



# Home Office

## Information Access Team Shared Services Directorate

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Our reference: 13853

Date: 12 May 2010

Dear Mr Wyllie

I am writing in response to your email of 24 January 2010 about your request for information with regard to how the Home Office works with the Scottish Executive. Your request has been handled as a request for information under the Freedom of Information Act 2000. Please accept my apologies for the length of time it has taken to provide you with a substantive response to your request. As confirmed in previous correspondence this has been due to the extensive consultations undertaken in order to assess the public interest considerations affecting the decision to disclose the information requested.

I can confirm that the Home Office holds the information you requested.

Annex A to this letter contains the guidance you requested in part i) of your FoI request. For your reference we have electronically redacted (deleted) the names and telephone numbers of junior officials from this material as this information is not seen to fall within the scope of your request.

Annex B to this letter contains information seen to fall within the scope of part ii) of your FoI request. We have however, after careful consideration, decided that some of the information asked for in part ii) of your request is exempt from disclosure under sections 23(1) and 24(1) of the Freedom of Information Act respectively. These provide that information can be withheld where information is supplied by, or relates to, bodies dealing with security matters and national security. Section 23 is an absolute exemption and, as such, no further consideration is required. Section 24(1) is a qualified exemption and I have considered whether the balance of the public interest favours releasing or withholding this material is set out in Annex C to this letter.

Unfortunately we are unable to provide the information you asked for in part iii) of your FoI request. Under section 12 of the Act, the Home Office is not

obliged to comply with an information request where to do so would exceed the cost limit.

Though we hold the information which you have requested it is estimated that the cost of meeting part iii) of your request would exceed the cost limit of £600 specified in the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004. We are therefore unable to comply with it.

The time already spent on answering parts i) and ii) of your request in conjunction with the estimated time it would take to answer part iii) of your request would require more than the 24 hours of work allowed for when determining whether the cost limit under the Act would be breached.

This is because the information relevant to part iii) of your request will be held by individual units of the Home Office and its executive agencies; the Criminal Records Bureau, Identity and Passport Service and UK Border Agency. In order to answer point iii) of your request without oversight or omission would therefore involve approaching several hundred areas within the Home Office and agencies asking them to undertake a detailed search for information

The £600 limit is based on work being carried out at a rate of £25 per hour, which equates to 24 hours of work per request. The cost of locating, retrieving and extracting information and preparing the response can be included in the costs for these purposes. The costs do not include considering whether any information is exempt from disclosure, overheads such as heating or lighting, or items such as photocopying or postage.

Even if part iii) of your request for information had been made independently of parts i) and iii), the time needed to consider it as mentioned above is likely to exceed the cost limit. If you refine that part of your request, so that it is more likely to fall under the cost limit, we will consider it again. You may wish to consider asking for information held by a particular unit. Details of these can be found by using the following link to the Home Office website:

<http://www.homeoffice.gov.uk/about-us/organisation/directorate-search/index.html>

Please note that if you simply break your request down into a series of similar smaller requests, we might still decline to answer it if the total cost exceeds £600.

If you are dissatisfied with this response you may request an independent internal review of our handling of your request by submitting a complaint within two months to the address below, quoting reference 13853. If you ask for an internal review, it would be helpful if you could say why you are dissatisfied with the response.

Information Access Team  
Home Office  
Ground Floor, Seacole Building  
2 Marsham Street

London SW1P 4DF

e-mail: [FOIResponses@homeoffice.gsi.gov.uk](mailto:FOIResponses@homeoffice.gsi.gov.uk)

As part of any internal review the Department's handling of your information request will be reassessed by staff who were not involved in providing you with this response. If you remain dissatisfied after this internal review, you would have a right of complaint to the Information Commissioner as established by section 50 of the Freedom of Information Act.

Yours sincerely

Robert Clifford

## **Annex A**

### **Human Rights and Devolution Team**

(Devolution separate page)

### **Devolution**

### **Who are the Human Rights and Devolution Team?**

Home Office  
3<sup>rd</sup> Floor, Seacole  
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London SW1P 4DF

The Human Rights and Devolution Team, which is part of the Better Regulation Unit, is responsible for managing the relationship with devolved administrations (DAs) – the Scottish Government, the Welsh Assembly Government, and the Northern Ireland Assembly.

### **How we can help**

We can provide you with advice on how to work with the DAs and how to address Ministers in their respective administrations. Below are the links to the respective DAs home webpage:

**Scottish Government website** <http://www.scotland.gov.uk/Home>

**Welsh Assembly Government website** <http://wales.gov.uk/?lang=en>

**Northern Ireland Assembly website** <http://www.niassembly.gov.uk/>

Each DA has been given powers to make laws according to their respective devolution Acts – The Scotland Act 1998, Government of Wales Act 1998 and 2006, Northern Ireland Act 1998.

We can also help you to liaise with DAs and the Territorial Offices (TOs) and explain the differences between them. Below are the TO home web pages which provide contacts and the names of the respective ministers:

**The Scotland Office** <http://www.scotlandoffice.gov.uk/> ;

**Wales Office** <http://www.walesoffice.gov.uk/> ; and

**Northern Ireland Office** <http://www.nio.gov.uk/>

In addition, the Cabinet Office needs to be informed about issues that are potentially higher profile or involve multiple devolved administrations; it is also the home of the Devolution Secretariat.

The Devolution Team liaises with the DAs to establish a joined up working relationship for the benefit of the whole United Kingdom on Human Rights and Devolution issues.

At Board level we have a Devolution Champion who is our Commercial and Finance Director\* who meets regularly with colleagues from the DAs in order to promote better communication and act as a central point for problem resolution. The Human Rights and Devolution Team provides support and also have more regular meetings with DA counterparts.

(\*this is a typographical error and should instead read: At Board level we have a Devolution Champion who is the Director-General of the Financial and Commercial Group)

Because many of the policies of the Home Office are reserved matters (that is responsibility is retained by UK Government), policies that affect the DAs' territories (or have possible impact on their devolved responsibilities), we help coordinate consultation and dialogue with them. This includes domestic and international UK responsibilities. For example, the UK Government represents all the national governments of the UK in the EU and discusses matters with the national governments to ensure Scotland, Wales and Northern Ireland's interests are taken into consideration in UK/EU policy.

This approach has the benefit of keeping the UK and the devolved governments up to date on each other's policies on reserved and devolved matters.

### **The principles of Devolution**

In July 2008 Sir Gus O'Donnell, the Head of the Civil Service, provided all Departments with the Cabinet Office's Guidance for UK Government Departments: *Working with the Devolved Administrations*.

In his letter to the Departments, he summarised what the Guidance wants to achieve and how to achieve it. Sir Gus stresses the Guidance has several key issues:

- The importance of contact with the devolved administrations on matters of proper common interest. (It is essential to good government that this continues, even when there are differences in approach between administrations at political level);
- Contact is frequently essential to avoid misunderstandings arising. (Often we can learn from approaches taken by devolved administrations, and vice versa);
- Where responsibilities are devolved, we ought to consider taking ideas forward in partnership with the devolved administrations from an early stage, if that is practically and politically possible. (Working in isolation from the administrations, sometimes with hurried last-minute consultation with them, is unlikely to produce effective results and may often cause ill-feeling).

At the same time we must bear in mind that there are sensitivities around the sorts of information we can exchange with the devolved administrations. The guidance brings this out – the devolved administrations and the UK Government are separate political entities and that must be respected.

Furthermore, we must be more effectively joined up among ourselves in our approach to devolution. In particular that means the territorial departments within the UK government need to be involved where ever possible.

Cabinet Office have published guidance on working with the DAs on their website - [www.cabinet-office.gov.uk/devolution](http://www.cabinet-office.gov.uk/devolution)

Other useful guidance on working with the DAs – ‘A short guide for officials on devolution’ - can be found on the Ministry of Justice website: [http://www.justice.gov.uk/docs/devolution\\_guide\\_officials.pdf](http://www.justice.gov.uk/docs/devolution_guide_officials.pdf)

(Human Rights separate page)

## **Human Rights and Devolution Team**

### **Human Rights**

#### **Who are the Human Rights and Devolution Team?**

Home Office  
3<sup>rd</sup> Floor, Seacole  
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#### **The purpose of the Devolution and Human Rights Team**

The Human Rights coordinators are responsible for coordinating activity across the Home Office to ensure that we comply with human rights

requirements. We can also offer advice and guidance on matters relating to both human and ‘fundamental’ rights.

Justifiable human rights are essentially those signed up to by the UK in the 1950 European Convention of Human Rights (ECHR); these are enshrined in UK law by the Human Rights Act 1998. Section 3(1) of the Act states:

“so far as is possible to do so, primary legislation and subordinate legislation must be read and given effect in a way which is compatible with the Convention (ECHR) rights.”

If you have a human rights enquiry, you can contact one of the human rights coordinators

### **What else do we do?**

The Human Rights Coordinators assist the Ministry of Justice, Foreign and Commonwealth Office and OGD’s in helping coordinate the UK Government’s response to UN/EU International Conventions/Treaties the UK is signed up to. This requires detailed briefing from policy leads on policy areas that fall within the respective UN/EU International Conventions. We also help facilitate visits and official inquiries from International Organisations and bodies as well as NGO’s and other interested parties.

### **What is Human Rights? Where can I get guidance?**

The Ministry of Justice is responsible for human rights as part of their constitutional remit. The MoJ have produced a very useful guidance – Making Sense of Human Rights. This can be found on the MoJ’s website:

<http://www.justice.gov.uk/docs/hr-handbook-introduction.pdf>

The MoJ website is also useful for current information and news relating to human rights.

**HOME OFFICE RETURN**

**DEPARTMENTS AND DEVOLUTION CAPABILITY: OUTLINE OF ANALYSIS FRAMEWORK**

***1. Context: department's interaction with devolution issues***

Main Home Office business is reserved but we are reliant on good working relationships with the Devolved Administrations (DAs) for effective delivery of our policies. We set out below some specific areas to demonstrate how this operates.

**UKBA SCOTLAND**

Immigration and asylum are reserved matters in all the devolved administrations. Our immigration policy does interact with many devolved issues e.g. health, education, housing and justice. Obviously in each of these issues the devolution settlements can differ. There can be political differences between HMG and the DAs over UKBA policy e.g. detention of children, the Points Based System, asylum support and citizenship consultation. It should be noted, the differences in position are not uniform across the DAs.

UKBA [Scotland and Northern Ireland (S/N/I) region] has regular formal and informal meetings with the DAs in Scotland / NI. In addition, the Deputy Director in the region has a UKBA-wide role for devolution issues.

Implementation of immigration policy relies to a great extent on working with the DAs due to the multiple interfaces with devolved policies. Engagement from the S/NI region - and the Wales and South West region also - is extensive with the DAs. We are looking to increase engagement with central UKBA colleagues who may be leading on new initiatives.

Examples include their involvement at the regular stakeholder meetings led by the region e.g. Scottish Asylum Stakeholder Forum; Enforcing the Rules and Managed Migration forums and their involvement, along with Glasgow City Council and other stakeholders, on the current Families Return Project in Glasgow which seeks to encourage refused asylum seeking families to return voluntarily to their home country and to provide them with targeted help to do so.

**INDEPENDENT CHIEF INSPECTOR UKBA**

The inspection remit of the independent Chief Inspector of the UK Borders Agency\* covers the whole of the UK where the UK Border Agency operates. (Sections 48-56 of the UK Borders Act 2007 (as amended) and section 28 of the Borders Citizenship and Immigration Act 2009 set out the legislative framework for the inspection by the Chief Inspector of the work of the UK Border Agency).

(\*This is a typographical error and instead should read: UK Border Agency)

## **OSCT**

Counter-terrorism is a reserved matter and the Home Office has UK responsibility over the legislation. However, we liaise regularly with Northern Ireland and Scotland over counter-terrorism issues to ensure legislation, policies and procedures do not cause undue difficulties and can be replicated for both DAs.

Relationships are generally very good at working level.

Relationships certainly work better the more we engage with the DAs. We are currently looking at ways we can align/share information about performance management. This is not easy as the DAs constitutionally do not report to Westminster.

## **Home Office Legal Advisor's Branch (HOLAB)**

HOLAB provide legal advice in respect of all areas of HO business. We liaise and co-operate with officials and lawyers in the DAs where appropriate. Good co-operation is often necessary in drafting and implementing law and co-ordinating policy.

## **NPIA**

### **Child Rescue Alert**

The NPIA Missing Persons Bureau is positively engaged with Wales, Scotland, Northern and Southern Ireland to produce an alert system that works across the British Isles. Scotland has their own system which will be launched to coincide with the England and Wales launch next year.

