



23 February 2009

Paul Griffiths
request-4727-99027495@whatdotheyknow.com
(by email only)

Dear Mr Griffiths,

FREEDOM OF INFORMATION ACT 2000

Thank you for your email of 23 January 2009 in which you request a copy of a report written by Sir David Omand in 2008 on the Security Guard service at the Cabinet Office. I have dealt with your request under the terms of the Freedom of Information Act, 2000.

We assume that your request refers to the review carried out by Sir David Omand into the circumstances of the loss of two Joint Intelligence Committee documents and announced to Parliament on 12 June 2008 by the Minister for the Cabinet Office. I can confirm that the Cabinet Office does hold information relevant to your request but we are withholding this information because it is subject to one or more of the exemptions contained in the Freedom of Information Act.

Information you have requested is being withheld because it is exempt under section 23(1) of the Act. This exempts from disclosure information supplied by or relating to bodies dealing with security matters. Section 23 is an absolute exemption.

Some of the information is being withheld as it is exempt under section 24(1) of the Act, which exempts information for the purpose of safeguarding national security. Section 24 is a qualified exemption and I have considered whether the balance of the public interest favours releasing or withholding this material. The Cabinet Office recognises that there is a general public interest in disclosure and the fact that openness in government increases public trust in and engagement with the government. It is also in the public interest to be assured that government assets are properly protected. However, the information relevant to your request concerns detailed guidance on government protective security measures. We consider that release of this information would undermine security measures to the extent that it could provide individuals/groups seeking to plan/carry out an attack on government assets with the detailed knowledge necessary to circumvent government security controls. The exemption is therefore required to safeguard national security. There is a very strong public interest in safeguarding national security and this interest could only be overridden in exceptional circumstances. I have determined that in all circumstances of the case, the public interest withholding this information outweighs the public



interest in disclosing it.

Some information is being withheld as it is exempt under section 31 (1) (g), in conjunction with section 31(2)(a) and (b), of the Act because disclosure would prejudice the exercise by public authorities of their functions for the purpose of ascertaining whether any person is responsible for any conduct which is illegal and/or improper. Section 31 is a qualified exemption and I have considered whether the balance of the public interest favours releasing or withholding this material. The Cabinet Office recognises that it is important to maintain public confidence that unofficial disclosures are effectively investigated, however, disclosure of the details of the policies and procedures of such investigations would undermine their deterrent effect and may inhibit future investigations. Therefore I do not consider that the public interest in disclosure outweighs the public interest in maintaining an effective operational capability for future investigations.

If you are unhappy with the decisions made in relation to your request from the Cabinet Office you may ask for an internal review. If you wish to do so you should contact:

Sue Gray,
Director
Cabinet Office
70 Whitehall
London
SW1A 2AS

email: foiteam@cabinet-office.x.gsi.gov.uk

You should note that the Cabinet Office will not normally accept an application for internal review if it is received more than two months after a response was issued.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. Generally, the Commissioner cannot make a decision unless you have exhausted the complaints procedure provided by Cabinet Office. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

If you have any queries about this letter, please contact me. Please remember to quote the reference number below in any future communications.

Yours sincerely,

REBECCA KINGSTON

RCM Kingston

