01.01 Exemption 1—Information is classified and withheld as disclosure would harm national security or defence.

Subject—Menwith Hill

- 16.07.01 Exemption 1—Information withheld as disclosure would harm the conduct of international relations or affairs.
- 15.10.01 Exemption 1—Information withheld as disclosure would harm national security or defence.
- 15.10.01 Exemption 4e and 14. Information withheld as disclosure would harm public safety or public order. Information also given in confidence.
- 15.10.01 Exemption 1—Information withheld as disclosure would harm the conduct of international relations or affairs.

Subject—Nuclear Weapons

- 17.07.01 The question only asked for information on the circumstances of accidents involving UK nuclear weapons. The information was released, however, the practice of neither confirming nor denying the presence of nuclear weapons at any particular place and at any particular time will continue to be a cornerstone of the Government's policy on nuclear weapons issues.
- 01.02.02 Exemption 1—Information withheld as disclosure would harm national security or defence and would harm the conduct of international relations or affairs.
- 01.02.02 Exemption 1—Information withheld as disclosure would harm national security or defence and would harm the conduct of international relations or affairs. Information was released on the number of nuclear warheads that Trident submarines carry when on deterrence patrol.
- 30.07.02 Exemption 1—Details of the operational training were withheld as disclosure would harm national security or defence.

Subject—Ministerial Duties

- 18.07.01 It is not normal practice to publish ministerial rosters.

Subject—Missiles

- 20.07.01 Exemption 1—Information withheld as disclosure would harm national security or defence.
- 19.11.01 Exemption 1—Information withheld on the live firing programme as disclosure would harm national security or defence.
- 18.12.01 Exemption 1—Information on the precise number of cruise missiles fired during Kosovo campaign as disclosure would harm national security or defence.

- 31.01.02 Exemption 13—Information withheld on details of contract as unwarranted disclosure would harm the competitive position of a third party.
- 14.02.02 Exemption 1—Number of cruise missiles collected by HMS VENGEANCE withheld as disclosure would harm national security or defence.
- 22.10.02 Exemption 7—Information withheld as disclosure could lead to improper gain or advantage or would prejudice commercial or contractual activities while negotiations were underway.

Discipline/inquiries

- 15.10.01 It is not normal practice to comment on the result of internal investigations or resultant disciplinary action as this is a personal matter.
- 15.10.01 It would be inappropriate for MOD to comment on an ongoing police inquiry.
- 24.04.02 Exemption 1—Details of costs withheld as disclosure would harm national security or defence.
- 10.06.02 Exemption 12—Information withheld as disclosure would constitute or could facilitate an unwarranted invasion of privacy.
- 15.10.02 Exemption 4—Information withheld as it would be inappropriate to comment on legal proceedings.

Subject—Kursk

- 15.10.01 A full answer was given. As there was no United Kingdom Government involvement in the Kursk recovery operation no costs arose.

Subject—QinetiQ

- 15.10.01 Not in the commercial interests of the company or the Government as future vendor to release detailed financial information.
- 08.01.02 Exemption 14—Information withheld under the terms of the relevant commercial contracts with companies.
- 05.02.02 Exemption 14—Information withheld under the terms of the relevant commercial contracts with companies.
- 05.03.02 Exemption 14—Information withheld under the terms of the relevant commercial contracts with companies.
- 13.03.02 Exemption 14—Information given in confidence.

- 10.04.02 Publishing a list of interested parties would not be consistent with the objective to achieve best value for the taxpayer.
- 16.05.02 Exemption 13—Information on the value of Throckmorton airfield withheld for reasons of commercial confidentiality.
- 23.05.02 Exemption 13—The information memorandum contains details about QinetiQ’s business and is withheld for reasons of commercial confidentiality.
- 10.06.02 Exemption 13—Sponsorship of the QinetiQ1 manned balloon is a commercial activity undertaken by the company and details of costs were withheld for reasons of commercial confidentiality.

Subject—Research programmes

- 15.10.01 Exemption 1—Information on the UK’s defence research priorities and future defence capabilities withheld as disclosure would harm national security or defence.
- 08.05.02 Exemption 1—Information withheld as disclosure would harm national security or defence.
- 10.06.02 Exemption 1—Details of research programmes on non-lethal weapons withheld as disclosure would harm national security or defence.
- 28.10.02 Exemption 13—Information on the value of contracts withheld for reasons of commercial confidentiality.

Subject—Spending

- 15.10.01 Total defence expenditure by nation and region could only be provided at disproportionate cost. Information is available in the library on defence expenditure on equipment by region and nation.
- 12.11.02 Exemption 9—Information not held centrally and could only be provided at disproportionate cost. Expenditure on public relations by MOD is published in the Departmental Performance Report.
- 12.11.01 Exemption 13—Information on costs of artists performing to UK forces overseas withheld for reasons of commercial confidentiality.
- 14.11.01 Exemption 9—Information not held centrally and could only be provided at disproportionate cost. Expenditure on public relations by MOD is published in the Departmental Performance Report.
- 09.01.02 Exemption 2—Information withheld as internal discussion and advice is not made public.

- 31.01.02 Exemption 13—Information on the costs to MOD for use of Duchy land on Dartmoor for military training is withheld for reasons of commercial confidentiality.
- 05.03.02 Exemption 14—Information relating to the costs of lawyers withheld for reasons of confidentiality.
- 07.03.02 Exemption 9—Information relating to NGOs in the south west region is not held centrally and could only be provided at disproportionate cost.
- 13.03.02 Exemption 2—Information on planned expenditure withheld as it is not made public.
- 22.10.02 Exemption 9—Information relating to the costs of childcare schemes is not held centrally and could only be provided at disproportionate cost.
- 28.10.02 Exemption 2—Information on projected salary costs withheld as decisions on the allocation of the defence budget are made through the MOD's annual planning process and therefore not made public.

Subject—Ordnance Board Project

- 16.10.01 Exemption 1—Ordnance Board report was classified and withheld as disclosure would harm national security or defence.

Subject—International agreements

- 19.10.01 Exemption 1—Information between nations is not made public.
- 22.10.01 Exemption 1—Information not released as disclosure could affect the conduct of business under the terms of the MoU.

Subject—Reports

- 23.10.01 Exemption 1—Information received in confidence from foreign governments is not released.
- 31.10.01 Exemption 2—Internal discussion and advice is not made public.
- 12.11.01 Board of Inquiry reports are not published in full. A background paper summarising the findings was placed in the Library of the House in response to an earlier question.
- 14.11.01 Exemption 2—Internal discussion and advice is not made public.

Subject—Afghanistan

- 31.10.01 Exemption 1—Precise number of cruise missiles fired withheld as disclosure would harm national security or defence.
- 29.11.01 Questions answered by the Foreign and Commonwealth Office.

- 05.12.01 Exemptions 1 and 12—Details of circumstances of injuries to UK forces withheld for reasons of security and privacy of an individual.
- 11.12.01 Exemption 1—Precise number of cruise missiles withheld as disclosure would harm national security or defence.
- 13.12.01 Exemption 1—Some details of operation released but further information withheld for reasons of national defence and security.
- 19.12.01 Exemption 1—Number of UK personnel operating in Afghanistan withheld as disclosure would harm security.
- 11.01.02 Exemption 1—Details of assistance requested from the US is withheld as disclosure would harm the conduct of international affairs and information received in confidence from foreign governments is not made public.
- 17.01.02 Exemption 1—Information on the dates guidance was issued to UK forces in Afghanistan is not made public for reasons of security.
- 23.01.02 Exemption 1—Information withheld as disclosure would harm national security or defence.
- 07.02.02 Exemption 1—Information on operational instructions are confidential and withheld as disclosure would harm national security or defence.
- 12.02.02 Exemption 1—Guidance withheld as disclosure would harm national security or defence.
- 10.06.02 Exemption 1—Security arrangements are withheld as disclosure would harm national security or defence.
- 11.07.02 Exemption 13—Information on the costs of the Minimi light support weapon is withheld for reasons of commercial confidentiality.

Subject—Staff

- 01.11.01 Exemption 8—Information relating to public employment is not made public.
- 22.01.02 Exemption 8 and 12—Information relating to public employment is not made public. Details are also withheld as disclosure could facilitate an unwarranted invasion of privacy.
- 25.02.02 Exemption 12—Information withheld as disclosure to a third party of personal information would constitute or facilitate an unwarranted invasion of privacy.

Subject—Contracts

- 05.11.01 Exemption 14—Information relating to defence contracts is given in confidence and is not made public.
- 31.01.02 Exemption 13—Information on individual contracts is withheld for reasons of commercial confidentiality.
- 07.02.02 Exemption 13—Information on the individual value of contracts is withheld for reasons of commercial confidentiality. Information given on the total value.
- 12.02.02 Exemption 9—Detailed information was not held centrally and could only be provided at disproportionate cost, however information on the total expenditure by OD on IT systems and support was provided.
- 14.02.02 Exemption 13—Value of individual contracts withheld for reasons of commercial confidentiality, however, details of total values of contracts awarded was provided.

Subject—Equipment

- 06.11.01 Exemption 13—Information received as part of a competitive bid process is not made public for reasons of commercial confidentiality.
- 09.11.01 Exemption 1—Information relating to operational availability of NBC vehicles is withheld for reasons of national security and defence.
- 20.11.01 Exemption 1—Information on stocks of NBC suits is withheld for reasons of national security and defence.
- 10.01.02 Exemption 1—Information regarding specific quantities of chemical agent monitors is withheld for reasons of national security and defence.
- 05.02.02 Exemption 7a—Contract negotiations had yet to be concluded therefore disclosure could lead to improper gain or advantage or would prejudice the competitive position of the department.
- 14.02.02 Exemption 1—Information on categories of military equipment where contractual arrangements exist to provide surge production in times of conflict is not made public for reasons of national security and defence.
- 21.05.02 Exemption 13—Information relating to the costs of replacing weapons is withheld for reasons of commercial confidentiality.

Subject—Nuclear Installations

- 05.11.01 Exemption 1—Details of improvements to air defence posture since 11 September is withheld for reasons of national security and defence.

Subject—Army Foundation College

12.11.01 Exemption 7—Details of sites under consideration were withheld as disclosure could lead to improper gain or advantage.

Subject—Aircraft

22.11.01 Exemption 1a—Details of defensive measures withheld as disclosure would harm defence.

22.11.01 Exemption 1—It is the long-standing policy of successive Governments not to comment on operational capability of UK special forces. Details withheld as disclosure would harm national security and defence.

04.12.02 Exemption 13—Information withheld on the draft plans for the new fixed wing aircraft repair business at Cardiff International Airport for reasons of commercial confidentiality.

11.01.02 Exemption 1a—Information withheld on defensive aid suits fitted to aircraft as disclosure would harm national security and defence.

31.01.02 Exemption 1 and 13—Information relating to the contract for the A400M aircraft withheld as disclosure would harm the conduct of international relations and for reasons of commercial confidentiality.

07.02.02 Exemption 1—Release of information on the ability of aircraft to operate in low-light and levels of protection could provide a potential adversary with information that could undermine our defence capabilities. Information therefore withheld as disclosure could harm defence.

07.02.02 Exemption 13—Customer specifications for Jaguar withheld for reasons of commercial confidentiality.

26.02.02 Exemption 13—Information on payments on Eurofighter contracts withheld for reasons of commercial confidentiality.

26.02.02 Exemption 1 a—Information on defensive aids fitted to aircraft is withheld as disclosure could harm national security and defence.

13.03.02 Exemption 1—Detailed results of evaluation of Gripen aircraft withheld as disclosure would harm national security and defence.

15.04.02 Information on savings in procurement costs withheld for reasons of commercial confidentiality.

15.05.02 Exemption 13—Detailed lease costs of C-17 aircraft withheld for reasons of commercial confidentiality.

- 15.05.02 Exemption 13—Information on the cost of Sea Harrier aircraft being fitted with JTIDS withheld for reasons of commercial confidentiality.
- 24.05.02 Exemption 13—Information on the bid for the strategic airlift service is withheld for reasons of commercial confidentiality.
- 10.06.02 Exemption 1a—Information on NATO standard flying hours withheld as disclosure would harm national security and defence.
- 03.07.02 Exemption 1—Information on spare parts for RAF Eurofighter is withheld as disclosure would harm national security and defence.
- 22.10.02 Exemptions 2 and 7—Information on annual profile of expenditure on F35 aircraft withheld as internal discussion and advice is not made public and disclosure would prejudice negotiations on commercial or contractual activities.

Subject—HMS Gannet

- 30.11.01 Exemption 13—Information on the leases is withheld for reasons of commercial confidentiality.
- 19.12.01 Exemption 13—Information on the leases is withheld for reasons of commercial confidentiality.

Subject—Far East PoWs

- 18.12.02 Exemption 2—Information on calculations and assumptions is withheld as internal advice is not made public.

Subject—BAE SYSTEMS (Tanzania)

- 14.01.02 Information relating to individual marketing campaigns is withheld for reasons of commercial confidentiality.
- 30.01.02 Exemption 2—Information relating to the date Ministers were informed of the views of World Bank about the Tanzanian air traffic control system is withheld as internal discussion and advice is not made public.
- 29.01.02 Exemptions 2 and 13 - Assessment of Arms Working Party under MOD Form 680 procedure of the adequacy of the Tanzanian air traffic control system for civilian purposes is withheld as internal discussion and advice is not made public and for reasons of commercial confidentiality.

Subject—Export Licences

- 10.04.02 Exemptions 1, 13 and 14—Information on end use documentation of Jaguar aircraft is confidential. Information received from foreign governments is not disclosed. It is also withheld for reasons of commercial confidentiality.

- 29.04.02 Exemption 13—Information on clearance of F680 is withheld for reasons of commercial confidentiality.
- 02.07.02 Exemption 2—Information relating to arms exports to Pakistan and India and discussions with the Secretary of State for Trade and Industry is withheld as internal discussion and advice is not made public.
- 19.09.02 Exemptions 13 and 14—Information on companies and individuals involved in the export of military supplies is withheld as it is given in confidence and for reasons of commercial confidentiality.
- 15.10.02 Exemption 2—Details of discussions between government departments is not made public.

Subject—Rules of Engagement

- 01.02.02 It is not normal practice to comment on rules of engagement.
- 22.07.02 Exemption 1—It is not normal practice to comment on rules of engagement. They are withheld as disclosure would harm defence.

Subject—No-fly zones (Iraq)

- 06.02.02 Exemption 1—Details of adjustments to responses to violations of no-fly zones is withheld for reasons of operational security.

Subject—Departmental events

- 25.02.02 Exemption 9—The information is not held centrally and could only be provided at disproportionate cost.

Subject—Security

- 26.02.02 Exemption 1—Information on the number of MOD police officers at Faslane on specific dates is withheld as it would be prejudicial to the security and policing arrangements at the site.
- 04.03.02 Details of security measures at MOD establishments, including US bases in the UK, is not disclosed as it would be prejudicial to the security arrangements at the sites.
- 21.03.02 Exemption 1—Details of protection or security operations for the Queen's Golden Jubilee Festival are withheld as security arrangements are confidential.

Subject—Dangerous Substance Rules

- 03.04.02 Answered by Department for the Environment, Food and Rural Affairs.

Subject—Joint Services Groups

- 11.04.02 Information on the Joint Services Group is withheld as disclosure would harm national security or defence.

Subject—Firearms Deaths

- 17.04.02 Exemption 12—Information on the result of internal investigations or any resultant disciplinary action is withheld to protect the privacy of an individual.
- 22.04.02 The death of Private Collinson at Deepcut was subject to police investigation and it would have been inappropriate for MOD to comment.
- 09.07.02 Information on precise location of deaths at army barracks is not held centrally and could only be provided at disproportionate cost. MOD are unable to release information that may enable the identification of individuals.
- 24.10.02 Deaths at Deepcut were subject to police investigation and it would have been inappropriate for MOD to comment.

Subject—Army Training (Kenya)

- 24.04.02 Exemption 1—Terms of MOU between UK and Kenya about troops deployed to Kenya for training purposes are withheld as the information is confidential between governments.

