

6 May 2010

Stephen Wynn Esq.
request-14093-d306f663@whatdotheyknow.com
(by email only)

*Dear Mr Wynn,***REVIEW OF REQUEST UNDER THE FREEDOM OF INFORMATION ACT 2000**

I am writing following your email of 18 November 2009 in which you requested an internal review of the handling of your request for information, under the Freedom of Information Act 2000, about a comment submitted on the Building Britains Future website. You confirmed in your email of 28 September 2009 that your request was for the email address of 'Mark' who submitted a comment on the above website. I am sorry for not having replied before now.

I have now completed my review of the handling of your request and I have decided to uphold the original decision. The information held (the email address of 'Mark') is exempt from disclosure under section 40(2) of the Freedom of Information Act. As the response to your request explained, section 40(2) exempts personal information from disclosure if that information relates to someone other than the applicant, and if disclosure of that information would, amongst other things, contravene one of the data protection principles in schedule 1 of the Data Protection Act 1998. In this case, I believe disclosure would contravene the first data protection principle, which provides that personal data must be processed fairly and lawfully. Section 40(2) is an absolute exemption and the Cabinet Office is not obliged to consider whether the public interest favours disclosing the information.

I am copying this letter to the Information Commissioner as I know you have already been in touch with his office about our handling of your request. Once again, I apologise for the delay in replying.

Yours sincerely,*P.P.* SUE GRAY