## **Specialist Operational Services**

Wales, Scotland and Northern Ireland all make use of the Specialist Operational Services the NPIA offer. Differences in the law have to be accounted for but the services are not materially different as a result. Whilst codes of practice do not always apply outside of England we encourage their adoption as best practice as far as possible. Scotland also contributes funding for two Crime Investigation Support Officers based in their region.

All seven Scottish police forces have agreed to a programme supported by the NPIA, and already adopted in England and Wales, to obtain firearms licenses. Strathclyde are fully licensed and the remaining forces are currently provisionally licensed.

### **International Policing Assistance Board (IPAB)**

The IPAB is an ACPO-led high level multi-agency advisory body established to better coordinate delivery of HMG cross departmental police service initiatives and professional interests overseas. The aim is to develop a strategic overview of UK aims in international police assistance. The NPIA, Scottish Executive and Northern Ireland Office, together with other HMG departments such as the Home Office, FCO, DfID and Cabinet Office are all members of this Board. The Board provides a platform for the NPIA to liaise with the Scottish Executive and Northern Ireland Office and has already been important in the handling and management of media/FOI/PQ related issues relating to UK international policing assistance.

### **Police Learning & Development**

There is increasing focus on providing the same police training services for the devolved administrations, particularly with respect to:

- Counter Terrorism Training
- Serious and Organised Crime and Surveillance
- High Tech Crime
- Intelligence
- Interoperability
- Training on the use of ICT systems e.g. Airwave, Schengen, PNC/PND, Visor.

This year NPIA have been funded to deliver the following programmes across all 8 Scottish police forces and PSNI:

- Airwave TAC Adviser Training
- Intelligence and Community Engagement workshops (ICE)

### **Police Learning & Development – e-learning**

A key issue for us is access to the NCALT Managed Learning Environment (MLE). PSNI are Associate Partners in the MLE. We are adapting some packages for legislative differences in Northern Ireland. PSNI are big users of the MLE.

Scottish forces have not yet agreed to become Associate Partners, but we are being encouraged actively by ACPO leads to make the following e-learning training packages available to them:

- Counter Terrorism Operating Procedures
- Police National Database
- Management of Police Information
- Mental Health training

We are unwilling to provide the e-learning on other platforms for Scotland because it often fails if not properly supported and there are performance and reputational risks.

### **Identity and Passport Service (IPS).**

IPS' responsibilities for issuing identity cards and passports are UK wide. IPS has regional offices in Glasgow, Newport and Belfast and a network of local interview offices across the UK.

The IPS CEO is also Registrar General for England & Wales and, in that context, has regular trilaterals with the R-Gs for Scotland & Northern Ireland.

IPS has established procedures for joint working cover, for example the provision of data to authenticate passport applicants from Scotland and Northern Ireland registers.

Ministers from all 3 DAs are members of the Identity Working Group chaired by the Home Secretary/Meg Hillier.

The Scottish Government is opposed to the introduction of identity cards.

We have worked to establish good lines of communication with officials in devolved administrations to try to ensure 'no surprises' in implementing NIS policy or engaging with stakeholders. This includes occasional letters from Meg Hillier to alert the appropriate minister, for example to the closure of some local offices, and briefings for officials in Edinburgh, Belfast and Cardiff. Specific discussions have included the role of Disclosure Scotland in providing services to the English airports trialling identity cards.

### **Criminal Records Bureau (CRB)**

In the operation of the CRB Disclosure Service which is operated under Part V of the Police Act 1997, organisations wishing to use the service must have the ability to ask an 'exempted question' under the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1997. The Order extends to England and Wales only with separate Orders for Scotland and Northern Ireland being made through the respective Parliaments.

There are separate Disclosure Services for Scotland (Disclosure Scotland) and Northern Ireland (Access Northern Ireland).

From July 2010, as well as owning the Vetting and Barring Scheme Monitoring System for England and Wales, the CRB will also be responsible for maintaining the records of those Northern Ireland citizens being monitored by the Vetting and Barring Scheme.

The CRB works closely with its colleagues in Scotland and Northern Ireland in the operation of the Disclosures services, sharing best practice and joint working in service enhancements and new initiatives. The CRB also involve colleagues in the Welsh Assembly in any legislative developments or key policy issues.

**Concordats.**

The Home Office has concordats with all three of the DAs. With Scotland we are awaiting the enactment of the changes announced in the Calman Commission White Paper on Scottish devolution.

