



Disclosure Team
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Robert Sharp

March 2021

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Dear Robert,

Freedom of Information Act (FOIA) Request – 210318012

Thank you for your request dated 18 March 2021 in which you asked for the following information from the Ministry of Justice (MoJ):

“On page 188 of the report, the committee lists the government departments/agencies/bodies who responded to the call for submissions:

GOV001 Arun District Council
GOV002 Attorney General's Office
GOV003 Crown Prosecution Service
GOV004 Department for Business, Energy and Industrial Strategy
GOV005 Department for Digital, Culture, Media and Sport
GOV006 Department for Education
GOV007 Department for Environment, Food and Rural Affairs
GOV008 Department of Health and Social Care
GOV009 Department for Infrastructure Planning Group
GOV010 Department for International Trade
GOV011 Department for Transport
GOV012 Department for Work and Pensions
GOV013 Foreign, Commonwealth and Development Office
GOV014 HM Treasury
GOV015 Home Office
GOV016 Leicestershire CC
GOV017 Local authorities (Islington Council, North Norfolk District Council Eastlaw, Three Rivers District Council)
GOV018 Maidstone, Swale and Tunbridge Wells councils
GOV019 Medway Council
GOV020 Ministry of Defence
GOV021 Ministry of Housing, Communities and Local Government
GOV022 NHS Resolution
GOV023 No. 10 Downing Street
GOV024 Ofsted
GOV025 Planning Inspectorate
GOV026 Scottish Government
GOV027 Serious Fraud Office
GOV028 Welsh Government

Please supply these submissions.

If this information is exempt under s.21 of the Freedom of Information Act 2000 ("the Act"), please indicate where online I might be able to view and download the submissions.

If this information is exempt under s.22 of the Act, please indicate the date on which it is to be published, and where.

A previous (albeit broader) request of this nature made on 2 February (your reference 210202022) and was refused under section 35 (1)(a) of the FOIA because it related to the formulation or development of government policy. In the Ministry's response to me on 2nd March 2021, the factors that weigh against disclosure were helpfully set out:

"The Government must have a safe space in which to consider the relevant material, develop policy options and reach decisions away from external interference and distraction." ... "Policy formulation is ongoing at the moment and this process could be damaged by the premature release of the requested information." ... "Its release would lead to comment and speculation about the substance of policy that was still under development and time would be wasted responding to such comment and speculation." ... "This, in turn, would potentially cause delay to the overall process, setting back the Government's work towards publishing its response to the IRAL report.

Now the report has been published and the committee has been wound up, these considerations no longer apply. This means that the s.35 exemption no longer applies either."

Your request is being handled under the FOIA.

The MoJ is required under section 10(1) of the FOIA to provide you with a response within 20 working days. Therefore, we aim to provide you a response to your request by 19 April 2021. However, in view of the current public health situation, and its possible effect on resources and priorities, we may not be able to reply to you by this date; if this will be the case we will write to you nearer the time with an update.

Yours sincerely,

Judicial Review Reform team