Subject—Information Warfare

- 24.04.02 Exemption 1—It is long-standing government policy not to make detailed comment on protection measures applied to communications and information systems as those could assist potential enemies to penetrate elements of national security.

Subject—Blue Danube Atomic Bomb

- 26.04.02 It would not be appropriate to go into greater details about certain aspects which might be of value to a potential nuclear weapons proliferator.

Subject—Service Accommodation

- 02.05.02 Exemption 2—To assure respondents of continued anonymity, information whose disclosure would harm the frankness and candour of internal discussion is not made public.

Subject—Nuclear Materials (Transportation)

- 18.06.02 Exemption 1—Details of nuclear materials delivered from US to Brize Norton are withheld as disclosure would harm national security and international relations.

Subject—AWE

- 21.06.02 Exemption 1—Details of exchanges between UK and US on nuclear weapons matters are withheld as disclosure would harm the conduct of international relations or affairs.

Subject—Military Bases

24.06.02 Exemption 13—Gross cost and annual rental cost in respect of Colchester Garrison withheld for reasons of commercial confidentiality.

08.07.02 Exemption 7—Estimates of value of Dean Hill Munitions sites withheld as the information could influence the eventual receipt following sale.

Subject—Asymmetric Surface Threats

02.07.02 Exemption 1—Information on work to increase the protection for Royal Navy Warships against this type of threat is withheld as disclosure could provide a potential adversary with details of capabilities.

Subject—Mox Lead Test Assemblies

16.07.02 Exemption 1—Information whose disclosure would harm the conduct of international relations is not released.

Subject—Professional Indemnity Insurance

19.09.02 The information is not held centrally and could only be provided at disproportionate cost. Discussions that form part of the process of policy development analysis is not made public.

Subject—Columbia

15.10.02 Exemption 1—Information on advice and assistance to Columbia is confidential between governments and is not made public.

Subject—Strategic Sealift Contract

21.10.02 Exemption 2—Internal advice is not made public.

MEMORANDUM 6

Submitted by the Office of the Deputy Prime Minister

Thank you for your letter of 7 July 2003 seeking further information about why certain information was withheld in answer to a number of Parliamentary Questions tabled to the Department for Transport, Local Government and the Regions in the last Parliamentary session. I understand that the Department for Transport have responded on the majority of these; below are the remaining questions relating to the remit of the Office of the Deputy Prime Minister and the reason for the reply.

1 September 2003

1.) 25.06.02

Subject: the Royal prerogative (631127)

Reason: Since use of the Royal Prerogative covers a diverse range of subjects it would not be practicable to keep records on its use in the Office of the Deputy Prime Minister.

2.) 26.06.02

Subject: the Millennium Dome (64575)

Reason: commercial confidentiality while negotiations take place; the exemption in part 11.7 of the Code of Practice on access to Government information pertains (“disclosure could lead to improper gain or advantage or would prejudice...the competitive position of a department or other body...”)

3.) 16.07.02

Subject: the Millennium Dome (69202)

Reason: commercial confidentiality while negotiations take place; the exemption in part 11.7 of the Code of Practice on access to Government information pertains (“disclosure could lead to improper gain or advantage or would prejudice...the competitive position of a department or other body...”)

4.) 15.07.02

Subject: Personnel matters (58734)

Reason: personnel matters between individuals and the Office of the Deputy Prime Minister are treated as confidential

5.) 17.07.02

Subject: Special advisers (67551)

Reason: Exemption 12 of the Code of Practice on access to Government Information pertains (remuneration details not disclosed in order to protect privacy of the individual concerned.)

6.) 7.11.02

Subject: Internal meetings and advice (79589)

Reason: Exemption 2 and 7 of the Code of practice on access to Government Information pertains (Information on internal meetings and advice.)

7.) 26.10.01

Subject: Millennium Dome (9372)

Reason: commercial confidentiality while negotiations take place; the exemption in part 11.7 of the Code of Practice on access to Government information pertains (“disclosure could lead to improper gain or advantage or would prejudice...the competitive position of a department or other body...”)

8.) 29.11.01

Subject: Millennium Dome (18070)

Reason: commercial confidentiality while negotiations take place; the exemption in part 11.7 of the Code of Practice on access to Government information pertains (“disclosure could lead to improper gain or advantage or would prejudice...the competitive position of a department or other body...”)

9.) 14.11.01

Subject: Planning (14840)

Reason: prior to the Planning Green Paper of December 2001 it was established policy not to give reasons for not intervening in planning applications.

10.) 4.2.02

Subject: Ordnance survey (32608)

Reason: commercial confidentiality while negotiations take place; the exemption in part 11.7 of the Code of Practice on access to Government information pertains (“disclosure could lead to improper gain or advantage or would prejudice...the competitive position of a department or other body...”)

11.) 13.3.02

Subject: Housing (41952)

Reason: commercial confidentiality while negotiations take place; the exemption in part 11.7 of the Code of Practice on access to Government information pertains (“disclosure could lead to improper gain or advantage or would prejudice...the competitive position of a department or other body...”)

12.) 16.4.02

Subject: Housing (49823)

Reason: Exemption 2 of the Code of Practice on access to Government Information pertains (Information on internal meetings and advice.)

13.) 22.04.02

Subject: Fire college (51226)

Reason: Internal auditors report falls within Exemption 2 of the Code of Practice on access to Government Information pertains (Information on internal meetings and advice.)

MEMORANDUM 7

Submitted by the Department for Education and Skills

Your letter of 7 July requested further information on certain Parliamentary Questions recorded as being “blocked” by the Table Office because of Ministers’ refusal to provide answers.

The information you have requested accompanies this letter.

6 October 2003

15.10.01

Subject: **Head teachers (PQ 7715)**

Reason: The Department considers that it acted appropriately in response to this question. This question was one of three questions raised by Mr Brady on the topic of threshold assessment training. The other two questions (7713 and 7714) were answered in full. Of these, one requested the number of headteachers in need of threshold training; the other asked about the numbers of training seminars held and the attendance levels at each one.

If the Department had revealed the costs incurred as requested this information, together with the answers to the previous two questions, would have enabled competitors to have deduced the cost of the training

contract. It was felt this could prejudice the competitive position of the current training contractor in their future bidding activities, and could have harmed the competitive position of the Department in any future tenders for similar contracts.

The Department's reasoning is supported within the exemptions under the Code of Practice on Access to Government Information, part 2, section 7, 'Effective management and operations of the public service', and section 13, 'Third party's commercial confidences'.

22.10.01

Subject: **Cabinet Committees/Ministerial meetings (PQ8449)**

Reason: The Department considers that it acted appropriately in response to this question, but accepts that it could have referred to the Code of Practice on Access to Government Information to explain why it withheld part of the Answer.

The response to the final part of the question asking whether the matter will be referred to the Cabinet Committee was that it is standard practice not to comment on the proceedings of Cabinet Committees. It has been standard practice of successive Governments to withhold information relating to the proceedings of Cabinet Committees. The Practice is formalised as exemption 2 Part 11 of the Code of Practice on access to Government Information. The reason for exemption is that disclosure of such information would harm the frankness and candour of internal discussion.

06.03.02

Subject: **Cabinet Committees/Ministerial meetings (PQ 40477)**

Reason: As the Answer made clear, in line with Exemption 2 of the Code, internal discussion and advice is not made public. It is not the normal practice of Government to release details of specific meetings or their content as some of these discussions may have taken place on a confidential basis.

09.07.02

Subject: **Cabinet Committees/Ministerial meetings (PQ 65985)**

Reason: As made clear in the Answer, in line with Exemption 2 of the Code, internal discussion including proceedings of Cabinet and Cabinet Committees is not made public.

25.10.01

Subject: **Royal Prerogative (PQ 9368)**

Reason: We do not regard information as having been withheld in answering this question. The answer made clear that the information requested—the number of times ministerial decisions were made under the Royal Prerogative—is not recorded by the Department.

The Committee's letter says that they do not need further explanation where the information requested is not held by the Department.

15.11.01

Subject: **Contracts (PQ 13735)**

Reason: This question was in 2 parts. The first asked for names of contracts and their financial values between the Department and Capita. The contracts were named but no financial values were provided as they were adjudged to be commercially confidential.

The exemption that should have been quoted at the time under the Code of Practice was '7—Effective Management and Operation of the Public Service' on the grounds that disclosure would prejudice the competitive position of the department. The decision not to disclose contract values was taken after consulting the Departmental guide to the Code of Practice which, at that time, said 'disclosure of the winning tender price could prejudice future tendering exercises....'

However, in the early part of 2002, further detailed work on the obligations relating to disclosure of information on procurement activities placed on the Department by the Code of Practice was undertaken to minimise the interpretational uncertainty in this evolving subject. This included consultation with other government departments, including the Lord Chancellors Department, an analysis of related cases reviewed by the Ombudsman and the additional information provided by the Freedom of Information Act guidance which resulted in revised guidance being produced by this department specifically related to tendering and contracts. Consequently, had we been asked the same question today the contract values would have been disclosed for all the named contracts.

The second part asked for similar information on contracts held between local education authorities and Capita. This information is not held by this department and is the responsibility of Local Authorities.

25.03.02

Subject: **Contracts (PQ 45616)**

Reason: The Department considers that it acted appropriately in response to this question. At the time of the question the Department had only one PPP contract in place to deliver the Connexions Card.

The price offered at preferred bidder stage was not supplied and this refusal is covered by the Code of Practice Part II Section 7 a) and 7 b). A comparison of the initial bid and the final contract value could compromise future procurement exercises for the Department; the information requested was supplied as "commercial in confidence" and publishing it would have been a breach of trust; a comparison of the two

figures requested would provide competitors with useful information about the successful bidder and give an indication of the parameters within which the Department usually negotiates.

The second element of the question was answered with the final contract value of £109.7m included in the response.

09.07.02

Subject: Contracts (PQ 65492)

Reason: The first part of the question was answered in full. Details of payments made to the learning provider were not supplied in line with the Department's policy to treat information about individual undertakings of interest to their commercial competitors as confidential. This is dealt with by the Code of Practice on Access to Government Information, Part II paragraph 7. This allows exemption where 'Information whose disclosure could lead to improper gain or advantage or would prejudice: commercial or contractual activities;

11.12.01

Subject: Further education colleges (PQ 19618)

Reason: The Department considers that it acted appropriately in response to this question.

The question raised two points. The first, on recovery plans, referred to colleges that have a recovery plan because they are rated as being in financial category C based on information where responsibility for collection lies with the LSC and not with the Department. The second point referred to the additional funding that the LSC may give to a college to implement its recovery plan. The LSC has always maintained the practice of treating the list of colleges and support provided as 'commercial in confidence'. It would have been a breach of trust for the Department to have published LSC's information.

Not supplying this information is in accordance with paragraphs 7. and 13. of Part 2 of the Code of Practice on Access to Government information.

11.12.01

Subject: Further education colleges (PQ 19909)

Reason: The Department considers that it acted appropriately in response to this question.

The first 2 points were fully met by the explanation in the Parliamentary Answer to the MP that gave a summary description of the financial categories and the numbers of colleges in each category over the previous five years.

The third point, on which existing colleges were in category C, referred to information where responsibility for collection lies with the LSC and not with the Department. The LSC has always maintained the practice of treating the list of colleges as ‘commercial in confidence’. It would have been a breach of trust for the Department to have published LSC’s information.

Not supplying this information is in accordance with paragraphs 7. and 13. of Part 2 of the Code of Practice on Access to Government information.

31.01.02

Subject:

ILAs (PQ 28855)

Reason:

The response to this question gave full information on the number of providers owed money under the ILA programme, the totals of money involved and the clearance action being taken. It did not include financial information directly relevant to specific individual learning providers in line with the Department’s policy to treat information about individual undertakings of interest to their commercial competitors as confidential. This is dealt with by the Code of Practice on Access to Government Information, Part II paragraph 7. This allows exemption where ‘Information whose disclosure could lead to improper gain or advantage or would prejudice: commercial or contractual activities;’

23.04.02

Subject:

ILAs (PQ 49879)

Reason:

The question was properly answered by giving total numbers of providers in each category. It did not provide details of individual providers in line with the Department’s policy to treat information about individual undertakings of interest to their commercial competitors as confidential. This is dealt with by the Code of Practice on Access to Government Information, Part II paragraph 7. This allows exemption where ‘Information whose disclosure could lead to improper gain or advantage or would prejudice: commercial or contractual activities;’

01.03.02

Subject:

Meetings (PQ 32436)

Reasons:

Exemption 2—Internal discussion and advice is not made public. It is not normal practice of Governments to release details of specific meetings or their content as some of these discussions may have taken place on a confidential basis. Exemption 13—issues around commercial confidentiality may also be relevant.

27.06.02

Subject:

Meetings (PQ 62204)

Reasons: The Department considers that it acted appropriately in response to this question.

As it was a Round Robin PQ, The Private Office Business Team sought guidance from the Cabinet Office.

Cabinet Office issued the following guidance “Questions about ministerial meetings are regularly tabled. The Government’s policy is not to disclose details of meetings between outside interest groups and Ministers and officials on the grounds that some meetings will take place on a confidential basis.

This refers to Part II No 2 of the Code of Practice.

It may have been possible to collect the information from Ministers diaries, but it would have been very time-consuming to find out which officials engaged in meetings with the organisations mentioned.

This refers to Part II No 9 of the Code of Practice.

25.04.02

Subject: Professional Indemnity Insurance (PQ 50827)

Reason: Exemption 2—Internal discussion and advice is not made public.

14.05.02

Subject: Asylum seekers (PQ 54736)

Reason: The Department considers that it acted appropriately in response to this question as it was acting in accordance with the Data Protection Act 1998 and the Code of Practice on Access to Government Information.

The question asked us to identify the chief education officers and other interested organisations who had been consulted on the legislation which removed certain duties from local education authorities with respect to some children of asylum seekers housed in accommodation centres. It also asked that their responses be placed in the library.

There is an exemption (14) in the Code of Practice on Access to Government Information for “information supplied in confidence under a guarantee of confidentiality or where there is no legal obligation to supply it and where no consent to disclosure has been given”. Access to personal data must also be considered under the provisions of the Data Protection Act, which regulates the processing (including disclosure) of personal data (information about living individuals from which they can be identified). Processing has to comply with the eight principles of the Act, the first of which is that personal data should be processed “fairly and lawfully”.

At the time the consultation took place the policy was not in the public domain so the consultation was undertaken in confidence. Respondents were, therefore, given the expectation that their responses would be treated in confidence. So it would not be “fair” under the terms of the Act to disclose those responses, or themselves as the source of them without seeking their consent to do so. At the time the Parliamentary Question was asked the Department did seek their consent but without success. In these circumstances the Department would have been in breach of the Act to disclose the information requested.

MEMORANDUM 8

Submitted by the Department for Environment, Food and Rural Affairs

Clive Porro wrote to Brian Bender on 7 July seeking information about why certain information was withheld in answer to some Parliamentary Questions in the last Session. I have been asked to reply.

I attach this information set out in accordance with your requirements.

I am also attaching the Defra guidance on answering PQs. This has been taken directly from the Secretariat Website which is available to all members of staff.

September 2003

25/10/01

Subject: **PQ 352 Foot and Mouth Disease**

Reason: Exemption 12—Privacy of an individual. Personal information withheld on the grounds that its release to a third party could facilitate an unwarranted invasion of privacy.

03/04/02

Subject: **PQ 119 Foot and Mouth Disease**

Reason: Exemption 2—Internal Discussion and Advice. Information withheld on the grounds that it is not normal practice to release correspondence which was sent in confidence

22/04/02

Subject: **PQ 139 Foot and Mouth Disease**

Reason: Exemption 4—Law Enforcement and Legal proceedings and Exemption 13—Third Party’s Commercial Confidences. Information was withheld for legal reasons and because disclosure of commercial confidences could harm the competitive position of the third party.

21/5/02

Subject: **PQs 52 and 85 Foot and Mouth Disease**

Reason: Exemption 2—Internal Discussion and Advice. Information withheld on the grounds that internal discussion and advice is not normally made public and some of the information may have been given in confidence.

01/07/02

Subject: **PQ 190 Foot and Mouth Disease**

Reason: Exemption 4—Law Enforcement and Legal proceedings and Exemption 13—Third Party's Commercial Confidences. Information was withheld for legal reasons and because disclosure of commercial confidences could harm the competitive position of the third party.

20/11/01

Subject: **PQ 145 Special Advisers**

Reason: Exemption 12—Privacy of an individual. Personal information withheld on the grounds that its release to a third party could facilitate an unwarranted invasion of privacy.

05/12/01

Subject: **PQ 45 Advisory Group on Veterinary Medicines**

Reason: Exemption 14a—Information given in confidence. Information withheld on the grounds that it was made available to the Government under a statutory guarantee that its confidentiality would be protected.

08/01/02

Subject: **PQ 116 Sheep and Cattle Subsidies**

Reason: Exemption 12—Privacy of an individual. Personal information withheld on the grounds that its release to a third party could facilitate an unwarranted invasion of privacy.

14/01/02

Subject: **PQ 129 Green Ministers**

Reason: Exemption 2—Internal Discussion and Advice. Proceedings of Cabinet Committees is not made public.

25/02/02

Subject: **PQs 81 and 118 Meetings**

Reason: Exemption 2—Internal Discussion and Advice and Exemption 7—Effective Management and Operations of the Public service. Information withheld on the grounds that it is not normal practice to release details of specific meetings or their content as some of the discussion may have been in confidence.

18/03/02

Subject: **PQ 91 Transfer of Fishing Track Records**

Reason: Exemption 13—Third Party's Commercial Confidences. Information was withheld because disclosure of commercial confidences could harm the competitive position of the third party.

19/03/02

Subject: **PQ 69 Rural Enterprise and Vocational Training Schemes**

Reason: Exemption 13—Third Party’s Commercial Confidences. Information was withheld because disclosure of commercial confidences could harm the competitive position of the third party.

12/04/02

Subject: **PQ 104 Dangerous Substances Rule**

Reason: Exemption 2—Internal Discussion and Advice. Information withheld on the grounds that details of relations between the European Commission and Members States is confidential.

04/11/02

Subject: **PQ 55 Sea Angling**

Reason: Exemption 13—Third Party’s Commercial Confidences. Information was withheld because disclosure of commercial confidences could harm the competitive position of the third party.

06/11/02

Subject: **PQs 115,119 and 138 Internal Discussion and Advice**

Reason: Exemption 2—Internal Discussion and Advice. Information withheld on the grounds that it is not normal practice to release details of specific meetings or their content as some of the discussion may have been in confidence

MEMORANDUM 9

Submitted by the Foreign & Commonwealth Office

The Permanent Under Secretary of State, Sir Michael Jay, has asked me to reply to Clive Porro’s letter of 7 July.

One of the PQs was answered by the Department of Trade and Industry (8736). Of the remainder we provided a Code of Practice Exemption for PQs 850, 50833, 65413/4, 18628, 24622, 34903, 16565, 17951, 17450, 30657, 19885, 75869, 22865, 49480, 23232, 35837, 46225, 23765, 29118, 39714, 22930 & 74654 in the original answers. I enclose our return for those PQs answers for which we failed to provide a reference to the Code or a reason for withholding information.

I also attach a copy of the FCO’s formal instructions on answering parliamentary questions.

29 September 2003

No.	Date	Subject	Comment	qno.	col.	exemption
2	05/07/2001	Entry Clearance/visa	a) not practice to disclose details of individual entry clearance cases in a public forum	2487	258W	5
	16/07/2001		b) Not practice to disclose details of individual visa cases in a public forum	3146	45W	5

No.	Date	Subject	Comment	qno.	col.	exemption
	14/11/2001		c) Not policy to comment on individual visa cases in a public forum	13904	745W	5
3	12/07/001	Diplomats	Information on the numbers used to identify each country on diplomatic car licence plates withheld on security grounds	1683	587W	1b
4	13/7//01	Personal data	Not appropriate to disclose personal data except to the individual concerned (data Protection Act 1998) (the question concerned the date of a request for documents under the Act from Lord Ashcroft)	1000	678W	15a (Data Protection Act 1998)
5	18/07/2001	Ministerial duties	Not normal practice to publish ministerial duty roster	4901	262W	7b
6	20/07/2001	Contracts	a) Details of individual payments to contractors under PFI contracts usually commercially confidential	5730	496W	13
7	23/10/2002	Arms Sales	c) Cannot disclose details of possible diversion to undesirable ends users of military equipment sold to one country as much of the information is obtained from sensitive sources.	75690	361W	14 a & 14b
8	20/11/2001	International terrorism	Details of support by other countries not disclosed for operational reasons	13383	182W	1c
9	20/11/2001	Intelligence	a) Policy not to comment on details of intelligence and security matters	14946	182W	The security & Intelligence Services are not within the scope of the Code, nor is information obtained from or relating to them.
	29/11/2001		b) Not Government policy to comment on specific intelligence matters or assessments	18260/1 8268	1079W	The security & Intelligence Services are not within the scope of the Code, nor is information obtained from or relating to them.

No.	Date	Subject	Comment	qno.	col.	exemption
	04/12/2001		c) Cannot comment on intelligence matters (regarding terrorist organisations (in Yemen))	19131	211W	The security & Intelligence Services are not within the scope of the Code, nor is information obtained from or relating to them.
	22/01/2002		d) Policy not to comment on intelligence related arrangements that might exist between the UK and other countries	28624	776W	The security & Intelligence Services are not within the scope of the Code, nor is information obtained from or relating to them.
	22/01/2002		e) Long-standing practice not to comment on detail of confidential arrangements which might exist for the UK's national security	28628/9	774W	1a
	10/04/2003		f) Long-standing practice not to comment on detail of the staffing of the security and intelligence services (but presence of US NSA personnel at GCHQ confirmed)	47607	52W	The security & Intelligence Services are not within the scope of the Code, nor is information obtained from or relating to them.
	15/10/2002		g) Refusal to add to information given in the House on Lockerbie as a long-standing policy not to comment in intelligence matters	73716	528W	The security & Intelligence Services are not within the scope of the Code, nor is information obtained from or relating to them.
13	Weapons	23/04/2002	b) Estimate of number of Israeli nuclear and chemical weapons withheld as the practice of successive Governments not to comment on intelligence matters	49480	196W	The security & Intelligence Services are not within the scope of the Code, nor is information obtained from or relating to them.
14	14/01/2002	Staff	b) not normal practice to comment on discussions about ambassadorial appointments before they are agreed with the host government	27134	4W	8a

No.	Date	Subject	Comment	qno.	col.	exemption
	06/03/2002		d) Not policy to release internal diaries of Ambassadors	39512	815W	13
15	01/02/2002	Gibraltar	a) Minutes of meetings under Brussels process withheld as talks under process are confidential	32729	593W	1b
17	14/02/2002	Meetings: Ispat International	Not normal practice to release details of meetings with private individuals & companies	33114	567W	13
20	07/05/2002	UK nationals abroad	a) Cannot release details of individuals consular cases (In Saudi Arabia)	53917	153W	15a (Data Protection Act)
	24/06/2002		b) Do not discuss in public the details of contingency plans for evacuation of british nationals from any country (questions on India/Pakistan)	61197	695W	1a
	09/05/2002		c) Inappropriate to comment on details of case of plan spotters in Greece while appeal ongoing	54218	308W	4a
21	24/06/2002	Zimbabwe	Not appropriate to list recent security measures taken to protect the High Commission	63650	694W	1a
22	27/06/2002	Convention on the Future of Europe	Single reply to 115 questions from Mr Bercow on the Conventions & correspondence received by FCO	64049 (& 114 others)	1007-1026W	9

MEMORANDUM 10

Submitted by the Department of Health

Thank you for your letter of 7 July about the Department's blocked questions in the 2001-02 session.

Our response on each of these is in the attached table.

You also asked for a copy of our guidance on answering parliamentary questions. We do have instructions on our intranet, but they deal with how to use our internal systems. For generic guidance on how to answer the PQs themselves, we use the Cabinet Office guidance, with which you will already be familiar.

11 November 2003

5 July 2001

Subject: **Blind People (1725)**

Reason: The Department holds information about this for England only. The information provided about the number of guide dog owners in the UK

was obtained from the Guide Dogs for the Blind Association (the UK-wide registered charity that provides guide dogs). This was provided in an attempt to be helpful to the questioner, although with hindsight it would also have been helpful to have cited the source of that information

28 January 2002

Subject: **Overseas treatment (29717)**

Reason: Exemption 13: The release of this information would entail disclosing a third party's commercial confidences, which would harm the competitive position of that company.

11 March 2002

Subject: **Overseas treatment (11042)**

Reason: Exemption 4 (d): The information requested is covered by legal professional privilege; and, Exemption 2: advice to Ministers is confidential.

30 January 2002

Subject: **GPs (31357)**

Reason: Exemption 15: The Data Protection Act places a statutory restriction on our releasing information about individual GPs' list sizes (for the reasons set out in the answer); and, Exemption 12: the release of this information would constitute an unwarranted invasion of individual GPs' privacy.

5 March 2002

Subject: **Vaccines (38679 and 38680)**

Reason: Exemption 13: The release of this information would entail disclosing a third party's commercial confidences, which would harm the competitive position of that company.

12 March 2002

Subject: **Vaccines (12859)**

Reason: Exemption 1(a): The release of this information would harm national security.

25 April 2002

Subject: **Vaccines (50792)**

Reason: Exemption 1(a): The release of this information would harm national security.

15 May 2002

Subject: **Vaccines (53897)**

Reason: Exemption 1(a): The release of this information would harm national security.

15 October 2002

Subject: **Vaccines (74234 and 74235)**

Reason: Exemption 13: The release of this information would entail disclosing a third party's commercial confidences, which would harm the competitive position of that company.

29 October 2002

Subject: **Vaccines (75386)**

Reason: Exemption 1(a): The release of this information would harm national security.

7 November 2002

Subject: **Vaccines (54660)**

Reason: Exemption 2: It is not the normal practice of the Government to release details of specific meetings or their content as some of these discussions may have taken place on a confidential basis.

6 March 2002

Subject: **Enron (32429)**

Reason: Exemption 2: It is not the normal practice of the Government to release details of specific meetings or their content as some of these discussions may have taken place on a confidential basis.

12 March 2002

Subject: **NHS Personnel (7597)**

Reason: We could have answered this question along the lines set out below*, but in an attempt to be helpful, we gave the *available* information in a way that tried to summarise the distribution of salaries, bonuses and related expenditure between NHS trusts. In hindsight, it would also have been helpful to provide separate information for individual NHS trusts, where this was available.

* "Information on the salaries of individual hospital trust chief executives is incomplete because some chief executives may lawfully refuse disclosure of salary information. Available information is included in the accounts for individual trusts, which are published locally".

22 July 2002

Subject: **NHS Personnel (56922–27, 56929–30)**

Reason: Exemption 12: the release of this information would constitute an unwarranted invasion of individual NHS employees' privacy. Anonymised data was therefore given instead.

23 May 2002

Subject: **48 hour access target (56928)**

Reason: This PQ does not belong in the group above.

22 July 2002

Subject: **NHS Personnel (71574)**

Reason: Exemption 8(a): the information requested is confidential, forming part of one of the Department's employees' personnel records.

25 March 2002

Subject: **Abattoirs (40972)**

Reason: Exemption 13: The release of this information would entail disclosing third parties' commercial confidences, which would harm the competitive position of those companies. The throughput of individual slaughterhouses (whether actual or maximum capacity) is commercially confidential because a competitor could gain an advantage in business from that knowledge.

17 April 2002

Subject: **Healthcall (49328)**

Reason: This is a DTI question.

8 May 2002

Subject: **Advice by NHS Trust (51931)**

Reason: Exemption 2: The content of internal discussion and advice is not made public.

7 November 2002

Subject: **Advisors' fees (76811)**

Reason: Exemption 13: The release of this information would entail disclosing a third party's commercial confidences, which would harm the competitive position of that company.

MEMORANDUM 11

Submitted by the Home Office

Thank you for your letter of 7 July 2003, please find enclosed (Annex A) a copy of our response to the Public Administration Select Committee. Attached also is a copy of the information in disk form.

Please also find enclosed (Annex B) the current guidance issued to Home Office officials regarding the answering of Parliamentary Questions. The information is administered at an internal Parliamentary Question Training course. Annex C is a further piece of guidance issued to officials; this however is unavailable in electronic form.

2 October 2003

16.07.01

Subject: **Police: internal inquiries**

Reason: Exemption 4, 12 and 14—As already indicated ministers would have had no authority to arrange publication of the Hoddinott report. The areas of the Code relating to such investigations are Law enforcement and legal proceedings, Privacy of an individual and Information given in confidence.

- 16.10.01
 Subject: **Police: operational matters**
 Reason: Exemption 9—The request for information in this question would have meant putting the question to each individually, then each force would have had to contact each police station.
- 22.10.01
 Subject: **Police: operational matters**
 Reason: A full response was given to this question—this has been discussed with the Clerk of the committee.
- 22.10.01
 Subject: **Police: operational matters**
 Reason: A full response was given to this question—this has been discussed with the Clerk of the committee.
- 24.10.01
 Subject: **Police: operational matters**
 Reason: A full response was given to this question—this has been discussed with the Clerk of the committee.
- 19.11.01
 Subject: **Police: operational matters**
 Reason: A full response was given to this question—this has been discussed with the Clerk of the committee.
- 21.03.02
 Subject: **Police: complaints**
 Reason: Exemption 9—Requests for information which are vexatious or manifestly unreasonable or are formulated in too general a manner, or which (because of the amount of information to be processed or the need to retrieve information from files not in current use) would require unreasonable diversion of resources
- 29.04.02
 Subject: **Police: demonstrations**
 Reason: Exemption 4—Guidance which outlines police tactics in public order situations is not disclosed on the grounds that it would harm public safety and order.
- 17.07.01
 Subject: **Extradition requests**
 Reason: Exemption 1 and 4—confidentiality in this case relates to the second paragraph of “Law enforcement and legal proceedings” reasons. It also relates to the third paragraph of “Defence, security and international relations” because the information (extradition request) would have been received from a foreign government or court.

24.10.01

Subject: **Extradition requests**

Reason: Exemption 1 and 4—confidentiality in this case relates to the second paragraph of “Law enforcement and legal proceedings” reasons. It also relates to the third paragraph of “Defence, security and international relations” because the information (extradition request) would have been received from a foreign government or court.

17.04.02

Subject: **Extradition requests**

Reason: Exemption 1 and 4—Information whose disclosure would harm national security or defence, or whose disclosure would harm the conduct of international relations or affairs. There are also reasons of legality for withholding information.

19.07.01

Subject: **Ministerial duties**

Reason: Exemption 1, 2 and 7—Not practise to publish the ministerial roster, as this may be information could endanger national security. It also contained information of internal discussions and advice. The information if disclosed could lead to improper gain or advantage.

19.07.01

Subject: **Intelligence**

Reason: Exemption 1—Defence, security and international relations. Information whose disclosure would harm national security or defence. It is therefore practise when answering such questions to adopt neither confirm nor deny approach.

14.11.01

Subject: **Intelligence**

Reason: Exemption 1—Defence, security and international relations. Information whose disclosure would harm national security or defence. It is therefore practise when answering such questions to adopt neither confirm nor deny approach.

14.02.02

Subject: **Intelligence**

Reason: Exemption 1—Defence, security and international relations. Information whose disclosure would harm national security or defence. It is therefore practise when answering such questions to adopt neither confirm nor deny approach.

24.04.02

Subject: **Intelligence**

Reason: Exemption 1—Defence, security and international relations. Information whose disclosure would harm national security or defence. It is therefore

practise when answering such questions to adopt neither confirm nor deny approach.

29.10.02

Subject: **Intelligence**

Reason: Exemption 1—Defence, security and international relations. Information whose disclosure would harm national security or defence. It is therefore practise when answering such questions to adopt neither confirm nor deny approach.

15.10.01

Subject: **Immigration**

Reason: Exemption 4, 5 and 12—Information relating to immigration, nationality, information will be provided, though not through access to personal records, any disclosure which would constitute or could facilitate an unwarranted invasion of privacy. Finally information may have endanger the life or physical safety of any person.

