



Joe Rukin

By email only: (request-421939-6c928e70@whatdotheyknow.com)

Cabinet Office Internal Review Reference: IR324979
(Original Case Reference: FO1324979)

12 March, 2018

Dear Mr Rukin,

**REVIEW OF REQUEST UNDER THE FREEDOM OF INFORMATION ACT
2000**

Thank you for your email of 15 October 2017. You asked for an internal review of our reply of 26 September to your request for information of 31 July. In your request you asked for information **on the publication of all report on HS2 produced by the Infrastructure & Projects Authority conducted since it took over the responsibilities from the Major Projects Authority.**

I have carefully reviewed the handling of your request and I consider that exemptions **at Section 33 (1)(b) and (2) and Section 35 (1)(a)** of the Freedom of Information Act were wrongly applied. Your request for information should have been considered under EIR rather than FOIA. A public interest test has been applied in line with the EIR and I have found that the same arguments for withholding the information as set out in our letter of **26 September** still apply. The necessity for a safe space outweighs the argument for disclosure of the IPA reports.

Regulation 12(4)(e) of the EIR allows a public authority to refuse to disclose information to the extent that the request involves the disclosure of internal communications. Although the IPA reports are shared with the Department for Transport they are not more widely circulated.



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For the reasons above I have therefore concluded that I should uphold the decision to withhold information requested but that the correct exemption regime should have been the EIR rather than FOIA.

If you are unhappy with the handling of your request for information you, have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

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

Yours sincerely,

Eirian Walsh Atkins
Head, FOI Clearing House
Cabinet Office