



Cabinet Office

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foi-team@cabinetoffice.gov.uk
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Kristian Healey-Ryder

By email: request-671333-51afd212@whatdotheyknow.com

FOI Reference: FOI2020/08199
13/07/2020

Dear Kristian Healey-Ryder

I refer to your request where you asked:

“Government Digital Service - Information required

“I am requesting the publication of the Intelligence and Security Committee's report into Russian interference in UK democracy, completed in March 2019.

The report was sent to the prime minister on 17 October 2019. The Prime Minister promised to publish the report after the 2019 general election, some six months ago.

Given this report examines the very fabric of our democracy, it is an affront to all voters that its contents are still unknown. It is likely that the non-publication is to save the blushes of a single political party, which threatens democracy itself.”

I am writing to advise you that following a search of our paper and electronic records, I have established the information you requested is held by the Cabinet Office.

For clarity, I should explain that the version of the Intelligence and Security Committee of Parliament's report cleared by the Committee before being passed to the Prime Minister, and the version that was cleared for publication by the Prime Minister, are not

the same document. I have interpreted your request as for the version of the report that has been cleared for publication.

On that basis, the report is continuing to be withheld under section 22(1) of the Freedom of Information Act. Section 22(1) protects information intended for future publication. Section 22 is a qualified exemption and I have considered whether the balance of the public interest favours maintaining the exemption in section 22(1) or disclosing the information. In accordance with the Justice and Security Act 2013 the careful consideration of the impact of releasing sensitive information, on the advice of civil servants, is a vital and statutory obligation held by the Prime Minister. This is to ensure that the release of information will not undermine the work of those who protect our national security. The balance of interest for releasing the report ahead of its publication date by the ISC has not changed and therefore the Cabinet Office considers it appropriate to continue to withhold release of the report.

I should also point out that section 22(1)(a) of the Act specifically states that a public authority is not required to have an exact publication date in mind (either for its own publication of the information, or publication by a third party) in order to rely upon the exemption provided by section 22; there is merely required to be a prior intention to publish (section 22(1)(b)). As the process for publishing ISC reports is set out in legislation, this intention is clearly already established.

The report itself is the property of the independent ISC, and as such it is not in any event for the Government to publish ISC reports; it is for the ISC to lay them before Parliament. Once a new Committee has been established, it will be up to them to choose when they wish to publish it.

Finally, should our interpretation set out above as to which version of the report you are seeking be incorrect, and you are seeking the version prior to the version cleared for publication by the Prime Minister, then you may wish to be aware that the Intelligence and Security Committee of Parliament is a named body under section 23(3) of the FOI Act, and therefore all information provided by the ISC is exempt information under section 23, which is an absolute exemption.

If you have any queries about this letter, please contact the FOI Team quoting the reference number above.

If you are unhappy with the service you have received in relation to your request or wish to request an internal review, you should write to:

Eirian Walsh Atkins
Cabinet Office

70 Whitehall
London
SW1A 2AS
email: foi-team@cabinetoffice.gov.uk

You should note that the Cabinet Office will not normally accept an application for internal review if it is received more than two months after the date that the reply was issued. If you are not content with the outcome of your internal review, you may apply directly to the Information Commissioner for a decision. Generally, the Commissioner cannot make a decision unless you have exhausted the complaints procedure provided by Cabinet Office. The Information Commissioner can be contacted at:

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

Yours sincerely

A handwritten signature in dark ink, appearing to be 'A. Brown', written over a light grey circular stamp.

*FOI Team
Cabinet Office*