



Home Office

UK Visas and Immigration
Home Office
Refused Case Management
Liverpool
L2 0QN
www.homeoffice.gov.uk

26 July 2018

Address (via email): request-497785-08a5cb84@whatdotheyknow.com

Our Reference: FOI 49432

Dear Mr Yeo,

Freedom of Information Act 2000 Request

Thank you for your email of 17th July 2018, which was forwarded to us to action on 18th July 2018. Your request has been handled as a request for information under the Freedom of Information Act 2000. You have requested the following information:

I previously made a successful request for the number of cases of British citizenship deprivation. The previous request can be found here:

https://www.whatdotheyknow.com/request/citizenship_deprivations_for_las

Can you please release updated figures for the number of citizenship deprivation cases in 2016 and 2017?

Response

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 22 of the Freedom of Information Act. This provides that information can be withheld if it is intended for future publication.

Section 22 of the Act is a qualified exemption and requires consideration of the public interest test. In this particular case, it has been concluded that the public interest favours withholding the information and the arguments for and against disclosure in terms of the public interest have been set out in Annex A below.

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 **49432**. If you ask for an internal review, it would be helpful if you could say why you are dissatisfied with the response.

Information Access Team
Home Office
3rd Floor, Peel Building
2 Marsham Street
London SW1P 4DF
Email: 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 not involved in providing you with this response. 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

Refused Case Management FOI Team

Annex A - Public interest test in relation to section 22

The Home Office considers the information that has been requested to be exempt from disclosure on the grounds that the information is intended for future publication. The information is exempt from disclosure under section 22 of the Freedom of Information Act. This exemption is defined in the Act as follows:

22(1) Information is exempt information if—

- (a) the information is held by the public authority with a view to its publication, by the authority or any other person, at some future date (whether determined or not),
- (b) the information was already held with a view to such publication at the time when the request for information was made, and
- (c) it is reasonable in all the circumstances that the information should be withheld from disclosure until the date referred to in paragraph (a).

(2) The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would involve the disclosure of any information (whether or not already recorded) which falls within subsection (1).

Public interest test in relation to section 22

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.

When assessing whether or not it was in the public interest to disclose the information to you, we took into account the following factors:

Considerations in favour of disclosing the information

There is a general public interest in the immediate disclosure of information to ensure departmental transparency and accountability. There is public interest in the public having access to and being provided with information relating to the number of citizens that have been deprived of citizenship

We recognise that there may be a public interest in disclosing this information now, and that this may also weigh in favour of it being unreasonable to wait for the information to be published.

Considerations in favour of maintaining the exemption

It is in the public interest to ensure that the publication of official information is a properly planned and managed process. The Home Office must ensure that the information intended for publication meets the standards and requirements set for departmental publications. As the assurance process is ongoing, early release of the requested information could be misrepresentative of the information and could potentially impact upon by third parties and voluntary organisations. It would therefore be unfair for the Home Office to release this information prior to meeting such standards.

Moreover, there is a public interest in permitting the Home Office to publish information in a manner and form of its own choosing which could be undermined by previous disclosure. Publication before the planned date would undermine the Home Office pre-planned publication procedure and ability to use staff resources in a planned way so that reasonable publication timetables are not undermined.

Conclusion

We conclude that the balance of the public interest lies in maintaining the exemption and withholding the information because it is in the overall public interest that the Home Office is able to plan its publication of information in a managed and cost-effective way. This would not be possible if immediate disclosure were made. We believe that this is a relevant consideration in terms of withholding this information.