18.10.01

Subject: **Immigration**

Reason: Exemption 7 and 13—Effective management and operations of the public service. Information whose disclosure could lead to improper gain or advantage, negotiations or the effective conduct of personnel management, or commercial or contractual activities.

24.10.01

Subject: **Immigration**

Reason: Exemption 1, 4, 5 and 12—Defence, security and international relations, non-disclosure of information which could endanger the life or physical safety of any person. Finally information was omitted because of personal immigration records and the privacy of the individual.

13.11.01

Subject: **Immigration**

Reason: Exemption 5 and 12—The Secretary of State does answer questions on immigration matters where they relate to policy, but does not answer questions where the privacy would be infringed.

18.12.01

Subject: **Immigration**

Reason: Exemption 7 and 13—Effective management and operations of the public service. Information whose disclosure could lead to improper gain or advantage, negotiations or the effective conduct of personnel management, or commercial or contractual activities.

02.05.02

Subject: **Immigration**

Reason: Exemptions 7 and 13—Disclosure of the information requested would have both prejudiced our ability to conduct negotiations on contractual activities. It would also have harmed the competitive position of a third party, namely those bidding for contracts to run accommodation centres, and in these cases the harm which is likely to have arisen from disclosure outweighed the public interest in making the information available.

02.05.02

Subject: **Immigration**

Reason: Exemption 13—Information including commercial confidences, trade secrets or intellectual property whose unwarranted disclosure would harm the competitive position of a third party. The insurance claim has not yet been settled.

09.05.02

Subject: **Immigration**

Reason: Exemption 1—information was withheld on the basis that its disclosure would harm national security and the conduct of international relations or affairs, and the harm which was likely to have arisen from disclosure would have outweighed the public interest in making information available.

23.07.02

Subject: **Immigration**

Reason: Exemptions 7 and 13—Disclosure of the information requested would have both prejudiced our ability to conduct negotiations on contractual activities. It would also have harmed the competitive position of a third party, namely those bidding for contracts to run accommodation centres, and in these cases the harm which is likely to have arisen from disclosure outweighed the public interest in making the information available.

19.09.02

Subject: **Immigration**

Reason: Exemptions 7 and 13—Disclosure of the information requested would have both prejudiced our ability to conduct negotiations on contractual activities. It would also have harmed the competitive position of a third party, namely those bidding for contracts to run accommodation centres, and in these cases the harm which is likely to have arisen from disclosure outweighed the public interest in making the information available.

06.11.01

Subject: **Security measures**

Reason: A Home Office Minister did not answer this question we believe it was answered by DTI—this has been discussed with the Clerk of the committee.

15.04.02

Subject: **Security measures**

Reason: Exemption 4—Disclosing information regarding the Golden Jubilee security arrangements could have harmed the public safety and public order or could have endangered the life or physical safety of any person and identity for a security operation.

23.10.02

Subject: **Security measures**

Reason: Exemption 1—any refusal to disclose would stem from the policy of not providing a breakdown of the arrangements for protective security in case of compromising such operations.

03.12.01

Subject: **Legal advice**

Reason: Exemption 4—Information requested is covered by legal professional privilege.

10.01.02

Subject: **Charter of Fundamental Rights**

Reason: Exemption 1—information whose disclosure would harm national security and may harm the conduct of international relations with respect to non-binding conventions.

16.01.02

Subject: **Terrorists**

Reason: Exemption 4—SIAC (Special Immigration Appeals Commission) has made three separate orders/direction under section 11 of the Contempt of Court Act 198, which prevent publication of the names of those detained under the ATCS Act or publication of any other details from which their identities could be deduced.

23.01.02

Subject: **Terrorists**

Reason: Exemption 1 and 4—The government has never commented on ongoing anti-terrorist investigations.

10.06.02

Subject: **Terrorists**

Reason: Exemption 1—It has been a longstanding policy not to provide a breakdown of the arrangements for protective security—including costs—afforded to individuals. Providing such details could provide useful information for individuals or organisations wishing to compromise such operations. Furthermore, the government does not routinely disclose information on what we know or do not know about the capabilities of terrorist organisations. Providing such information could compromise ongoing operations and future intelligence gathering.

23.01.02

Subject: **Saville inquiry**

Reason: Exemption 1—It has been a longstanding policy not to provide a breakdown of the arrangements for protective security—including costs—afforded to individuals. Providing such details could provide useful information for individuals or organisations wishing to compromise such operations.

31.01.02

Subject: **Keith Hellowell (Special Advisors)**

Reason: Exemption 12—Information was withheld in order to protect the individual.

08.02.02 (actual date: 31.01.02)

Subject: **Meetings (Arthur Andersen)**

Reason: Exemption 2—the answer would have included information of internal opinion, advice and consultation.

12.03.02

Subject: **Money laundering**

Reason: Exemption 4—the contents of such reports would remain confidential as the disclosure of information could prejudice the enforcement or proper administration of the law, and the apprehension of offenders.

15.03.02

Subject: **(Contracts) Protec**

Reason: Exemption 1 and 13—The answer would have contained information that included commercial confidences, and may also have affected national security.

30.04.02

Subject: **Prisons**

Reason: Exemption 12—it is regarded that names of those appointed to the Board of Visitors in England and Wales are exempt for their personal safety. Disclosure would be, or could facilitate an unwarranted invasion of privacy and would not be in the public interest.

09.05.02

Subject: **Prisons**

Reason: Exemption 4 and 12—it is standard practice not to publish names of those appointed to visiting committees, as information whose disclosure could endanger the life or physical safety of any person. Unwarranted disclosure to a third party of personal information about any person or any other disclosure which would constitute or could facilitate an unwarranted invasion of privacy.

22.07.02

Subject: **Prisons**

Reason: Exemption 2—it was not appropriate to comment on decisions of the parole board, this would therefore fall under internal discussion and advice, information whose disclosure would harm the frankness and candour of internal discussion.

15.10.02

Subject: **Prisons**

Reason: Exemption 12 and 14—Medical details relating to any prisoner cannot be disclose for reason of confidentially, and where privacy would be infringed.

09.05.02

Subject: **Criminal Case review commission**

Reason: Exemption 12—Privacy of an individual, information provided for the answer was from the Criminal Cases Review Commission which is sponsored by the Justice and Victims Unit. The commission does not publicly release details of its cases or their applicants.

13.05.02

Subject: **Internal discussions**

Reason: Exemption 2—Disclosure of information discussed in relation to illegal meat products falls into that, which would harm the frankness and candour of internal discussion.

01.07.02

Subject: **Royal Prerogative of Mercy**

Reason: Exemption 2—As disclosed in the answer, information was retained due to internal discussion and advice under; projections and assumptions relating to internal policy analysis; analysis of alternative policy options and information relating to rejected policy options.

18.07.02

Subject: **Cabinet committees**

Reason: Exemption 2—Internal discussion and advice Information, whose disclosure would harm the frankness and candour of internal discussion, including; proceedings of Cabinet and Cabinet committees; therefore a full reply was not appropriate.

MEMORANDUM 12*Submitted by the Department for International Development*

Thank you for your letter of 7 July seeking further information about why certain information was withheld in answer to some PQs in the last Parliamentary Session.

Below is a schedule providing more detail, where appropriate, why the Secretary of State decided to withhold certain information. It refers to exemptions in the Code of Access to Government Information and, as suggested, follows the format of the return from the Prime Minister's Office last year.

I attach an extract from internal guidelines on Parliamentary business which concern answering parliamentary questions.

15 September 2003

13.07.01

Subject: Belize

Reason: Exemption 1b—information whose disclosure would harm the conduct of international relations or affairs.

13.12.01

Subject: British Geological Survey Report (Bangladesh)

Reason: Exemption 4—information whose disclosure could prejudice the administration of justice (including fair trial), legal proceedings or the proceedings of any tribunal, public inquiry or other formal investigations (whether actual or likely).

12.03.02

Subject: LNM Holdings

Reason: Exemption 2—confidential communications between departments, public bodies and regulatory bodies.

1.07.02

Subject: Export licences

Reason: Exemption 2—confidential communications between departments, public bodies and regulatory bodies.

4.07.02

Subject: Green Ministers

Reason: Exemption 2—proceedings of Cabinet committees are exempt.

MEMORANDUM 13

Submitted by the Northern Ireland Office

Thank you for your letter of 7 July 2003 in which you asked for a fuller explanation as to why it was necessary to withhold information in answering particular Parliamentary Questions during the 2001-2002 session. I attach a list in the form requested.

I also attach a copy of the most recent internal NIO guidance on the answering of Parliamentary Questions.

We will aim to ensure that in future the relevant part of the Code will be referred to in those cases where we have to withhold information.

7 October 2003

20 July 2001

Subject: **Ammunition (PQs 1227 and 1229)**

Reason: Exemption 1a—Information withheld on the grounds that this is sensitive information, the disclosure of which would harm national security or defence.

27 November 2001

Subject: **Operational Guidelines on Plastic Baton Rounds (PQ 17752)**

Reason: Exemption 1a—Information withheld on the grounds that this is sensitive information, the disclosure of which would harm national security or defence.

15 October 2001

Subject: **Schools (PQs 7125 and 7126)**

Reason: Although not covered in the Code as an exemption, the issues covered by these questions were the responsibility of the Northern Ireland Executive. They therefore did not fall within the responsibilities of the Secretary of State for Northern Ireland.

15 October 2001

Subject: **Foot and Mouth (PQ 2737)**

Reason: Although not covered in the Code as an exemption, the issue covered by this question was the responsibility of the Northern Ireland Executive. It therefore did not fall within the responsibilities of the Secretary of State for Northern Ireland.

25 October 2001

Subject: **PFI (PQs 5720-5721)**

Reason: Although not covered in the Code as an exemption, the issue covered by this question was the responsibility of the Northern Ireland Executive. It therefore did not fall within the responsibilities of the Secretary of State for Northern Ireland.

29 October 2001

Subject: **Population Statistics (PQ 11055)**

Reason: Although not covered in the Code as an exemption, the issue covered by this question was the responsibility of the Northern Ireland Executive. It therefore did not fall within the responsibilities of the Secretary of State for Northern Ireland.

29 October 2001

Subject: **Prisoner Releases (PQ 11056)**

Reasons: Exemption 4f—Information whose disclosure could endanger the life or physical safety of any person, or identify the source of information or assistance given in confidence for law enforcement or security purposes; and

Exemption 12—Unwarranted disclosure to a third party of personal information about any person (including a deceased person) or any other disclosure which would constitute or could facilitate an unwarranted invasion of privacy.

11 March 2002

Subject: **Prisoner Releases (PQ 41618)**

Reason: Exemption 4f—Information whose disclosure could endanger the life or physical safety of any person, or identify the source of information or assistance given in confidence for law enforcement or security purposes; and

Exemption 12—Unwarranted disclosure to a third party of personal information about any person (including a deceased person) or any other disclosure which would constitute or could facilitate an unwarranted invasion of privacy.

7 November 2001

Subject: **IRA Weapons (PQ 10874)**

Reason: Exemption 1a—Information withheld on the grounds that this is sensitive information, the disclosure of which would harm national security or defence.

29 November 2001

Subject: **Police informants (PQ 17806)**

Reason: Exemption 4f—Information whose disclosure could endanger the life or physical safety of any person, or identify the source of information or assistance given in confidence for law enforcement or security purposes.

10 December 2001

Subject: **Police reserve (PQ 20373)**

Reason: Exemption 1a—Information withheld on the grounds that this is sensitive information, the disclosure of which would harm national security or defence.

16 January 2002

Subject: **Real IRA (PQ 25656)**

Reason: Exemption 1a—Information withheld on the grounds that this is sensitive information, the disclosure of which would harm national security or defence.

24 January 2002

Subject: **Ministerial transport (PQ 28105)**

Reason: Exemption 1a—Information withheld on the grounds that this is sensitive information, the disclosure of which would harm national security or defence.

19 March 2002

Subject: **Nuclear Plants (Security) (PQ 35340)**

Reason: Exemption 1a—Information withheld on the grounds that this is sensitive information, the disclosure of which would harm national security or defence.

12 April 2002

Subject: **Terrorism (PQ 44323 and 44324)**

Reason: Exemption 1a—Information withheld on the grounds that this is sensitive information, the disclosure of which would harm national security or defence.

23 October 2002

Subject: **Intelligence Matters (PQ 74006)**

Reason: Exemption 1a—Information withheld on the grounds that this is sensitive information, the disclosure of which would harm national security or defence.

MEMORANDUM 14

Submitted by the Prime Minister's Office

Thank you for your letter of 7th July asking for information about why certain information was withheld by the Prime Minister in answer to certain Parliamentary Questions in the 2001–02 session. Please accept my apologies for the delay in replying.

I enclose the reply for the Prime Minister's Office in the specified format. I have also arranged for you to receive a version of the reply electronically, including on disk as requested.

The Prime Minister's office ensures that the guidance contained in *Guidance to Officials on Drafting Answers to Parliamentary Questions* is followed in the preparation of all Parliamentary Answers. This includes ensuring that the relevant exemption from the *Code of Practice on Access to Government Information* is cited in the Answer when material information is withheld. The Prime Minister's office does not produce any additional internal guidance or instructions on answering PQs.

9 October 2003

03.07.01

Subject: **Cabinet Committees (PQ UIN—1977)**

Reason: Exemption 2—Membership of Cabinet Committees is made public. However, information relating to internal discussion is not disclosed under Exemption 2 of the Code.

30.01.02

Subject: **National Air Traffic Services (PQ UINs—31607, 31608, 31651 and 31652)**

Reason: Exemption 2—As the Answer made clear, internal discussion and advice is not made public under Exemption 2 of the Code.

21.10.02

Subject: **Cabinet Committees (PQ UIN—75455)**

Reason: Exemption 2—Membership of Cabinet Committees is made public. However, information relating to internal discussion is not disclosed under Exemption 2 of the Code.

16.07.01

Subject: **Black Police Association (PQ UIN—4352)**

Reason: Exemptions 7 and 12—It is not normal practice of Governments to release details of specific meetings or their content as some of these discussions may have taken place on a confidential basis. Protection of the right to privacy of individuals on outside groups is also relevant.

20.07.01

Subject: **Hinduja Brothers (PQ UIN—5479)**

Reason: Exemption 2—It is not the normal practice of Government to make public correspondence which is sent in confidence or to release information relating to internal advice and consultation.

22.11.01

Subject: **Freedom of Information Act (PQ UIN—14834)**

Reason: Exemption 2—Internal discussion and advice is not made public under exemption 2 of the Code.

19.12.01

Subject: **National Health Service Review (PQ UINs—24092 and 24618)**

Reason: Exemption 2—Internal discussion and advice is not made public under exemption 2 of the Code.

15.10.01

Subject: **Afghanistan (PQ UIN—8036)**

Reason: Exemption 1—Information whose disclosure would harm national security, defence or the conduct of international relations, and information received in confidence from foreign governments, is not made public.

19.12.01

Subject: **Interception of Communications (PQ UIN—24376)**

Reason: Exemption 1a—Information whose disclosure would harm national security or defence applies in respect of the Government's policy neither to confirm nor deny allegations in respect of interception matters. However, the substantive Answer to these particular Questions explained the background to the departure from this policy on this occasion.

24.10.01

Subject: **Ministers (PQ UINs—9632, 9635 and 9636)**

Reason: Exemption 2—It is not the normal practice of Government to release details of specific meetings and their content as some of these discussions may have taken place on a confidential basis.

29.11.01

Subject: **Pledge to British Muslims (PQ UIN—15121)**

Reason: Exemption 2—Internal discussion, consultation and advice is not made public.

09.01.02

Subject: **Honours (PQ UIN—25392)**

Reason: Exemption 8c—Information, opinions and assessments given in relation to recommendations for honours are not made public.

14.01.02

Subject: **Forward Strategy Unit (PQ UINs—25974 and 25976)**

Reason: Exemption 2—Internal discussion and advice is not made public.

12.02.02

Subject: **Performance and Innovation Unit (PQ UINs—34060, 34054 and 33975)**

Reason: Exemption 2 and Exemption 13—It is not normal practice of Governments to release details of specific meetings or their content as some of these discussions may have taken place on a confidential basis. Issues of commercial confidentiality also apply.

