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Mr Peter John

xxx

Date: 14 January 2011

Dear Mr John

**Freedom of Information request: ICO decision notice (our ref. 12563;  
ICO ref. FS50286245)**

I am writing further to my e-mail of 10 January, in which I explained that the Home Office had decided not to appeal against the decision notice of 13 December 2010 from the Information Commissioner's Office (ICO), on your complaint about our response to your Freedom of Information (Fol) request of 13 May 2009.

As required by paragraph 78 of the Decision Notice, I enclose the information identified as being within the scope of your request and held by the Home Office. The information consists of the documents referred to in the report dated 16 April 2009 by the Director of Public Prosecutions (DPP), to which you referred in your original request. Names of Home Office officials below Senior Civil Service level and the names and other personal information relating to some people outside the Home Office (in the documents numbered 3 and 4) have been removed under section 40(2) of the Fol Act (personal information).

Please note that one page is missing from the first of the three submissions, dated 9 August 2007, included under Document 2. Annex C to that submission contains no page 3. So far as we have been able to discover, the enclosed version is that which was leaked. The Home Office does not hold a version of the submission which includes the missing page 3 to Annex C.

The enclosed version of Document 4, the briefing for the Counter-Terrorism Bill, is the version which we identified as most closely matching the version described in the DPP's report and referred to in the Press at the time. That exact version was no longer held by the Home Office at the time of your request.

Lastly, the DPP's report refers at 'Leak 4' to 'a list of Labour MPs identified by the party Whip's office as "plotting" against the Counter-Terrorism Bill'. That list was not part of

the briefing for the Counter-Terrorism Bill. No such list was held by the Home Office at the time of your request.

The list of documents will appear on the home Office website from Monday 17 January. Hard copies will be available on request.

I am copying this letter to the ICO.

Yours sincerely

**Adrian Brook**  
**Information Access Team**