



HM Treasury

Information Rights Unit  
HM Treasury  
1 Horse Guards Road  
London  
SW1A 2HQ

Robert Davidson

Via email

020 7270 5000  
foirequests@hmtreasury.gov.uk  
www.gov.uk/hm-treasury

5 December 2018

Dear Mr Davidson

Ref: FOI2018/19973

## Freedom of Information Act 2000: EU Exit – Blockchain Technology

Thank you for your enquiry of 7 November 2018, which we have considered under the terms of the Freedom of Information Act 2000 (the FOI Act).

You asked for the following information:

*"Please would you confirm whether or not the Treasury holds any memos, briefing documents or reports either produced by the Treasury or submitted to the Treasury on the issue of the use of blockchain technology to facilitate 'frictionless borders' post-Brexit?"*

*If such material exists then I request that you make it available under the Freedom of Information legislation."*

Following a search of our records, I can confirm that HM Treasury does hold information within the scope of your request.

We consider that the information that we have identified engages the following exemptions under the Act:

Section 27(1)(b) (relationship with any international organisation);  
Section 27(1)(c) (the interests of the UK abroad);  
Section 29(1)(a) (the economic interests of the UK or any part of it);  
and at  
Section 35(1)(a) (development of government policy).

Section 27 and section 29 are engaged, as we consider that disclosure would or would be likely to prejudice international relations and the economy. Section 35(1)(a) is engaged because the information in scope relates to the formulation and development of government policy. These are all qualified exemptions and we are required to balance the public interest between disclosure and non-disclosure.

## Public Interest considerations

In relation to the release of this information, we recognise that there is an inherent public interest in transparency and accountability of public authorities. We also recognise the broad public interest in furthering public understanding of the issues with which public authorities deal, including relating to the UK's decision to leave the EU. There is a clear public interest in the work of government departments being transparent and open to scrutiny to increase diligence.

Balanced against this, with regard to section 35(1)(a) is the public interest in protecting the government's ability to discuss and develop policies and to reach well-formed conclusions. The Information Commissioner has recognised that policy development needs some degree of freedom to enable the process to work effectively and we consider that there is a strong public interest in protecting information where release would be likely to have a detrimental impact on the ongoing formulation/development of policy. There is a strong public interest in protecting against encroachment on the ability of ministers and/or officials to formulate and develop policy options freely and frankly.

In this case, there is an additional, very weighty, public interest in safeguarding the safe space for policy development in preparing for and participating in exit negotiations, and allowing for that advice to be freely given and received. This is particularly so given that the EU withdrawal process is continuing. There could be a significant detrimental effect on the ability of the government to efficiently form policy if decision makers and their advisers knew that the discussions and advice would be revealed, particularly whilst the wider exit process is on-going. In our view, these public interests clearly outweigh the public interest in disclosure.

In relation to section 27, we recognise the public interest in transparency and accountability but consider that disclosure would be likely to be likely to prejudice international relations and undermine the UK's ability to protect and promote its interests abroad. This would not be in the public interest.

The public interest balance under section 29 also falls against disclosure. This is because release of the information would be detrimental to the government's ability to protect the economic and financial interests of the UK. The adverse impact on the EU withdrawal process that would be likely to result from release of the information could have repercussions not just on the government's ability to develop effective policies but also on its ability to manage the economy and protect national and international interests. We therefore consider that the public interest lies decisively in favour of withholding this information.

If you have any queries about this letter, please contact us. Please quote the reference number above in any future communications.

Yours sincerely



Information Rights Unit

## Copyright notice

Most documents HM Treasury supplies in response to a Freedom of Information request, including this letter, continue to be protected by Crown copyright. This is because they will have been produced by Government officials as part of their work. You are free to use these documents for your information, for any non-commercial research you may be doing and for news reporting. Any other re-use, for example commercial publication, will require the permission of the copyright holder. Crown copyright is managed by The National Archives and you can find details on the arrangements for re-using Crown copyright material at: <http://www.nationalarchives.gov.uk/information-management/re-using-public-sector-information/uk-government-licensing-framework/crown-copyright/>

## Your right to complain under the Freedom of Information Act 2000

If you are not happy with this reply, you can request a review by writing to HM Treasury, Information Rights Unit, 1 Horse Guards Road, London SW1A 2HQ or by emailing us at the address below. Any review request must be made within 2 months of the date of this letter.

Email: [foirequests@hmtreasury.gov.uk](mailto:foirequests@hmtreasury.gov.uk)

It would assist our review if you set out which aspects of the reply concern you and why you are dissatisfied.

If you are not content with the outcome of the review, you may apply directly to the Information Commissioner for a decision. Generally, the Commissioner will not make a decision unless you have exhausted the complaints procedure provided by HM Treasury which is outlined above.

The Information Commissioner can be contacted at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF (or via their website at: <https://ico.org.uk>).