25.03.02

Subject: **Strategic Rail Authority (PQ UIN—45709)**

Reason: Exemption 2—It is not normal practice of Governments to release details of specific meetings or their content as some of these discussions may have taken place on a confidential basis.

21.01.02

Subject: **Staff (Terms of Employment) (PQ UIN—28500)**

Reason: Exemption 8a and Exemption 12—Personnel records are not made public. Protection of the individual's right to privacy is also relevant.

22.01.02

Subject: **Lord Birt (PQ UINs 29183, 29184, 29185 and 29186)**

Reason: Exemption 2—It is not the normal practice of Government to release details of specific meetings or their content as some of these discussions may have taken place on a confidential basis.

Exemption 8a and Exemption 12—Personnel records are not made public. Protection of the individual's right to privacy is also relevant.

23.01.02

Subject: **Lord Birt (PQ UIN—29653)**

Reason: Exemption 2—As made clear in the Answer, internal discussion and advice is not made public.

01.03.02

Subject: **Press Officers (PQ UIN—39365)**

Reason: Exemption 8a and Exemption 12—Personnel records are not made public. Protection of the individual's right to privacy is also relevant.

23.01.02

Subject: **Terrorist Attacks (PQ UIN—28646)**

Reason: Exemption 1a—Information whose disclosure would harm national security or defence is not made public.

30.01.02

Subject: **Hospitality (PQ UIN—31606)**

Reason: Exemption 2, Exemption 7 and Exemption 12—It is not normal practice of Governments to release details of specific meetings or their content as some of these discussions may have taken place on a confidential basis. Protection of the individual's right to privacy is also relevant.

11.02.02

Subject: **Broadcasting and Telecommunications Reception (PQ UIN—34771)**

Reason: Exemption 2, Exemption 7 and Exemption 12—It is not normal practice of Governments to release details of specific meetings or their content as some of these discussions may have taken place on a confidential basis. Protection of the individual's right to privacy is also relevant.

04.02.02

Subject: **Enron (PQ UIN—33303)**

Reason: Exemption 2—It is not the normal practice of Governments to release details of specific meetings or their content as some of these discussions may have taken place on a confidential basis. The substantive Answer explains why normal practice was not applied on the occasion in question.

14.02.02

Subject: **British companies (PQ UIN—37011)**

Reason: Exemption 1b and Exemption 13—As the Answer makes clear, information whose disclosure would harm the conduct of international relations or affairs is not made public. Issues of commercial confidentiality also apply.

26.03.02

Subject: **Peers (Salaried Appointments) (PQ UIN—40870)**

Reason: Answer made clear that information requested is not held centrally and could only be obtained at disproportionate cost. The substantive Answer

included information about an individual appointment. In line with Exemption 12 of the Code, information that would constitute an unwarranted invasion of privacy is not disclosed.

10.04.02

Subject: **Property protection (PQ UIN—47252)**

Reason: Exemption 1a and Exemption 7—Information whose disclosure would harm national security and defence, and harm the proper and efficient conduct of the operations of a department is not made public.

13.05.02

Subject: **The Queen Mother (PQ UIN—55826)**

Reason: The answer made clear that in line with a long standing convention for dealing with wills of senior members of the Royal Family, an order was made by the High Court for the sealing of the Queen Mother's will meaning that the will cannot be inspected or published.

MEMORANDUM 15

Submitted by the Scotland Office

Further to my letter of 30 December to Clive Porro, I am now writing to provide a substantive reply to his letter of 7 July 2003.

Mr Porro's letter requested advice on the answers given by Scotland Office Ministers and the Advocate General for Scotland in response to certain parliamentary questions in the 2001–02 session. I attach a list of those questions with advice on the reply to each one. I also attach, again as requested by Mr Porro, a copy of the Scotland Office's current instructions on answering parliamentary questions.

I am sending the attached material by e-mail and on disk.

I regret that the reorganisation of the Scotland Office has resulted in such a long delay in providing the attached information.

16 January 2004

6.11.01

Subject: **Legal advice**

Reason: There is a longstanding convention that the fact that the Law Officers have been consulted is not publicly disclosed. This is consistent with paragraphs 2 and 4(d) of Part II of the Code of Practice on Access to Government Information.

25.01.02

Subject: **Legal Advice**

Reason: There is a longstanding convention that the fact that the Law Officers have been consulted is not publicly disclosed. This is consistent with paragraphs 2 and 4(d) of Part II of the Code of Practice on Access to Government Information.

16.11.01

Subject: **Royal Prerogative**

Reason: We do not regard the answer as refusal to disclose information. The answer made clear that the information requested—the number of times ministerial decisions were made under the Royal Prerogative—was not recorded by the Department.

27.11.01

Subject: **Nuclear installations**

Reason: Exemption 1a—Information withheld on the grounds that the disclosure of details of security measures at civil nuclear sites could harm national security or defence.

14.02.02

Subject: **Scottish Parliament**

Reason: Exemption 2—Information relating to internal opinion, advice, recommendation, consultation and deliberation is confidential.

11.07.02

Subject: **Government liabilities**

Reason: The Government is not answerable to the House of Commons for policies or decisions of the Scottish Executive in areas of responsibility devolved to the Scottish Parliament.

6.11.02

Subject: **Friends of Scotland**

Reason: Exemption 14—Information withheld because it was supplied in confidence by persons who gave their names under a statutory guarantee that their confidentiality would be protected.

MEMORANDUM 16

Submitted by the Department of Trade and Industry

Thank you for your letter enclosing this year's list of questions that the Table Office have identified as withholding information. I am now in a position to provide my Department's memorandum in response.

The memorandum includes responses to the additional two questions that you identified to the Parliamentary Clerk.

As requested I have also enclosed a copy of the Department's latest instructions on answering parliamentary questions.

7 October 2003

1 12.07.01

Subject: Cheque Shops (3061)

- Reason: Under the Consumer Credit Act 1974, the Director General of Fair Trading as the enforcement authority, holds responsibility for issuing, monitoring and revoking licenses in the consumer credit market.
- 2 18.07.01
Subject: Data Protection Act (3820)
Reason: Exemption 15: Statutory and other restrictions, specifically information whose disclosure is prohibited by or under any enactment, in this case the Data Protection Act 1998.
- 3 18.07.01
Subject: Post Office (4591)
Reason: The Postal Services Act 2000 redefined the respective roles of the Government and the Post Office as regards postal services and allowed the company greater commercial freedom. Under these arrangements, the restructuring of sorting offices and any impact on jobs are operational matters for the company.
- 30.10.01
Subject: Universal Bank (10130)
Reason: Exemption 13: Third Party commercial confidences. As the answer states, negotiations were taking place and therefore the information being exchanged had some commercial value.
- 29.01.02
Subject: Consignia strategy plan (30105)
Reason: Exemption 13: Third Party commercial confidences. Where the information discussed had a commercial value.
- 19.03.02
Subject: Consignia and National Federation of Sub Postmasters(43337)
Reason: The Postal Services Act 2000 redefined the respective roles of the Government and the Post Office as regards postal services and allowed the company greater commercial freedom. Under these arrangements, the restructuring of sorting offices and any impact on jobs are operational matters for the company.
- 19.04.02
Subject: Consignia and Dutch Postal Service (48635)

- Reason: Exemption 13: Third Party commercial confidences.
Where the information discussed had a commercial value.
- 19.09.02
Subject: Redundancy packages at Consignia (72507/72491)
Reason: The Postal Services Act 2000 redefined the respective roles of the Government and the Post Office as regards postal services and allowed the company greater commercial freedom. Under these arrangements, the restructuring of sorting offices and any impact on jobs are operational matters for the company.
- 4 18.07.01
Subject: Ministerial duties (4891)
Reason: The availability of Ministers is not made public.
- 5 20.07.01
Subject: Meetings with representatives of the retail petrol industry (5308) and 24.07.02 (71466/71469)
Reason: Exemption 13: Third Party commercial confidences.
Where the information discussed had a commercial value.
Exemption 14. Information given in confidence.
- 11.02.02
Subject: Meetings (32101)
Reason: Exemption 13: Third Party commercial confidences.
Where the information discussed had a commercial value.
Exemption 14. Information given in confidence.
- 11.02.02
Subject: Meetings with Private individuals (32812) (32919) (34056) (34053) (34061) and 14.02.02(33115/36739); 4.03.03 (39668/37929/38853) 1.03.02 (35070); 7.05.02 (52164)
Reason: Exemption 13: Third Party commercial confidences.
Where the information discussed had a commercial value.
Exemption 14. Information given in confidence.
- 6 20.07.01
Subject: Departmental legal advice (4301)
Reason: Exemption 4d: Information covered by legal professional privilege.
- 7 20.07.01

- Subject: Company investigations (5900)
Reason: Exemption 4(b) Information whose disclosure could prejudice the enforcement or proper administration of the law.
- 18.10.01
Subject: Company investigations (6635/6633)
Reason: Exemption 4 (a) Information whose disclosure could prejudice the administration of justice (including fair trial), legal proceedings or the proceedings of any tribunal, public inquiry or other formal investigations (whether actual or likely) or whose disclosure is, has been, or is likely to be addressed in the context of such proceedings.
- 21.03.02
Subject: Company investigations (41166)
Reason: Exemption 4 (b) Information whose disclosure could prejudice the enforcement or proper administration of the law.
- 24.07.02
Subject: Company investigations (70754)
Reason: Exemption 4 (b) Information whose disclosure could prejudice the enforcement or proper administration of the law.
- 8 22.10.01
Subject: Individual companies (8182)
Reason: Exemption 4 (b) Information whose disclosure could prejudice the enforcement or proper administration of the law.
- 10.12.01
Subject: Individual companies (19784)
Reason: Exemption 4 (b) Information whose disclosure could prejudice the enforcement or proper administration of the law.
- 24.01.02
Subject: Individual companies (29474)
Reason: Exemption 13: Third Party commercial confidences. Where the information discussed had a commercial value.
Exemption 14. Information given in confidence.
- 9 29.10.01

Subject: Nuclear (8372)
and 6.11.01 (10674/11544); 22.11.01 (16186); 18.01.02 (25891); 24.01.02 (29831); 10.06.02 (58899)

Reason: Exemption 1: information whose disclosure would harm national security, including the protection of sites that may be at risk.

15.11.01

Subject: Nuclear (14693)

Reason: Exemption 13: Third Party commercial confidences
Information whose unwarranted disclosure would harm the competitive position of a third party.

15.11.01

Subject: Nuclear (14688)

Reason: Exemption 1: information whose disclosure would harm national security, including the protection of sites that may be at risk.

20.11.01

Subject: Nuclear (14860)

Reason: Exemption 13: Third Party commercial confidences
Information whose unwarranted disclosure would harm the competitive position of a third party.

20.11.01

Subject: Nuclear (15851)

Reason: Exemption 13: Third Party commercial confidences
Information whose unwarranted disclosure would harm the competitive position of a third party.

8.05.02

Subject: Nuclear (53139)
and 22.07.02 (69133); 19.09.02 (69134); 15.10.02 (73952)

Reason: Exemption 1: information whose disclosure would harm national security, including the protection of sites that may be at risk.

14.05.02

Subject: Nuclear (54363)

Reason: Exemption 15: Statutory and other restrictions, specifically information whose disclosure is prohibited by or under any enactment.

11.07.02

Subject: Nuclear (67641)

- Reason: Exemption 13: Third Party commercial confidences
Information whose unwarranted disclosure would harm the competitive position of a third party.
- 19.09.02
Subject: Nuclear (69446/69502)
Reason: Exemption 14. Information given in confidence.
- 10 14.11.01
Subject: Competition (12091)
Reason: Under the Competition Act 1998 the Director General of Fair Trading was given complete independence from Government to decide the conduct of such investigations and to take decisions on cases.
- 18.04.02
Subject: Competition (50499)
Reason: Exemption 2: Internal discussion and advice: confidential communications between departments, public bodies and regulatory bodies.
- 13.05.02
Subject: Competition (54222)
Reason: Under the Competition Act 1998 the Director General of Fair Trading was given complete independence from Government to decide the conduct of such investigations and to take decisions on cases, and therefore not subject to the Code of Practice on Access to Government Information.
- 11 21.11.02
Subject: ECGD/exports (16324)
Reason: Exemption 13. Third Party's Commercial Confidence. Information.
Exemption 14. Information given in Confidence. (a) Information held in consequence of having been supplied in confidence by a person who: (ii) was not under any legal obligation, whether actual or implied, to supply it, and has not consented to its disclosure. (b) Information whose disclosure without the consent of the supplier would prejudice the future supply of such information.
- 9.01.02
Subject: ECGD/exports (25212)

Reason: Exemption 13. Third Party's Commercial Confidence.
Exemption 14. Information given in Confidence. (a) Information held in consequence of having been supplied in confidence by a person who: (ii) was not under any legal obligation, whether actual or implied, to supply it, and has not consented to its disclosure. (b) Information whose disclosure without the consent of the supplier would prejudice the future supply of such information.

6.02.02

Subject: ECGD/exports (32483)

Reason: Exemption 13. Third Party's Commercial Confidence.
Exemption 14. Information given in Confidence. (a) Information held in consequence of having been supplied in confidence by a person who: (ii) was not under any legal obligation, whether actual or implied, to supply it, and has not consented to its disclosure. (b) Information whose disclosure without the consent of the supplier would prejudice the future supply of such information.

8.03.02

Subject: Exports (32275)

Reason: Exemption 13: Third Party's commercial confidences—disclosure likely to harm the competitive position of a third party.

Exemption 14: Information given in confidence
Individual licence applications from companies normally contain contractual details and are submitted to the Government in confidence.

9.05.02

Subject: ECGD/exports (55058)

Reason: Exemption 13. Third Party's Commercial Confidence. Information including commercial confidences, trade secrets or intellectual property whose unwarranted disclosure would harm the competitive position of a third party.
Exemption 14. Information given in Confidence. (a) Information held in consequence of having been supplied in confidence by a person who: (ii) was not under any legal obligation, whether actual or implied, to supply it, and has not consented to its disclosure. (b) Information whose disclosure without the consent of the supplier would prejudice the future supply of such information.

- 13.05.02
 Subject: ECGD/exports (54361)
 Reason: Exemption 13. Third Party's Commercial Confidence. Information including commercial confidences, trade secrets or intellectual property whose unwarranted disclosure would harm the competitive position of a third party.
 Exemption 14. Information given in Confidence. (a) Information held in consequence of having been supplied in confidence by a person who: (ii) was not under any legal obligation, whether actual or implied, to supply it, and has not consented to its disclosure. (b) Information whose disclosure without the consent of the supplier would prejudice the future supply of such information.
- 11.07.02
 Subject: Exports (67309)
 Reason: Exemption 1. Defence, Security and International Relations. (b) Information whose disclosure would harm the conduct of international relations or affairs.
- 15.10.02
 Subject: Exports (74389)
 Reason: Exemption 13: Third Party's commercial confidences-disclosure likely to harm the competitive position of a third party.
 Exemption 14: Information given in confidence
 Individual licence applications from companies normally contain contractual details and are submitted to the Government in confidence.
- 12 10.12.01
 Subject: Contracts (20159)
 Reason: Exemption 13: Third Party commercial confidences
 Information whose unwarranted disclosure would harm the competitive position of a third party.
- 13 9.01.02
 Subject: Tanzania (24975)
 Reason: Exemption 2 confidential communications between departments.
- 14.01.02
 Subject: Tanzania (25828)

- Reason: Exemption 1b: Information whose disclosure would harm the conduct of international relations or affairs.
- Exemption 1c: Information received in confidence from foreign governments, foreign courts or international organisations.
- 23.04.02
Subject: Tanzania (49740)
Reason: Exemption 1c: Information received in confidence from foreign governments, foreign courts or international organisations.
- Exemption 13: Third Party's commercial confidences—disclosure likely to harm the competitive position of a third party.
- 14 24.01.02
Subject: Launch Aid (28046)
Reason: Exemption 13: Third Party's commercial confidences—disclosure likely to harm the competitive position of a third party.
- 15 11.02.02
Subject: Energy Policy (32507)
Reason: Exemption 1: Defence, security and international relations—c information received in confidence from foreign governments, foreign courts or international organisations.
- 16 12.02.02
Subject: Arms Exports (34084) and 13.06.02 (60688, 60691–3, 60695, 60697, 60699–704)
Reason: Exemption 13: Third Party commercial confidences.
Exemption 14: Information given in confidence
Individual licence applications from companies normally contain contractual details and are submitted to the Government in confidence.
- 14.02.02
Subject: Arms Exports (32271/32279)
Reason: Exemption 2: Internal advice and discussion
A new administration does not have access to the papers of a previous administration of a different political complexion.
- 10.04.02

Subject: Arms Exports (46149)
 Reason: Exemption 1c) Information received in confidence from foreign governments, foreign courts or international organisations
 Exemption 13: Third Party commercial confidences.
 Exemption 14: Information given in confidence
 Discussions between Government and companies about individual licence applications normally include contractual details and are therefore in confidence.

