



Home Office

Immigration Enforcement  
Immigration Enforcement  
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Colin Yeo

Sent via e-mail: [request-408870-828a3c7f@whatdotheyknow.com](mailto:request-408870-828a3c7f@whatdotheyknow.com)

[www.gov.uk/home-office](http://www.gov.uk/home-office)

26 June 2017

Dear Mr Yeo

**Re: Freedom of Information request – 44067**

Thank you for your email of 26 May 2017, in which you ask:

***“I would be grateful for release of the business plans for the Interventions and Sanctions Directorate for the years 2013 to 2017”.***

Your request has been handled as a request for information under the Freedom of Information Act 2000.

I can confirm that the Home Office holds the information that you have requested. However, after careful consideration we have decided that the information is exempt from disclosure under section 31 (2) (a) (law enforcement) – the purpose of ascertaining whether any person has failed to comply with the law, section 31 (1) (a) (law enforcement) – the prevention and detection of crime, section 31 (1) (e) (law enforcement) - the operation of immigration controls and section 43 (2) (commercial interests) - information is exempt information if its disclosure under this Act would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it) of the Freedom of Information Act. This provides that information can be withheld.

Some of the exemptions in the FOI Act, referred to as ‘qualified exemptions’, are subject to a public interest test (PIT). This test is used to balance the public interest in disclosure against the public interest in maintaining the exemption. We must carry out a PIT where we are considering using any of the qualified exemptions in response to a request for information.

The ‘public interest’ is not the same as what interests the public. In carrying out a PIT we consider the greater good or benefit to the community as a whole if the information is released or not. Transparency and the ‘right to know’ must be balanced against the need to enable effective government and to serve the best interests of the public.



The FOI Act is 'applicant blind'. This means that we cannot, and do not, ask about the motives of anyone who asks for information. In providing a response to one person, we are expressing a willingness to provide the same response to anyone, including those who might represent a threat to the UK.

### Considerations in favour of disclosing the information

There is a general public interest in openness and transparency in government, which will serve to increase public trust and promote public confidence in the operation of our immigration controls and in the way we carry out our work, in particular the detection and removal of immigration offenders.

### Considerations in favour maintaining the exemption

Set against these considerations, it is essential that sensitive information relating to law enforcement, and in this case to the detection and removal of immigration offenders, is protected. Disclosure of information about operational working practices would provide immigration offenders and potential offenders with an insight into those working practices and hence ways in which to frustrate or circumvent them.

There is a strong public interest in preventing that those seeking to evade immigration controls in order to access the UK for purposes that contravene our border controls. Revealing the business plans would provide insight into the methods, procedures and abilities that are in place to protect the UK borders. Individuals could use this information to identify and assess any potential strengths or weaknesses at the borders, which could compromise the integrity of the UK borders.

### Conclusion

We conclude that the balance of the public interest lies in maintaining the exemption and withholding the information.

If you are dissatisfied with this response you may request an independent internal review of our handling of your request by submitting a complaint within two months to the address below, quoting reference **44067**. If you ask for an internal review, it would be helpful if you could say why you are dissatisfied with the response.

Information Rights Team  
Home Office  
Third Floor, Peel Building  
2 Marsham Street  
London SW1P 4DF  
e-mail: [info.access@homeoffice.gsi.gov.uk](mailto:info.access@homeoffice.gsi.gov.uk)

As part of any internal review the Department's handling of your information request will be reassessed by staff who were not involved in providing you with this response.



Home Office

If you remain dissatisfied after this internal review, you would have a right of complaint to the Information Commissioner as established by section 50 of the Freedom of Information Act.

Yours Sincerely,

**Immigration Enforcement**  
**Immigration Enforcement Secretariat**