**2. Capabilities: knowledge about devolution within department****UKBA SCOTLAND**

We do not formally record examples of secondments to the DAs although some staff have experience of working in the DAs and also the Territorial Offices (TOs). There are informal shadowing arrangements e.g. a number of staff who are shadowing the Scottish Government and Parliament early next year. In addition to LAB's normal work with the DAs, UKBA also works with OSAG [Scotland] and the Crown Solicitor's Office [NI] on individual matters plus general policy and legislation.

**HOLAB**

All lawyers are expected to advise on devolution issues in their own area of responsibility.

**IPS**

We are building the capability of our three Regional Directors, who already have significant local knowledge, in the law and governance of devolution and developing their relationships with the assemblies and stakeholders. The directors and Identity Rights Unit staff who lead and co-ordinate on devolution issues have all received tailored training (from the centre of the Home Office). We draw on IPS local staff to provide, for example, interviews in Welsh.

**Guidance and Training**

Bill Teams receive targeted training on a range of issues which includes Devolution from our Devolution Co-ordinator. Policy induction training available to new staff at all levels includes reference to Devolution and the relevant contacts.

The central Devolution team are widely known across the department and provide advice and act as a key liaison point with the DAs and TOs. They, together with the Devolution Champion, maintain regular contact (and visits) to the DAs.

**3. Capabilities: behaviours within department****UKBA SCOTLAND**

Working closely with Scottish colleagues is essential. In reality this is either led or facilitated by the regional office. There is an understanding that on occasion we are limited in what we can say.

The more we engage the better our understandings will be especially when it comes to more sensitive policies. UKBA have taken into account the DA's position in policy development e.g. there exists a 'Lead Professional' to advise on family legacy cases; we ask the Migration Advisory Committee to produce a separate occupational shortage list for Scotland for Tier 2 of the Points Based System; the Scottish Government [and other partners] were involved from the beginning in the Families Return Project currently being piloted in Glasgow.

We need to get smarter at internal UKBA / Home Office communication so that when policies are being developed those operationally or in the regions are aware, can advise and facilitate early discussion with the DAs. There is regular contact both formal and informal. The Regional Director meets as a minimum [and in reality it is more frequently] twice yearly with the DAs and TOs. This is in his role as stakeholder account manager for the DAs and TOs. The ADs and DDs meet more frequently. In addition, Lin Homer met with the NI counterparts recently and Phil Woolas hosted a meeting which involved the SG. We also have an open door for DA / TO staff to visit our offices and meet with staff.

We provide training to SG officials as part of their Continuing Personal Development about HMG / DA relations. It is up to the DAs how much they share with HMG. We need to have a two way flow of information. It cannot just be HMG providing information [with varying degrees of involvement] to the DAs. Their policies may impact on HMG also.

### **OSCT**

During the consultation period of the Counter Terrorism Act 2008 senior officials from the OSCT Legislation Bill team visited counterparts in DAs. The CT legislation team has regular contact with DAs on all CT issues. Lord Carlisle also regularly liaises with DAs regarding the operation of terrorism legislation.

Working relationships on an individual basis is already good so there is no practical need for a strategy.

We have a regular group that meets across all of the DAs to update on information/developments and share best practice. There is also good regular informal contact.

### **HOLAB**

Home Office lawyers are keen to be involved in policy development at an early stage and discussions regarding devolution issues are, sadly, often left too late in the process.

### **IPS**

There have been a number of SCS level meetings over the past year and IPS has good informal communication links but we are not systematic (yet) at

keeping up to date on what is happening on identity in the three devolved administrations.

Officials from the devolved administrations receive papers for the cross-government *Safeguarding Identity Group* and may attend if they wish; we aim to draw on their relevant knowledge and experience.

#### **CRB**

Officials at all levels meet frequently with counterparts in Scotland

#### **4. Capabilities: systems within department**

The Home Office has a board level departmental champion, Helen Kilpatrick, who is supported in this function by the Devolution Team.

#### **UKBA SCOTLAND**

The Regional Director has a specific role in working with the Devolved Administrations which is reflected in his job objectives. In terms of publicising, there is a programme of raising awareness work e.g. attending senior meetings / lunchtime seminars and involvement in UKBA's stakeholder training to promote the inclusion of the DAs [and stakeholder groups in Scotland / Wales / NI] as a key UKBA stakeholder.