10.04.02

Subject: Arms Exports (46151–4/46159)
 Reason: Disproportionate Cost
 The information was not held on a database and therefore would have to have been obtained by an examination of very many paper records.

22.05.02

Subject: Arms Exports (57226)
 Reason: Exemption 13: Third Party commercial confidences.
 Individual licence applications from companies normally contain contractual details and are submitted to the Government in confidence.

11.07.02

Subject: Arms Exports (65444)
 Reason: Exemption 2: Internal advice and discussion.

24.07.02

Subject: Arms Exports (68811)
 Reason: Exemption 13: Third Party commercial confidences.
 Exemption 14: Information given in confidence
 Discussions between Government and companies about individual licence applications normally include contractual details and are therefore in confidence.

17 12.02.02

Subject: Internal advice (34420)
 Reason: Exemption 2: Internal advice and discussion
 Advice given to Ministers by officials is in confidence.

14.02.02

Subject: Internal advice (31937)
 Reason: Exemption 2: Internal advice and discussion
 Advice given to Ministers by officials is in confidence.

1.03.02

Subject: Internal advice (37932)

- Reason: Exemption 2: Internal advice and discussion
Advice given to Ministers by officials is in confidence.
- 25.03.02
Subject: Internal advice (44473)
Reason: Exemption 2: Internal advice and discussion
Advice given to Ministers by officials is in confidence.
- 3.07.02
Subject: Internal advice (65515)
Reason: Exemption 2: Internal advice and discussion
Advice given to Ministers by officials is in confidence.
- 18 15.03.02
Subject: Insolvency service (42082)
Reason: Exemption 2: Internal advice and discussion
Advice given to Ministers by officials is in confidence.
- 19 9.05.02
Subject: Coal health claims (54839)
Reason: Exemption 13: Third Party commercial confidences.
The information requested had a commercial value and therefore should remain confidential.
- 20 3.07.02
Subject: Cabinet committees (65988)
Reason: Exemption 2: Internal advice and discussion, proceedings of Cabinet and Cabinet Committees.
Information relating to the proceedings of Cabinet Committees is confidential.
- 19.09.02
Subject: Cabinet committees (70099)
Reason: This Question was transferred to the Cabinet Office.
- 21 19.09.02
Subject: Network Code (72558)
Reason: Exemption 2: Internal advice and discussion, confidential communications between departments, public bodies and regulatory bodies, and Exemption 13: Third Party commercial confidences. The information had a commercial value.
- 22 21.10.02
Subject: Ministerial discussions (75231)
Reason: Exemption 2: Internal advice and discussion,
Discussions between Ministers are not made public.
- 17.04.02

Subject: Company penalties (49328)
Reason: Exemption 13: Third Party's commercial confidences.

MEMORANDUM 16

Submitted by the Department for Transport

Thank you for your letter of 7 July regarding "blocked parliamentary questions.

I enclose a table listing the questions you identified that are the responsibility of this Department and explaining where appropriate why the information was not provided with reference to the Code of Practice on Access to Government Information.

In two instances (15624 and 15501) the information was later provided following an approach to the Parliamentary Ombudsman on behalf of Mrs Theresa May MP. I enclose a copy of my predecessor's letter to Mrs May.

Certain questions you identified in respect of the former DTLR are now the responsibility of the Office of the Deputy Prime Minister, rather than my Department. ODPM will therefore cover those questions in its response.

You also requested a copy of the Department's latest instructions on answering parliamentary questions. Answers to parliamentary questions are drafted in accordance with "Guidance to Officials on Drafting Answers to Parliamentary Questions" issued by the Cabinet Office. In addition, guidance is issued to officials within the Department on deadlines and format for the different types of parliamentary questions. A copy of that guidance is enclosed.

17 September 2003

No. 1

4.07.02

Subject: **Green Minister (65990)**
Reason: Exemption 2—Proceedings of Cabinet Committees is not made public.

No. 2

5.07.02

Subject: **Ministerial Meetings (59820)**
Reason: Exemption 2—It is not the normal practice of Governments to release details of specific meetings or their content as some of the discussions may have taken place on a confidential basis.

No. 3

28.10.02

Subject: **Competition Act (76400)**
Reason: These are matters for the Rail Regulator and the Director General of Fair Trading.

No. 4

29:10.02

Subject: **Tonnage Tax (77928)**
Reason: Exemption 13—Commercial Confidentiality.

**Department for Transport, Local Government and the Regions
(Transport-related responsibilities only)**

No. 1

10.07.01
Subject: **Roads (2722)**
Reason: This is a matter for the London Mayor.

No. 5

30.10.01
Subject: **Railtrack (9837)**
Reason: Exemption 13—Commercial Confidentiality.

9.11.01
Subject: **Railtrack (14785)**
Reason: Exemption 2—Internal discussion and advice is not made public.

14.11.01
Subject: **Railtrack (14784)**
Reason: Exemption 2—It is not the normal practice of Governments to release details of specific meetings or their content as some of the discussions may have taken place on a confidential basis.

15.11.01
Subject: **Railtrack (10404)**
Reason: Exemption 2—Internal discussion and advice is not made public.

16.11.01
Subject: **Railtrack (15499)**
Reason: Exemption 2—It is not the normal practice of Governments to release details of specific meetings or their content as some of the discussions may have taken place on a confidential basis.

16.11.01
Subject: **Railtrack (14438)**
Reason: This is a matter for Railtrack.

26.11.01
Subject: **Railtrack (15501, 17795, 17791)**
Reason: Exemptions 2 and 4—Internal discussion and advice is not made public.

27.11.01
Subject: **Railtrack (15624)**
Reason: Exemption 2—Internal discussion and advice is not made public.

- 6.12.01
Subject: **Railtrack (20377)**
Reason: Exemption 2—Internal discussion and advice is not made public.
- 6.12.01
Subject: **Railtrack (20533)**
Reason: Exemption 2—Internal discussion and advice is not made public.
- 10.12.01
Subject: **Railtrack (19960)**
Reason: This is a matter for Railtrack and the Administrator.
- 10.12.01
Subject: **Railtrack (19958)**
Reason: This is a matter for Railtrack.
- 10.12.01
Subject: **Railtrack (21124)**
Reason: This is a matter for Railtrack.
- 18.12.01
Subject: **Railtrack (21591)**
Reason: Exemption 4—Possibility of Legal Proceedings.
- 25.02.02
Subject: **Railtrack (33997)**
Reason: Exemption 13—Commercial Confidentiality
- 25.03.02
Subject: **Railtrack (45451)**
Reason: Exemption 2—It is not the normal practice of Governments to release details of specific meetings or their content as some of the discussions may have taken place on a confidential basis.
- No. 6**
30.10.01
Subject: **Public Interest Trusts: (10192)**
Reason: Exemption 2—Internal discussion and advice is not made public.
- No. 7**
6.11.01
Subject: **GoVia (12526)**
Reason: Exemption 13—Commercial Confidentiality.
- No. 8**
8.11.01

Subject: **TfL (12754)**
Reason: This is a matter for the London Mayor.

26.03.02

Subject: **TfL (42113)**
Reason: Exemption 2—It is not the normal practice of Government to make public correspondence which is sent in confidence.

No. 9

12.11.01

Subject: **Rosyth Ferry Terminal (13936)**
Reason: Exemption 13—Commercial Confidentiality.

No. 11

21.11.01

Subject: **Channel Tunnel Rail Link (15736)**
Reason: Exemption 13—Commercial Confidentiality.

29.11.01

Subject: **Eurostar (15950)**
Reason: Exemption 13—Commercial Confidentiality

No. 12

26.11.01

Subject: **Renewco (17112, 17138, 17137)**
Reason: Exemption 2—It is not the normal practice of Government to make public correspondence which is commercially sensitive.

5.12.01

Subject: **Renewco (19717)**
Reason: Exemption 13—Commercial Confidentiality.

14.05.02

Subject: **Network Rail (55780)**
Reason: Exemption 13—Commercial Confidentiality.

No. 13

6.02.02

Subject: **Cabinet Committees (33724)**
Reason: Exemption 2—Internal discussion and advice is not made public.

No. 14

21.01.02

Subject: **Lord Birt (26758-61)**
Reason: Exemption 2—Internal discussion and advice is not made public.

5.03.02

Subject: **Rail Industry (40203)**

Reason: Exemption 2—Internal discussion and advice is not made public.

No. 15

30.01.02

Subject: **NATS (31653, 31645, 31648)**

Reason: Exemption 13—Commercial Confidentiality.

No. 16

5.03.02

Subject: **Contracts (37057)**

Reason: Exemption 13—Commercial Confidentiality.

7.03.02

Subject: **Contracts (39344)**

Reason: Exemption 13—Commercial Confidentiality.

No. 17

1.02.02

Subject: **Railway Policy (31524)**

Reason: The information was not held centrally and could only be provided at disproportionate cost

25.02.02

Subject: **Rail Passenger Numbers (37224)**

Reason: Exemption 13—Commercial Confidentiality.

25.02.02

Subject: **Railway Freight (37573)**

Reason: Exemption 13—Commercial Confidentiality.

30.04.02

Subject: **Network Railcards (52385)**

Reason: Exemption 2—It is not the normal practice of Governments to release details of specific meetings or their content as some of the discussions may have taken place on a confidential basis.

No. 18

5.02.02

Subject: **Airport Security (30520)**

Reason: Exemption 1—Information whose disclosure would harm national security or defence.

25.04.02

Subject: **UK Port Security (52104, 52105, 52107, 52108)**

Reason: Exemption 1—Information whose disclosure would harm national security or defence.

No. 19

8.02.02

Subject: **Aviation Industry (34134, 34135)**

Reason: Exemption 2—It is not the normal practice of Governments to release details of specific meetings or their content as some of the discussions may have taken place on a confidential basis.

12.02.02

Subject: **Departmental Meetings (33215)**

Reason: Exemption 2—It is not the normal practice of Governments to release details of specific meetings or their content as some of the discussions may have taken place on a confidential basis.

No. 23

22.04.02

Subject: **Correspondence (51448)**

Reason: Exemption 2—It is not the normal practice of Government to make public correspondence which is sent in confidence.

No. 24

7.05.02

Subject: **Rail Freight (54453)**

Reason: Exemption 13—Commercial Confidentiality.

No. 25

7.05.02

Subject: **Deep Sea Ports (54603)**

Reason: Exemption 13—Commercial Confidentiality.

No 26

15.05.02

Subject: **Bus Services (56191)**

Reason: Exemption 13—Commercial Confidentiality.

MEMORANDUM 17

Submitted by HM Treasury

Thank you for your letter of 7 July to Gus O'Donnell about answers to written questions in the 2001–02 session.

In each of the cases identified by the Table Office the reason why the information sought could not be provided was explained in the written answer. Non-disclosure was permissible under the *Code of Practice on Access to Government Information*. The enclosed schedule gives the relevant details in the form you requested.

I also enclose the Treasury's latest guidance on answering parliamentary questions, as you asked.

This letter and both enclosures are being sent to Jenny Nelson by e-mail and I am also sending her the “blocks” schedule on disk.

16 July 2003

16 July 2001

Surveillance and Security Services [3662]

Exemption 1 (a): Information whose disclosure would harm national security.

16 July 2001

IT Procurement [3816, 3817]

Exemptions 4(d) and 13: Information covered by legal professional privilege and also commercially confidential.

19 July 2001

Money Laundering [5296]

The Financial Services Authority, not the Treasury, is responsible for exercising powers under the Banking Act 1987

19 July 2001

Money Laundering [5295]

Exemption 4(a): Information whose disclosure could prejudice a formal investigation by the Financial Services Authority.

15 October 2001

Financial Services Authority [6554]

Exemption 13: Information including commercial confidences whose unwarranted disclosure would harm the competitive position of a third party.

7 November 2001

Financial Services Authority [12847, 13257]

Exemptions 2 and 8: Confidential communications between the Treasury and the Remuneration Committee of the Financial Services Authority relating public employment.

23 October 2001

Royal prerogative [9375]

The information sought was not available.

25 October 2001

Bank Accounts (Terrorists) [10080]

The Government is not empowered to disclose details of frozen accounts without the consent of the financial institutions concerned.

26 October 2001

Deployment of Customs Officers [9186]

Exemptions 4(b) and 7: Information which could prejudice the enforcement of the law, including the prevention, investigation and detection of crime; and information which would harm the proper and efficient conduct of the operations of the department.

18 January 2002

Customs and Excise Forecasts [26411]

Exemption 2: Internal opinion, advice and recommendation.

31 January 2002

Customs Investigations [31533, 31566]

Exemption 4: Information which could prejudice the administration of justice and the enforcement of the law.

26 March 2002

Customs (Newhaven) [45877,45875,45879]

Exemptions 4(b) and 7: Information which could prejudice the enforcement of the law, including the prevention, investigation and detection of crime; and information which would harm the proper and efficient conduct of the operations of the department.

7 May 2002

Customs Investigations [54300]

Exemption 4: Information whose disclosure could prejudice the administration of justice or formal investigations.

7 November 2001

VAT [13058]

Exemption 2: Information and research relating to internal policy analysis.

12 November 2001

Heroin Seizures [13714]

Exemption 4(b): Information whose disclosure could prejudice the enforcement of the law, including the prevention, investigation and detection of crime.

22 November 2001

NIRS2 [16723]

Exemption 4: Information covered by legal professional privilege.

4 December 2001

Illegal Meat Imports [19544]

Exemption 2: Confidential communications between Customs and DEFRA.

6 December 2001

Railtrack [20134]

Exemption 2: Internal consultation and discussion and confidential communications between departments.

1 February 2002

Aggregates Tax [32303]

Exemption 2: Internal discussions within Government.

10 June 2002

Parliamentary Questions [59600]

Exemption 2: It would be inappropriate to disclose information concerning internal consultations on parliamentary questions.

15 October 2002

Customs and Excise Research Programme [74799]

Exemption 2: The research programme led to confidential threat assessments which it would be inappropriate to disclose.

18 December 2001

Mr Graham Mills [18534]

Exemption 4: Information relating to law enforcement and investigations.

10 January 2001

Inland Revenue [25768]

Exemptions 4 and 12: Information relating to legal proceedings and to the privacy of an individual.

29 January 2002

Eurozone [30666]

Exemption 2: Projections and assumptions relating to internal policy analysis.

31 January 2001

Railtrack [27653]

Exemption 15: The Inland Revenue is statutorily debarred from disclosing the tax affairs of individual and corporate taxpayers.

4 March 2003

LNM [38705, 38702, 38704]

Exemption 15: The tax affairs of companies and private individuals are confidential, under Section 182 of the Finance Act 1989.

7 March 2003

Lakshmi Mittal [38399]

Exemption 15: The tax affairs of companies and private individuals are confidential, under Section 182 of the Finance Act 1989.

30 April 2002

Vaccines, Medicines and Medical Supplies [53117]

Exemption 15: The tax affairs of individual taxpayers are confidential, under Section 182 of the Finance Act 1989.

6 November 2002

Thalidomide Trust [79354]

Exemption 15: Taxpayer confidentiality, under Section 182 of the Finance Act 1989, prevents disclosure of the tax collected from payments from the Thalidomide Trust.

1 February 2002

Inland Revenue Contracts [21772, 21773]

Exemption 13: Information on the costs of individual contracts is commercially confidential.

