



Department
for Exiting the
European Union

**Freedom of Information
Team**

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Ally Tibbitt

Via: request-468916-a920183f@whatdotheyknow.com

Our ref: DEX001109

07 September 2018

Dear Ally Tibbitt,

FREEDOM OF INFORMATION REQUEST REF: DEX001109 - INTERNAL REVIEW

Thank you for your email of 3 April 2018 requesting an internal review under the Freedom of Information Act 2000 (the "Act"). I would like to take this opportunity to apologise for the time it has taken to issue this review.

Original request, received on 5 March 2018:

I would like to make a request for information under the FOI Act.

1) The Guardian reported that David Davis attended a conference at Oxford University in September 2016. I understand Legatum representatives were present. Regarding this, I would like:

- A full list of those that attended (including names of MPs, legal and trade experts, as referred to by the Guardian)*
- Reports, leaflets and pamphlets that were given out in the conference*
- A schedule of the conference*
- Emails between DExEU and the Legatum Institute about this conference at Oxford University*

2) On the Legatum Institute website, David Davis spoke at a Legatum Institute conference in January 2017. Regarding this, I would like:

- A full list of those that attended*
- Reports, leaflets and pamphlets that were given out in the conference*
- A schedule of the conference*

- *Emails between DExEU and the Legatum Institute about this conference in January 2017 (as well as subsequent correspondence relating to this event)*
- *Whether Davis received and accepted a fee for speaking at the conference. If so, please state how much.*

3) Please state whether DExEU ministers (past and present) have attended other conferences/events/seminars where Legatum representatives were present, or where the Legatum Institute hosted such conferences/events/seminars. For each one, I would like:

- *The date and location of the conference/event/seminar*
- *Which DExEU minister attended*
- *A description of the conference/event/seminar*

Original Answer, sent on 3 April 2018

We answered your request, citing section 12 (time/cost restrictions), as part 3 of your request was not with regards to a specific meeting and the way our information is stored, searching for any information in scope would take us over the limitations stipulated in the Act.

We provided advice and assistance, suggesting that part 3 of your request be removed in order to bring the request inside of appropriate limits. We also gave you the link to our published Ministerial transparency data.

Internal review request, received on 3 April 2018:

I am writing to request an internal review of Department for Exiting the European Union's handling of my FOI request 'DExEU ministers attendance at events where Legatum representatives were present'.

I am disappointed that officials judged that my initial request would breach the cost threshold.

However, if after review, that this is judged to be correct, then I would be happy to proceed by removing question 3 from my request.

Review of Case

I have reviewed your request and the initial handling, alongside timeliness and the points you have raised in your review.

I find that in this instance we have correctly applied section 12 to the request. As mentioned in our initial response, the way our records are held would not allow for this information to be easily searched for. We note in our transparency data, referenced in your original request, where we meet with external parties. The wording of your request, “*where Legatum representatives were present*”, is all encompassing, and therefore not only would meetings where we met with Legatum fall in scope, but also others where they may have been present at i.e. a speech one of our Departmental Ministers was giving, but where we did not have any other formal interaction, nor did the invite originate from us. To find the information when

phrased this way would require an extensive manual search of all Ministerial meetings.

Since we have found this to be the correct application of section 12, as in the wording of your internal review I will now log a new response under the reference number DEX001434, including questions 1 and 2 only. If you would prefer we did not do this or have any other amendments to make to this request, please write to confirm. We hope to have your FOI answer within 20 working days of today's date.

This response ends the complaints process provided by the Department. If you are not content with the outcome of your internal review, you may apply directly to the Information Commissioner. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Yours sincerely,

L. Baillie

Information Rights Appeals
Freedom of Information Team