#### **NPIA**

Tom McArthur (NPIA Director of Operations) recently met with Tom McMahon of the Scottish Executive and has fairly regular meetings with the Scottish Government and forces.

Representatives of the NPIA and the Home Office visited the Community Safety team of the Scottish Government in November to exchange ideas and good practice, and make lasting contacts across the border. They also undertook visits to Community Safety teams in Ayr and Glasgow.

#### **IPS**

The IPS Board has a devolution strategy and receives quarterly updates for discussion. Work is led and co-ordinated by the Identity Rights Unit, part of the IPS Strategy Directorate, and is usually well sighted on relevant issues.

#### **5. Conclusions**

From the responses above, it is clear that there are already a number of effective arrangements in place. However, there is always scope to do more where this would benefit delivery of Home Office business and there is capacity for staff to fulfil any additional work. Having departmental champions has proven to be a benefit as well as devolution coordination advisors.

#### **UKBA SCOTLAND**

Much of our practice e.g. stakeholder account manager / involving the DAs in stakeholder meetings / informal and ad hoc contact is worth sharing.

Relationships are enhanced with regular meetings, involving DAs early on in policy making, specific training in departments, nominated devolution leads and better internal communication to operational / devolution / regional leads.

### **OSCT**

Working with the DAs and awareness of DA issues should become more embedded. There is an impression that it is one person's responsibility and colleagues only go to that person when there is an issue or a problem. Clearly, not everyone can be an expert, but it would help if people thought about DA work more regularly, especially when forming new policy or planning legislation.

CONTEST DA Cross Cutting Group meets quarterly to update and inform attendees about work ongoing with CONTEST. A recent survey with DAs about usefulness of meeting and responses were overwhelmingly positive. We find it a useful format to share best practice as well.

### **IPS**

There is regular dialogue between Ministers and Westminster MPs for the DAs. One area where communication could be improved is the lack of a clear and easy channel to get basic UK government policy information to elected representatives in DAs – for example into the assembly libraries.

## Annex C

### **Information requested**

*The existence and results of any assessments undertaken since 1 January 2008 about the way in which the Home Office cooperates with the Scottish Administration*

### **Response**

Some of the information requested is exempt from disclosure under sections 23(1) and 24(1) of the FoI Act respectively. Section 23(1) provides that information held is exempt information if it was directly or indirectly supplied by bodies dealing with security matters. Section 24(1) provides that information can be withheld for the purpose of safeguarding national security.

### **Public interest test**

Some of the exemptions in the FoI Act, referred to as 'qualified exemptions', are subject to a public interest test (PIT). This test is used to balance the public interest in disclosure against the public interest in favour of withholding the information, or the considerations for and against the requirement to say whether the information requested is held or not. We must carry out a PIT where we are considering using any of the qualified exemptions in response to a request for information.

The 'public interest' is not the same as what interests the public. In carrying out a PIT we consider the greater good or benefit to the community as a whole if the information is released or not. The 'right to know' must be balanced against the need to enable effective government and to serve the best interests of the public.

The FoI Act is 'applicant blind'. This means that we cannot, and do not, ask about the motives of anyone who asks for information. In providing a response to one person, we are expressing a willingness to provide the same response to anyone, including those who might represent a threat to the UK.

Section 23(1) about information supplied by or relating to bodies dealing with security matters is an absolute exemption and is not subject to any public interest test.

Section 24(1) about national security is a qualified exemption and subject to a public interest test. My considerations are below:

#### Section 24(1) – considerations in favour of disclosing the information

There is a general public interest in disclosure and the fact that openness in government increases public trust in, and engagement with, the government. In relation to this information, the disclosure of it could enhance the openness

of government and help the public understand the efforts targeted at national security between the Home Office and the Scottish Executive.

Section 24(1) – considerations in favour withholding the information

However, the information relevant to your request concerns information about how the Home Office and Scottish Executive cooperate in areas of national security. Releasing this information could prove advantageous to those seeking to undermine national security. We consider that release of this information would provide individuals and/or groups insight into national security issues that would assist any planned attack.

We have determined that safeguarding national security interests is of paramount importance and that in all circumstances of the case it is our opinion that the public interest clearly favours the non-disclosure of information covered by section 24(1).