1 February 2002

Fuel Contracts [31833]

Exemption 13: Details of contracts are commercially confidential.

1 February 2002

Reputational Externalities [28934]

Exemption 2: Internal opinion, advice, recommendation, consultation and deliberation relating to PPPs.

11 February 2002

Meetings [32811, 32918, 33976, 34055, 34059, 34538, 34539]

Exemption 7: Information which would harm the proper and efficient conduct of the operations of the department.

1 March 2002

National Savings [39035]

Exemption 13: The strategic marketing review is commercially confidential.

5 March 2002

Excise Duties [39809]

Exemption 1(c): Information relating to infraction proceedings is confidential.

10 April 2002

Property protection [47242]

Exemption 4(e) and 7(b): The disclosure of information relating to protective security measures would prejudice the security of the Treasury building and also harm the proper and efficient conduct of the department's operations.

21 May 2002

Oil and Gas Industry [58008, 58164]

Exemption 13: The analysis of the effect of changes in taxation of the oil and gas industry is commercially confidential.

10 June 2002

Self-employment [60588]

Exemption 2: Projections and assumptions relating to internal policy analysis and the examination of alternative policy options are confidential.

3 July 2002

Green Ministers [65983]

Exemption 2: The proceedings of Cabinet Committees are confidential.

22 July 2002

Network Rail [70511]

Exemption 13: Legal documents relating to the classification of Network Rail were provided to ONS on a commercially confidential basis.

15 October 2002

BCCI [74516, 74517]

Exemption 4: Information relating to matters which are currently the subject of, or directly connected with, court proceedings.

MEMORANDUM 18

Submitted by the Wales Office

Thank you for your letter of 7 July 2003 seeking further information about why certain information was withheld in answer to some PQs in the last parliamentary session.

The following table provides more detail, where appropriate, why Ministers decided to withhold certain information.

14 October 2003

06.03.02

Subject: External Contracts

Reason: Exemption 13 information withheld as it includes commercial confidences.

21.10.02

Subject: External Contracts

Reason: Exemption 13 information withheld as it includes commercial confidences.

16.04.02

Subject: Sidex

Reason: Exemption 13 information withheld as it includes commercial confidences.

MEMORANDUM 19

Submitted by the Department for Work and Pensions

I am responding to Clive Porro's letter of 7 July to Richard Mottram requesting the reasons why Ministers refused to answer Parliamentary Questions, and a copy of departmental guidance on answering Parliamentary Questions. I attach the information requested.

3 October 2003

- 17.07.01 PQ no. 3511
 Subject: **IT contracts**
 Reason: Exemption 13—Detailed information about nature of contracts given but information held on a commercial in confidence basis not disclosed. (**Third party’s commercial confidences**)
- 24.07.02 PQ no. 71557
 Subject: **IT contracts**
 Reason: Exemption 13—Information that is held on a commercial in confidence basis is withheld. (**Third party’s commercial confidences**)
- 18.07.01 PQ No 4895
 Subject: **Ministerial duties**
 Reason: Information about Ministers holiday arrangements are not normally disclosed under Exemption 12 (**Privacy of an individual**). The answer confirmed that sufficient Ministers were available during the recess, as required by the Ministerial Code.
- 24.10.01 PQ 9365
 Subject: **Royal Prerogative**
 Reason: This is a case of information not held.
- 16.11.01 PQ 11906
 Subject: **SEMA**
 Reason: Exemption 13—Information that is held on a commercial in confidence basis is withheld. (**Third party’s commercial confidences**)
- 30.11.01 PQ 17216
 Subject: **Benefit Fraud**
 Reason: Exemption 2—Internal discussion and advice is not disclosed. (**Internal discussion and advice**)
- 01.07.02 PQ 63479/63481/63484
 Subject: **Benefit Fraud**
 Reason: Exemption 4—Information about ongoing legal proceedings is not disclosed. (**Law enforcement and legal proceedings**)
- 11.12.01 PQ 19265 (and 37 others)
 Subject: **Public service agreement targets**
 Reason: The information requested had already been published for 2001 and information for 2002 was due to be published later. This is covered by Exemption 10. (**Publication and prematurity in relation to publication**)
- 19.12.01 PQ 20258
 Subject: **New deal**

- Reason: Exemption13—Information that is held on a commercial in confidence basis is withheld.
(Third party's commercial confidences)
- 08.01.02 PQ 23099
Subject: **Ministerial groups**
Reason: Exemption 2—Information about proceedings of Cabinet committees is not disclosed.
(Internal discussion and advice)
- 08.01.02 PQ 23117
Subject: **Ministerial groups**
Reason: Exemption 2—Information about proceedings of Cabinet committees is not disclosed.
(Internal discussion and advice)
- 10.06.02 PQ 59190
Subject: **Ministerial groups**
Reason: Exemption 2—Information about proceedings of Cabinet committees is not disclosed.
(Internal discussion and advice)
- 22.07.02 PQ 65980
Subject: **Ministerial groups**
Reason: Exemption 2—Information about proceedings of Cabinet committees is not disclosed.
(Internal discussion and advice)
- 26.02.02 PQ 35843
Subject: **Secondments**
Reason: Detailed information about numbers of staff seconded were placed in the Library but names of individuals withheld under Exemption 12.
(Privacy of an individual)
- 06.03.02 PQ 34794
Subject: **Universal Bank**
Reason: Exemption13—Information that is held on a commercial in confidence basis is withheld.
(Third party's commercial confidences)
- 22.05.02 PQ 47251
Subject: **Property protection**
Reason: Exemption 4 (e). Details of security measures in place are not disclosed. **(Law enforcement and legal proceedings—(e) Information whose disclosure would prejudice...the security of any building.)**

- 17.06.02 PQ 60477
Subject: **Medical Services contract**
Reason: Exemption 13—Information that is held on a commercial in confidence basis is withheld.
(Third party's commercial confidences)
- 27.06.02 PQ 41261
Subject: **Special advisers**
Reason: Information about numbers of special advisers given but details of salary costs not disclosed under Exemption 12. **(Privacy of an individual)**
- 24.07.02 PQ 63971
Subject: **Costs**
Reason: The question asked for the costs to public funds of a court case. The answer said that costs across several Departments over a number of years could only be obtained at disproportionate cost. Counsels' fees were in any case commercial in confidence and covered by Exemption 13. **(Third party's commercial confidences)**

Appendix 5

Letters from Members of Parliament

Letter from the Rt Hon Frank Field MP

I am writing to you about the way that some Departments are answering Parliamentary Questions. Enclosed are some recent PQ answers to a series of questions I tabled.

All but one of the answers simply refer me to documents. Although answers could be provided, they are not and therefore the correct answer is not a matter of public record.

Can I suggest that you initiate a tightly focussed inquiry around this issue and perhaps provide guidelines for how such questions should be answered?

I would be happy to help you with this.

20 December 2002

Reply from the Rt Hon Paul Boateng MP, HM Treasury

Thank you for your letter of 28 January to Gordon Brown about the answer I gave on 17 December to a written parliamentary question from Frank Field.

2. It has been the practice of successive Governments for very many years to refer Members to published documents in written answers. Doing so has the merit of pointing out to questioners where the information they are seeking can be found. Moreover, where publicly accessible information is presented in the form requested by Members, it seems to me to be entirely reasonable and appropriate to refer to the published material. Furthermore, as the Government recently said in its reply to Recommendation (c) of the report of the Public Administration Select Committee, *Ministerial Accountability and Parliamentary Questions*, there are occasions where lengthy material has to be deposited in the Libraries of the House as it would take up too much space in the *Official Report*. Frank Field's batch of questions relating to PSA targets fell into that category.

3. Against this background, I hope that you and Frank will understand why I and colleagues in other departments answered his questions in the way we did.

5 February 2003

Reply from the Rt Hon Jack Straw MP, Foreign & Commonwealth Office

Thank you for your letter of 28 January in which you raise the concerns of Frank Field about a recent reply from the FCO to his PQ relating to the FCO's performance against 1998 Comprehensive Spending Review targets.

Frank's main complaint is that the answer "simply refers him to documents" and that as a result, "the correct answer is not a matter of public record". I always try to ensure that answers which FCO Ministers give are the ones which they would expect to receive if they were the member asking the question.

On this occasion, the answer was given in this form because the information referred to in the answer is on the public record, as the documents are published and are available in the House of Commons Library and on the Internet. I do not think that in this case it was necessary to reprint readily available information in Hansard. This approach is fully consistent with what the House has itself been recommended by its Procedure Committee. In last year's report, it said this:

“We urge all Members of the House, and their staff, to develop greater awareness of alternative sources of information, especially via the Internet, and to seek information by means of parliamentary questions only if those alternative sources have been explored and found wanting” (para 79).

All this said, I do think, however, that our original answer could have been *more* helpful. The question refers to the targets agreed under the 1998 Comprehensive Spending Review, which had been superseded by the time of the 2002 Spending Review. The answer explains where to find information about progress on the CSR98 targets, and about where to find the SR2000 targets which replaced them. On reflection it should also have stated that information on progress made against the SR2000 targets could have been found in Chapter 3 of the FCO's 2002 Departmental Report, and that further information about the FCO's performance against its SR2000 targets would be included in the FCO's Autumn Performance Report, which is due to be published shortly following a delay in the publication of the FCO's 2001/02 Resource Accounts.

I have copied this to Frank.

12 February 2003

Letter from Mr David Laws MP

You wrote to colleagues on 13th January 2003 asking us to bring to your attention any unsatisfactory answers to Parliamentary Questions.

I mentioned to you that I was likely to be in contact with you because of the very poor quality of responses from HM Treasury—something that has become far more serious over the last few years.

As just one example of the way that HM Treasury seeks to evade answering questions please see the attached question on unpaid tax which was “answered” on 22nd January 2003. You will see that I asked the Treasury for the latest estimate of unpaid tax by each major category for *the last year for which information is available*. You will see that the Treasury avoided asking this question by simply saying that the latest figures for the current financial year would not be available until June of this year. That was, frankly, not the question and the Treasury should clearly have provided the figures for the last year for which information is available.

I would be grateful if you would consider this type of answer in your enquiries, and I also intend to send on to you the many unsatisfactory responses that I get on a regular basis, particularly from the Treasury.

29 January 2003

PQ No. 91716 from Mr David Laws MP

To ask the Chancellor of the Exchequer what his latest estimate is of unpaid tax by each major category of tax for the last year for which information is available; and if he will make a statement.

Reply from the Rt Hon Paul Boateng MP, HM Treasury

Thank you for your letter of 10 February to Gordon Brown concerning two written answers, which Treasury colleagues gave to David Laws on 23 and 27 January. Dawn Primarolo, Ruth Kelly and I have looked again at the two answers concerned in the light of the points you and David have raised.

2. Dawn's answer of 23 January assumed that David was seeking the most up-to-date information relating to unpaid tax. She therefore said that the figures for the year ending in October 2002 would not be available until June 2003. It was certainly not Dawn's intention to withhold the latest figures to which we currently have access and she has in fact sent these to David in reply to a pursuant question which he tabled on the same day that he wrote to you. I enclose a copy of this further written answer.

3. Turning to the answer of 27 January, Ruth referred David to an earlier written reply to Vincent Cable which said that updated information on working hours in the Treasury was being placed in the Library of the House. I assume that David did not look up the earlier answer concerned, because if he had he would have known where the information he was seeking was to be found. However, Ruth and I have since discovered that working hours data up to August 2002 is now available. It is set out in the enclosed table.

4. I should add that I and my Ministerial colleagues in the Treasury take our responsibilities with regard to Parliamentary questions very seriously. We cannot always give Members the answers they are seeking, but we are always prepared personally to review any answers with which Members are dissatisfied.

5. I am sending a copy of this letter to David Laws.

20 February 2003

Letter from Mr David Laws MP

Thank you very much indeed for taking up a number of unsatisfactory Parliamentary Written Replies which I have received with the Chancellor of the Exchequer.

I was extremely pleased to receive the letter dated the 20th February 2003 from the Chief Secretary of the Treasury—and it does seem as if your intervention has been immensely helpful.

I hope you will continue to keep a very close eye on the quality of Ministerial responses—as this could make a real difference to Parliamentary accountability and to the work of many MPs.

Thank you and your Committee for your good work on this subject.

6 March 2003

Letter from Mr Barry Gardiner MP

Further to your letter of 13 January I would like to bring to your attention some recent problems I have had with parliamentary questions.

Over the last few weeks I have submitted a number of questions to different government departments on the government's policy on ethical banking. The questions have generally taken the following format:

“To ask the Secretary of State for X, what contracts have been concluded as a result of the Government's commitment to support ethical banking.”

The majority of the responses that I have received have made little, if any, reference to the government's policy on ethical banking. Instead the responses have stated that whilst the government supports ethical banking it does not want to influence the financial decisions of *consumers*.

Part of the problem has emerged because departments have copied the responses already given by other departments. I doubt that there has been an intention to misled but I do believe that the departments haven't given due consideration to what is essentially a simple question and the problems have been multiplied as departments have copied answers.

I hope this information is of use to your Committee.

29 January 2003

Reply from Ruth Kelly MP, HM Treasury

You wrote to several departmental Ministers on 19 February concerning written answers which they had given to Barry Gardiner's Parliamentary questions on ethical banking. I am responding to you on behalf of all departments, as the Treasury is responsible for banking policy and other departments' answers to Barry were based on advice which they had received from the Treasury.

I am sorry that Barry Gardiner has been dissatisfied with the responses he received to his original question. Most departments did respond on the basis of standard guidance. I hope it will be helpful if I explain the basis for that guidance and why we felt that this was an appropriate response.

Barry Gardiner asked certain departments about contracts concluded as a result of the 'Government's commitment to support ethical banking'. We are not aware of such a general Government commitment, as the standard response noted. We are committed to a variety and choice of financial products, including products deemed 'ethical'. We are also of the view that there is no one, simple definition of 'ethical'—this will vary from person to person depending on views and beliefs.

In our view, uncertainty over the Government commitment and the definition of 'ethical' to which the question referred made it difficult for departments to respond. We therefore think it was appropriate to circulate guidance to departments. Most departments appear to

have taken the view that the suggested response was most appropriate in the circumstances. However, some departments decided to interpret references made in the question and comment on the nature of any contracts they may or may not have in place.

The standard response reflected a Government policy position on the general issues raised. I believe it was appropriate for departments to use it, where they felt it necessary, to explain why they could not comment further on whether there were relevant contracts they should disclose.

I hope this does explain sufficiently the basis for the responses to this question. If there is further information you would like to know about the substance of the issues then please get back in touch with me.

28 March 2003

Letter from Tony Wright MP

I am writing to you about your recent Answer to a Parliamentary Question (attached).

This Answer is wholly unsatisfactory. It does not answer the Question, but instead refers me to something else.

In the 2002 Spending Review the Chancellor announced that there would be autumn performance reports by every Department on PSA targets. The Spending Review heralded this as an innovation that demonstrated the Government was 'strongly committed to regular public reporting on progress against PSA targets'.

Hence the Question to you. In your reply you make no reference at all to an autumn performance report and refer me to the Chief Executive's Report, which is an entirely different document.

A proper reply might have said: 'The Department's autumn performance report will be published shortly. In December 2002 the Department published the Chief Executive's Report, which contains some of the relevant information'.

The Public Administration Select Committee takes a very dim view of such unsatisfactory answers, and reports on them to Parliament in its regular surveys.

30 January 2003

PQ No. 93153 from Tony Wright MP

To ask the Secretary of State for Health, when his Department's autumn performance report for 2002 will be published.

Reply from Mr David Lammy MP, Department of Health

Thank you for your letter of 30 January concerning an answer given to your Parliamentary Question on the publication of the Department's Autumn Performance Report.

As you are aware from Sir Nigel Crisp's appearance before the Public Administration Select Committee, the publication of the Autumn Performance Report has been subject to lengthy discussions with the Treasury concerning the provision of information and assessments of how new reporting mechanisms will perform this requirement in the future.

The intention, agreed with the Treasury, is to publish a supplement to the *'The Chief Executive's Report to the NHS'* which sets out the Department's progress towards its PSA targets. The report is now in its final stages and will be published at the end of February as indicated by Sir Nigel.

