

Department of Energy & Climate Change

3 Whitehall Place,

London SW1A 2AW

T: +44 (0)300 068 4000

E: correspondence@decc.gsi.gov.uk

www.decc.gov.uk

David Holland
Via REQUEST-63404-4CA9D8DB@WHATDOTHEYKNOW.COM

Our ref: **11/0312**
Your ref: **63404-4CA9D8DB**

25 March 2011

Dear Mr Holland

RE: Your information Request Ref 11/0312

Thank you for your e-mail of 25 February 2011.

In your email, you make three requests for recorded information that may be held by the Department of Energy and Climate Change (DECC).

I have searched the IPCC and DECC websites but cannot find the document which the Task Group on Governance and Management, of which the UK is a Co-chair, was required to be provided by 31 January 2011.

[1] Please supply me and electronic copy of it or a URL

[2] Please also supply me with copy of, or a URL, for the British government's comments on the Task Group's proposals. I note that the due date for this is by 28 February 2011 and would ask that if it not now held you advise me of date that it planned to be held.

[3] Please also provide me with any documented departmental instructions for deciding when, and which, IPCC documents received, sent and held by DECC are to be either published at the DECC website or clearly referenced there as available at the IPCC website in accordance with EIR regulation 4.

We have considered these requests in accordance with the Environmental Information Regulations 2004 (EIRs) as the information you have sought disclosure of is likely in our view to fall within the definition of 'environmental information' as stated in the EIRs.

The Department does hold information which falls within your first request above (numbered [1]), which requests a copy of the draft recommendations of the Task Group on Governance and Management. However, on consideration, we have decided not to release this information in response to your request.

We consider that this information is exempt from disclosure under the Exception listed in Regulation 12(5)(a) of the Environmental Information Regulations, which relates to information disclosure of which could adversely affect international relations. This regulation covers relations between the UK and other states and international bodies.

We consider that because it is IPCC practice not to release pre-publication drafts that releasing this information could adversely affect international relations with the IPCC and/or individual Member States within the IPCC.

In applying this exception, we have also considered the public interest arguments for and against disclosure of the document, applying a presumption in favour of disclosure.

We consider that there are some arguments that the public interest is best served by disclosing the document. For example, disclosing the document would allow people with an active interest to be aware of the emerging work of the Task Group on Governance.

However, there are also arguments that the public interest is better served by withholding the document. We consider that there is potential for the public to be misled if ideas expressed in early draft form are made public before the final document is agreed, particularly when the draft document may not represent the views of the relevant IPCC Task Group.

Furthermore, we consider that the UK public benefits considerably from the UK maintaining a strong leadership role within the IPCC. Disclosing a document that has been labelled as confidential by the IPCC risks jeopardising the UK's standing within the IPCC and the UK's influence in this forum. On balance, we have judged that the public interest is best served by withholding this document at this time.

However, we note that a final draft of this document is due to be made public in the coming month on the IPCC website. We understand the IPCC also intends to publish earlier draft versions of the document at that time, together with Government comments on this draft. We therefore consider that those people with an interest in the proposals of the Task Group will very shortly have access to relevant information.

At the time of your request, DECC did not hold any information falling within your second request (a copy of the UK Government's comments to the IPCC). This document was generated on 9 March 2011. As noted above, we understand that the IPCC intends to publish Government comments on the Task Group documents ahead of the IPCC Plenary.

DECC does not hold any information falling within your third request. The DECC website contains a link to the IPCC website, where finalised reports can be found.

Please remember to quote the reference number 11/0312 in any future communications.

Yours sincerely,

DECC Climate, Energy, Science and Analysis

Appeal Procedure

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to the Department.

Please remember to quote the reference number above in any future communications.

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. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF