

18 August 2010

Mr P John
request-9778-504e56bc@whatdotheyknow.com
(by email only)

Dear Mr John,

**REVIEW OF REQUEST UNDER THE FREEDOM OF INFORMATION ACT
2000**

Thank you for your internal review request of 27 April 2009. Your original request asked for information held by the Prime Minister's office relating to 121 Media and the Phorm case. I have carefully reconsidered the handling of your case. I apologise for the delay in responding.

In your request for an internal review, you sought clarification on the distinction between the Cabinet Office and the Prime Minister's office. Whilst Cabinet Office responded to your original FOI request, I can confirm that the Prime Minister's Office were consulted in responding to the request. The response which was sent to you covered both information held by Cabinet Office and information held by the Prime Minister's Office (otherwise referred to as 'Downing Street' or 'No10'). You can therefore be assured that relevant searches were conducted both by Cabinet Office and by the Prime Minister's Office for the information you requested.

After having conducted a review of this case, I can confirm that neither Cabinet Office nor the Prime Minister's Office hold any of the information you requested.

The Cabinet Office is responsible for coordinating the HMG's overall process for responding to infractions. Whilst Cabinet Office is not responsible for responding to any infractions per se, we work with other Departments to ensure that they have received the cases and respond to them by the deadline set in the Commission's letters. When the European Commission issues infractions to the UK it does so via the UK's Permanent Representative in Brussels, who then forward on the cases to Cabinet Office for Cabinet Office to issue to the relevant Departments. The lead Department for the relevant case is then responsible for producing a response to the Commission in consultation with any interested Departments. Cabinet Office advises Departments on more complex cases and assists in coordinating cases where a Department may need some assistance. Cabinet Office also seeks to work with Departments to mitigate the risk of infractions and the risk



of fines arising from infractions.

If you are unhappy with the handling of your request for information you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contact at:

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

Yours sincerely,

Zara Smart

PP. SUE GRAY