The Chief Executive's report provides complementary information about NHS activity and performance for the first six months of this year. Combined, the two documents will meet the Autumn Performance Report requirements.

Clearly much of the relevant information is contained in the Chief Executive's report and for that reason you were referred to the document.

I am sorry that the answer did not refer to the forthcoming supplement to that report; although the precise nature of the publication had not been finalised at that point, however, there was no intention to avoid giving the full information about the PSA targets.

25 March 2003

Appendix 6

Letter from Tony Wright MP

As you may be aware, the Public Administration Select Committee has for many years monitored ministerial performance in answering Parliamentary Questions. We recently published the latest in a series of Reports examining the quality of answers (HC 136).

The Report refers to the case in which your Department refused to provide information in answer a Question by Steve Webb MP, despite the fact that the information was available (paras 6 to 7 and 10). As we note in the Report, apologies for this error have been made both to the Member and, through the Speaker, to the House as a whole. The Speaker has said that he looks to the department to review its handling of Questions to ensure that such a case does not happen again.

My Committee would like to ask you what action is being taken in the light of this case and of the Speaker's remarks. We would also more generally be very interested to find out from you what priority is attached to the answering of Questions, and to Parliamentary work in general, in your department.

We are inviting you to give evidence personally because we wish to assess the strength of senior ministerial commitment to accountability through Parliamentary Questions, and to get a realistic idea of the resources that departments need to meet the needs of the House. It would be very helpful to have your perspective on this crucial component of ministerial accountability, and I hope that you will feel able to help us.

12 December 2002

Reply from the Rt Hon Andrew Smith MP, Department for Work and Pensions

1. Thank you for your letter of 12 December. I want to reassure the Committee that Ministers and officials in DWP take their responsibilities to Parliament very seriously.
2. As background DWP dealt with over 4,000 Parliamentary Questions in 2001/02 (around 100 a week when the Commons is sitting). I believe our overall record in handling them is a creditable one.
3. Where information is not readily available we seek to provide further analysis or information which is close in nature to what was sought. I believe the vast amount of material in Hansard Written Answers and in the Library is a testament to this commitment from both Ministers and officials.
4. The Committee drew particular attention to the practice of "I will write". Again our record here is a good one. At the end of July 2002 only 12 questions remained to be answered and again at the end of the Session in November only 13 questions remained to be answered and 9 of these were tabled in the last week of the Session.

5. When the Committee published the Government's response to its report it drew attention to a particular answer to a Parliamentary Question from Steve Webb MP. I have set out at Annex A a chronology of events. I, of course, regret that this question was answered inappropriately when first put. When Steve Webb raised this issue again in a subsequent PQ on 11 July the information was provided to him. As the Committee noted in its report, when the initial handling of the PQ was raised by Steve Webb via the Guardian on the evening of 18 November we immediately contacted the MP and the Speaker to apologise. I can only re-iterate this apology to you and the Committee.

6. In your letter of 12 December you were particularly interested in what steps we have taken to prevent a reoccurrence of this error. As I said in my letter of 20 November to Mr Speaker, in handling over 4000 PQs each session to tight, demanding timescales, no system can be totally foolproof. But in order to improve the way we handle PQs I have together with the Permanent Secretary:

- issued a strong reminder to Ministers and officials about the importance of properly discharging our responsibilities to Parliament;
- ensured our Parliamentary Branch have the resources to help them cope with the increase in in-flows; and,
- reminded officials of the need to keep full records of answers so that a clear audit trail exists.

7. Please do not hesitate to let me know if you need any further information.

ANNEX A

Facts

In March 2002 Steve Webb asked for information via a PQ on (a) the number of recipients of Attendance Allowance in Hospital who had their benefit downrated and (b) the cumulative effect of short stays.

He received the reply the information was not available in the format requested. Information was available on part (a) and should have been given as a partial reply. It was not. It is not clear from the record why this form of reply was given.

However, on 11 July 2002 this partial information was made available in an answer to a subsequent PQ from Steve Webb.

On 1 August following an enquiry to the Department under the Data Protection Act, Steve Webb was provided with back papers on the PQ which showed that partial information was available in March.

On Monday 18 November Steve Webb released a Press Notice about this issue and the story was run by the Guardian on 19 November.

The Department was contacted by the Guardian newspaper on the evening of 18 November and alerted to this issue. Maria Eagle spoke to Steve Webb on the evening of 18 November to apologise for this mistake. She wrote to him as well and sent a letter of apology to the Speaker.

Steve Webb wrote on 19 November seeking further explanation and Maria Eagle wrote again on 20 November.

This issue was raised by Steve Webb as a Point of Order on 20 November.

On the evening of 20 November the Secretary of State wrote to the Speaker following his comments in response to Steve Webb's Point of Order

Table Office advised that although the information was already available by the answer of 11 July a PQ should be tabled by Steve Webb and for answer by Ministers to clarify the position. The PQ was tabled on 26 November and answered on 27 November (Col 317W).

20 December 2002

Letter from Dr Richard Taylor MP

You kindly wrote recently to ask if we were satisfied by the service we were receiving in answer to letters to Ministers. May I give you three examples which I regard as unacceptable for your information.

1. I wrote on 13 March, 2002 to Lord Hunt with a comment about postcode prescribing. The letter of reply is dated 22 January, 2003 and is accompanied by a letter of apology from the Head of Private Office at the Department of Health. The answer is of course completely useless as it has been superseded by events.

2. I wrote on 20 June, 2002 to Mr. Milburn with comments about difficulties from patients and local doctors about NHS Direct. The reply I received to that comment was from David Lammy dated 21 January, 2003. Again with the same letter of apology from the Head of Private Office at the Department of Health.

3. I tabled a written question to the Secretary of State for Health on 18 December, PQ 01616, No. 405, asking if he would publish the Diabetes National Service Framework Delivery Strategy before Primary Care Trusts plan their expenditure for future years. The answer dated 7 January was "we shall be publishing the Delivery Strategy for the Diabetes National Service Framework in the next few weeks". I am not complaining about the delay because of Christmas, but the Strategy was actually published two days later on 9 January when I and probably other MPs received a letter also from David Lammy dated 9 January enclosing the very Strategy. I regard the answer of 7 January as unacceptable when the Strategy itself was going to be delivered on 9 January. I have written to David Lammy direct to complain but have had no response as yet.

30 January 2003

Reply from the Rt Hon Alan Milburn MP, Department of Health

Thank you for your letter of 10 February enclosing one from Richard Taylor about Department of Health correspondence.

I should first of all say that I can understand Richard's sense of dissatisfaction with our poor performance on correspondence. It simply isn't good enough and I have made it clear to my Permanent Secretary, Sir Nigel Crisp, that colleagues and I expect to receive a

prompt and efficient services from the Department to help us deal with our constituents' inquiries.

The Department has now changed its system for managing its correspondence and Sir Nigel Crisp has assured me that delays like this should become a thing of the past.

I am copying this to Richard for information.

30 May 2003

Letter from Mr Paul Burstow MP

Thank you for your letter regarding instances of the failure of Government Departments to answer Parliamentary Questions properly or promptly.

I believe that while there are certainly instances of this, and I will be submitting these at a later date. However, there is a pressing need for an investigation into the failure to answer letters to Members promptly or properly that is causing my colleagues and myself greater concern.

Enclosed is a series of Parliamentary answers I received from Government departments that list the number and the length of time that answers are outstanding to Members. It shows that when the House was perogued there were over 7,000 letters still unanswered. Many of these were over 6 months late; some departments did not collect these figures and other departments could not break down these figures into waiting times.

The letters from Members often concern matters regarding constituents who have nowhere else to turn to or are from Members seeking to clarify Government policy on an issue. As I am sure you appreciate, letters to Ministers, along with Parliamentary Questions, are amongst the very few ways to obtain information from Ministers.

I hope this is of help in your investigations of the ways in which Members, and therefore Parliament are being bypassed or being treated as a lower priority than should be allowed and certainly constitutes an abuse of the position of Government.

If you have any further queries, please do not hesitate to contact my researcher, Richard Stokoe.

27 February 2003

Parliamentary Questions/Correspondence

Mr. Burstow: To ask the Prime Minister how many (a) Parliamentary Questions and (b) letters to him from hon. Members in this session remain unanswered, broken down by those which are (i) one month old, (ii) two months old, (iii) three months old, (iv) four months old and (v) over six months old. [79948]

The Prime Minister: No parliamentary questions remain unanswered. Since June 2001I have received approximately 3,638 letters from Members of Parliament including invitations and requests concerning constituency matters which were dealt with as appropriate.

I have received about 800,000 items of post since June 2001, and my office has worked hard to deal with them as efficiently as possible.

Unanswered questions

Mr. Burstow: To ask the Secretary of State for International Development how many (a) parliamentary questions and (b) letters from hon. Members, in Session 2001–02 remain unanswered, broken down by those which are (i) one month old, (ii) two months old, (iii) three months old, (iv) four months old and (v) over six months old. [84752]

Clare Short [*holding answer 3 December 2002*]: There are 11 parliamentary questions in total:

10 are over six months old,
1 is two months old.

As of 3 December there are no letters which are one month old and which remain unanswered from hon. Members in Session 2001–02.

Mr. Burstow: To ask the Secretary of State for the Home Department how many (a) parliamentary questions and (b) letters from hon. Members, in Session 2001–02 remain unanswered, broken down by those which are (i) one month old, (ii) two months old, (iii) three months old, (iv) four months old and (v) over six months old. [84804]

Beverley Hughes: [*holding answer 3 December 2002*]: The total number of letters received from honourable Members in the last session (2001–2002) was 26,769. The number that remain unanswered as at 6 December is 2,704.

	Number
Total received	26,769
Total unanswered	2,704
Less than one month old	641
One month old	415
Two months old	222
Three months old	210
Four months old	229
Five months old	177
Six months old	810

The Home Office receives a large amount of correspondence from hon. Members. My right hon. Friend the Home Secretary and his ministerial team attach the highest importance to the speed and quality of replies to ministerial correspondence, but we recognise that further work is needed to improve the current levels of performance. A number of important initiatives within the Department have helped drive up performance and we are committed to continuing and extending this work. A new computer-based

correspondence tracking system will be introduced shortly which will radically change the way we handle letters and will help us produce more timely responses.

Most of the delays occur when responding to MPs' letters in relation to immigration cases, Whilst there is no doubt that the current performance is unacceptable, in many cases when a letter is received regarding an immigration case, it is necessary to locate the relevant file and get it to the person responding to the letter. The fact that cases are dealt with in various parts of the country adds to the difficulty. However, I have instigated further measures to resolve the backlog.

The Cabinet Office publishes annual reports to Parliament, setting out the volume of Members' correspondence received by departments. The report for 2001 was published on Friday 24 May. Copies of previous reports are available in the Library.

In accordance with the normal procedure, all outstanding parliamentary questions from the last session were answered before the session ended. Where a substantive answer was not available, honourable Members will receive a letter giving a full answer shortly, if they have not done so yet. A copy of all such letters will be placed in the Library.

19 Dec 2002 : Column 992W

Mr. Burstow: To ask the Deputy Prime Minister how many (a) parliamentary questions and (b) letters to him from hon. Members in this session remain unanswered, broken down by those which are (i) one month old, (ii) two months old, (iii) three months old, (iv) four months old and (v) over six months old. [79942]

Mr. Leslie: (a) As at today, the Office of the Deputy Prime Minister has no Parliamentary Questions outstanding.

(b) The Cabinet Office publishes a report to Parliament on an annual basis, setting out the volume of Members' correspondence received by departments. The Report for 2001 was published on Friday 24 May, [Col. 677w]. Copies of previous reports are available in the Library of the House.

Following the recent machinery of government changes and the creation of the Office of the Deputy Prime Minister on 29 May 2002 I will write to the hon. Member as soon as the information on correspondence is collated.

Parliamentary Questions

Mr. Burstow: To ask the Secretary of State for Defence how many (a) parliamentary questions and (b) letters to him from hon. Members in this Session remain unanswered, broken down by those which are (i) one month old, (ii) two months old, (iii) three months old, (iv) four months old and (v) over six months old. [79940]

7 Nov 2002 : Column 453W

Dr. Moonie: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

NB:— My office never received a letter from Dr Moonies' office

Correspondence and Parliamentary Questions

Mr. Burstow: To ask the Secretary of State for Education and Skills, how many (a) parliamentary questions and (b) letters to him from hon. Members in this session remain unanswered, broken down by those which are (i) one month old, (ii) two months old, (iii) three months old, (iv) four months old and (v) over six months old. [79939]

Mr. Stephen Twigg: There are no Parliamentary Questions tabled to this department which are over a month old. Information on letters from hon. Members is not collected in this format and could only be obtained at disproportionate cost. The Cabinet Office, publishes a report to Parliament on an annual basis, setting out the volume of Members' correspondence received by departments. The Report for 2001 was published on Friday 24 May 2002, *Official Report*, column 677W. Copies of previous reports are available in the Library of the House.

Parliamentary Questions

Mr. Burstow: To ask the Secretary of State for Environment, Food and Rural Affairs how many (a) parliamentary questions and (b) letters to her from hon. Members in the current session remain unanswered, broken down by those which are (i) one month old, (ii) two months old, (iii) three months old, (iv) four months old and (v) over six months old. [79938]

Alun Michael: My Department anticipates answering all parliamentary questions that have been tabled during this session by the rising of the House today.

The Cabinet Office publishes a report to Parliament on an annual basis, setting out the volume of Members' correspondence received by Departments. The Report for 2001 was published on Friday 24 May, *Official Report*, column 677W. Copies of previous reports are available in the Library of the House.

The table below shows the number of letters in my department which had not received an answer at 5 November.

With a Received Date Between	Number
1 & 2 months	135
2 & 3 months	138
3 & 4 months	69
4 & 6 months	64
greater than 6 months	119

Parliamentary Questions

Mr. Burstow: To ask the Chancellor of the Exchequer how many (a) parliamentary questions and (b) letters to him from honourable Members in this session remain

unanswered, broken down by those which are (i) one month old, (ii) two months old, (iii) three months old, (iv) four months old and (v) over six months old. [79947]

John Healey: One Parliamentary question for answer in July, which was transferred to the Treasury in September, has not been answered.

The information relating to letters from Members to Treasury Ministers is as follows:

	Amount
(i) one month	54
(ii) two months	37
(iii) three months	19
(iv) four months	7
(v) over six months	0

The Cabinet Office publishes a report to Parliament annually setting out the volume of Members' correspondence received by departments. The report for 2001 was published on 24 May 2002 *Official Report*, column 674W. Reports for earlier years are available in the Library of the House.

The Foreign Office replied by letter to say that they had 867 outstanding but could not give a breakdown

Correspondence

Mr. Burstow: To ask the Secretary of State for Trade and Industry how many (a) parliamentary questions and (b) letters to her from hon. Members in this Session remain unanswered, broken down by those which are (i) one month old, (ii) two months old, (iii) three months old, (iv) four months old and (v) over six months old. [79945]

Ms Hewitt: The Cabinet Office publishes a report to Parliament on an annual basis setting out the volume of Members' correspondence received by Departments. The Report for 2001 was published on Friday 24 May, *Official Report* column 677W. Copies of previous reports are available in the Library of the House.

The following table shows the number of letters to hon. Members which remain outstanding.

1 month old	2 Months	3 Months	4 Months	Over 6 Months
71	47	22	8	—

I also enclosed a summary of my findings:—

Length of time to answer letters to Members of Parliament by Department						
Department	Up to 2 months	3 months	4 months	4–6 months	Longer than 6 months	Total
Health	601	385	201	367	474	2028
DCMS	14	4	12	39	206	275
DEFRA	135	138	69	64	119	525
Dept Transport	23	12	11	0	0	46
Chancellor	54	37	19	7	0	117
DTI	71	47	22	8	0	148
Scotland	0	0	0	0	0	0
Prime Minister	0	0	0	0	0	0
FCO		-	-	-	-	867
Home	1056	210	229	399	810	2704
DfID	10	1	0	0	0	11
DfES	Don't know					
Total						6721