



Home Office

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FOI: 50319  
4 March 2019

Dear Mr Redwood,

Thank you for your e-mail request of 24 September 2018, in which you specifically requested for the following. Please accept our sincere apologies for the delayed response.

*It appears that certain individuals and agencies in the UK may have interfered in the 2016 US election. It may show that that the un-redacted 20 pages from the June 2017 US FISA application will show when released that UK, rather than Russia, actually colluded with a Presidential campaign to affect the outcome of the 2016 election.*

*The real collusion appears to be between Britain and the Hillary Clinton's Presidential campaign /Obama administration.  
Please give the individuals and agencies involved and any relevant communications which show this. It is a matter of huge worldwide public interest.*

Your request is being handled as a request for information under the Freedom of Information Act 2000.

We neither confirm nor deny whether we hold the information you requested by virtue of sections 23(5), 24(2) (information supplied by, or relating to, bodies dealing with security matters and national security), and 27(4) (information on international relations) of the Freedom of Information Act. These sections exempt us from our duty to say whether or not we hold the information you ask for in your letter.

Further explanation of this decision, including any relevant public interest tests, are set out in the attached Annex.

**This response should not be taken as conclusive evidence that the information you have requested is or is not held by the Home Office.**

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

[FOIRequests@homeoffice.gov.uk](mailto:FOIRequests@homeoffice.gov.uk) , quoting reference **50319**. If you ask for an internal review, it would be helpful if you could say why you are dissatisfied with the response.

As part of any internal review the Department's handling of your information request will be reassessed by staff who were 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

**Freedom of Information  
Home Office**

## Annex

Sections 23(5), 24(2) and 27(4) of the Freedom of Information Act state:

***23(1)** Information held by a public authority is exempt information if it was directly or indirectly supplied to the public authority by, or relates to, any of the bodies specified in subsection (3).*

***(5)** The duty to confirm or deny does not arise of, or to the extent that, compliance with section 1(1)(a) would involve the disclosure of any information (whether or not already recorded) which was directly or indirectly supplied to the public authority by, or relates to, any of the bodies specified in subsection (3).*

Section 23(5) is an absolute provision and consequently no public interest consideration is required.

***24(1)** Information which does not fall within subsection 23(1) is exempt information if exemption from section 1(1)(b) is required for the purpose of safeguarding national security.*

***(2)** The duty to confirm or deny does not arise if, or to the extent that, exemption from section 1(1)(a) is required for the purpose of safeguarding national security.'*

Section 23(5) is an absolute provision and consequently there is no further consideration required.

***27(1)** Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice (a) relations between the United Kingdom and any other State.*

***(4)** The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would, or would be likely to, prejudice any of the matters mentioned in subsection (1).*

## Public Interest Test

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 favour of withholding the information, or the considerations for and against the requirement to say whether the information requested is held or not. 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 if the information is released or not. 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.

## **Section 24(2) public interest test**

### **Public interest considerations in favour of confirming or denying whether the information is held**

There is a general public interest in openness and transparency in Government, which can help to maintain public trust.

To confirm or deny the allegations of UK interference into the 2016 US elections is a matter of public and media interest, especially considering allegations made concerning Russian state involvement with the presidential campaign. Information to confirm or deny the legitimacy of these allegations could provide greater understanding of UK operational activity. The Home Office recognises this general interest and understands that confirming or denying whether we hold the information could increase public awareness of the situation.

### **Public interest considerations in favour of maintaining the exclusion of the duty to either confirm or deny**

In this instance, the maintenance of the exclusion of the duty to confirm or deny whether the department holds the information you have requested is required for the purpose of safeguarding national security.

Confirming or denying whether information is held could potentially reveal the existence of sensitive information and operational matters. To safeguard national security, it is important to protect the processes and techniques used. If we were to confirm or deny that such information is or is not held on this subject, this could reveal the extent (if any) of UK interference and jeopardise relations with the US – to the extent that UK interests or citizens could be put at risk.

Confirming or denying whether information is held which could lead to UK citizens being put at risk (and by extension endanger national security) is not in the public interest.

### **Balance of the public interest – section 24**

We have determined that safeguarding national security interests is of paramount importance and that in all circumstances of the case, the public interest in maintaining the exclusion of the duty to confirm or deny outweighs the public interest in confirming or denying whether we hold the information in question.

## **Section 27(4) public interest test**

### **Public interest considerations in favour of confirming or denying whether the information is held**

There is a general public interest in openness and transparency in Government, which can help to maintain public trust.

To confirm or deny the allegations of UK interference into the 2016 US elections is a matter of public and media interest, especially in light of allegations made concerning Russian state involvement with the presidential campaign. Information to confirm or deny the legitimacy of these allegations could provide greater understanding of the extent of UK

and US relations. The Home Office recognises this general interest and understands that confirming or denying whether we hold the information could increase public awareness of the situation.

**Public interest considerations in favour of maintaining the exclusion of the duty to either confirm or deny**

The above considerations must be weighed against a very strong public interest in protecting the UK's international relations. To protect the delivery of the UK's domestic and foreign policy objectives, it is essential that confidential information can flow freely between the UK and other countries. To confirm or deny whether any information is held would weaken this free flow of information and lead to distrust between States who, in future, may be less willing to negotiate or supply information to the UK. Not only could this hamper positive diplomatic relations in terms of trade and commerce, but also in the sphere of security, especially in the age of international terrorism.

**Balance of the public interest – section 27**

The Home Office therefore believes that safeguarding international relations is of paramount importance and that in all circumstances of this case, the public interest in maintaining the exclusion of the duty to confirm or deny outweighs the public interest in confirming or denying that further information is held.