



Home Office

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Dr Geraint Bevan
request-6840-c601d5a2@whatdotheyknow.com

Our Ref: 11128
Date: 17 July 2009

Dear Dr Bevan,

I am writing further to my letter dated 11 June 2009, regarding your request for an internal review.

I must first apologise for the delay in providing you with a full response. However, I have now completed a full review of the handling of your request and of the reasons behind the decisions taken by the Home Office. This request has been treated on its own merits and all papers originally considered have been re-considered as part of the internal review.

The first part of my review concerned the procedural aspects of the handling of your case. Your request was received by the Department on 29 January 2009. Section 10(1) of the Freedom of Information Act states:

'a public authority must comply with section 1(1) promptly and in any event not later than the twentieth working day following the date of receipt.'

A final response was sent by the caseworker on 25 February 2009, however this was sent to the wrong email address. Following an email from you the response was re-sent, to the correct address, on 5 March 2009. As a result a period of 25 working days passed between receipt of the request and the response being issued. The delay caused by sending the response to the incorrect address represents a breach of section 10(1) of the Act. I apologise on behalf of the Home Office for this breach. We will remind the relevant caseworkers of their responsibility to deal with all requests on time and, where possible, within the 20 working day limit specified in the Act, notwithstanding any Public Interest Test (PIT) extensions that may be required.

In line with the provisions of section 1(4) of the Act, this internal review has only considered information held at the time the request was received. Section 1(4) states:

'1(4) The information-

- (a) in respect of which the applicant is to be informed under subsection 1(1)(a), or*
- (b) which is to be communicated under subsection 1(1)(b),*

is the information in question held at the time when the request is received...'

In the second part of my review I have looked at the decision to refuse your request under section 21, and whether this was taken in compliance with the requirements of the Act. The link to Hansard provides a response given by Parliamentary Under-Secretary of State Meg Hillier MP to a question by John Leech MP during a Commons debate on 9 February 2009. While the extract states that *'Manchester is certainly a strong contender for the phase after airports'*, it does not provide details of any other areas under consideration, what the criteria for consideration are or what the criteria are for final selection as per your request. The response provided also failed to state whether any further information relevant to your request is or is not held by the Department.

The failure to state whether information relevant to your request was held represents a breach of section 1(1)(a) of the Act, which states:

'1(1) Any person making a request for information to a public authority is entitled-

- (a) to be informed in writing by the public authority whether it holds information of the description specified in the request...'*

When refusing your request, the caseworker relied on the exemption at section 21 of the Act. The fact that the link provided did not provide a sufficient response to the entirety of your request represents an additional breach of section 17(1) of the Act, and the responsibility to provide an accurate refusal notice.

I apologise for the breaches of section 1(1)(a) and 17(1) in the handling of your request. The Home Office takes its duties under the Act seriously and the relevant caseworkers will be reminded of their responsibility to provide responses that are in full compliance with the requirements of the Act.

In relation to part one of your request I can confirm that Manchester was the only city under consideration for 'Pathfinder' status. I can further confirm that, at the time your request was received, the Home Office held no information relevant to parts two and three.

In order to fulfil our duty to provide advice and assistance to applicants under the provisions of section 16 of the Act, I have enclosed a copy of our current logged press lines which relate to the choice of Manchester as the first and

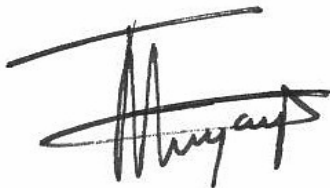
best site for an early interest launch. The lines detail the reasons why Manchester was chosen, and should go some way to providing some additional information in relation to parts two and three of your request.

I hope that you find this information of interest, and would like to assure you that you have been provided with all relevant information that the Home Office held at the time of your original request.

Should you remain dissatisfied after this internal review you have the right of complaint to the Information Commissioner, as established by section 50 of the Freedom of Information Act. You can write to him at:

Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF

Yours sincerely,

A handwritten signature in black ink, appearing to read 'John Bragaglia', with a horizontal line above it.

John Bragaglia
Information Access Consultant

Annex A

Current Home Office Logged Press Lines Regarding the Choice of Manchester for Early Interest Launch

Why Manchester?

IPS has looked at its customers, stakeholders and operational capability and chose Manchester as the best location for an Early Interest launch.

The case for launching Early Interest in Greater Manchester is based on:

- Proximity to Manchester Airport, which is majority owned by the city council.
- Existing IPS presence — interview office location and staff availability.
- Customer Insight from Market Research we have conducted has identified that young people have the greatest need for a portable form of ID. The Manchester demographic make-up and positive response from Manchester university provides a positive base for the launch of Early Interest and possible further initiatives.

The number of cards in circulation in Manchester will include critical workers at Manchester Airport joining foreign nationals and overseas students in the area who already have ID cards.

But there were other reasons for choosing to start in Manchester before going nationwide in 2012.

Firstly, the City has a diverse population. It is also home to a large proportion of young people who — our research tells us — are particularly keen to benefit from the National Identity Service.