

House of Commons
Public Administration Select
Committee

**MINISTERIAL
ACCOUNTABILITY AND
PARLIAMENTARY
QUESTIONS**

Ninth Report of Session 2001–02

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*Report together with Appendices and
Proceedings of the Committee*

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PUBLIC ADMINISTRATION SELECT COMMITTEE

The Public Administration Select Committee is appointed by the House of Commons to examine the reports of the Parliamentary Commissioner for Administration, of the Health Service Commissioners for England, Scotland and Wales and of the Parliamentary Ombudsman for Northern Ireland, which are laid before this House, and matters in connection therewith and to consider matters relating to the quality and standards of administration provided by civil service departments, and other matters relating to the civil service; and the committee shall consist of eleven Members.

Current Membership

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Mr Kevin Brennan (*Labour, Cardiff West*)
Annette Brooke (*Liberal Democrat, Mid Dorset and Poole North*)
Sir Sydney Chapman (*Conservative, Chipping Barnet*)
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Publications

The Reports and evidence of the Committee are published by The Stationery Office by Order of the House. All publications of the Committee (including press notices) are on the Internet at www.parliament.uk/commons/selcom/pubahome.htm. A list of Reports of the Committee since 1997 is at the back of this volume.

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Footnotes

In the footnotes of this Report, references to oral evidence are indicated by 'Q' followed by the question number. References to written evidence are indicated by the page number as in 'Ev 12'.

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NINTH REPORT

The Public Administration Select Committee has agreed to the following Report:

MINISTERIAL ACCOUNTABILITY AND PARLIAMENTARY QUESTIONS

Introduction

1. This is the fifth report published on Ministerial Accountability and Parliamentary Questions by this Committee or its predecessor, the Public Service Committee. In the mid-1990s our predecessor committee undertook a major inquiry into ministerial accountability and responsibility following the report of the Scott inquiry on the Export of Defence-Related Equipment and Dual-Use Goods to Iraq.¹ The Scott Report raised serious concerns about the effectiveness of the convention of ministerial responsibility. The Committee published its report in 1996 and made a number of recommendations.² It was this report which helped to prompt the House resolution on ministerial accountability which sets the standard for ministers' responsibilities to the House.

An Instrument of Accountability

2. In the context of 'Ministerial Responsibility and Parliamentary Questions', which is the subject of this report, questions provide one of several means by which Parliament holds the Executive to account. We note that the House has recently taken some steps to increase ministerial accountability. The introduction of debates in Westminster Hall, with a Minister replying, has increased the opportunity for Members to raise issues and for Select Committee reports to be debated. The recent changes, agreed by the House following recommendations from the Modernisation Committee, relating to Select Committees, should also help to improve parliamentary scrutiny of the Executive.³ The Prime Minister's twice-yearly appearance before the Liaison Committee is another welcome addition to parliamentary scrutiny. Members have resources such as the House of Commons Library and the Internet which can provide a great deal of information. However, parliamentary questions are arguably the most important instrument of sustained accountability available to individual Members, which is why they provide a focus for this Committee.

3. In our Report on Parliamentary Questions last year we addressed some issues which went beyond the matters mentioned in the Table Office memorandum (which forms the basis of our report to the House), most notably those raised with us by Members dissatisfied with responses they received from departments.⁴ In light of developments in the period since the Table Office memorandum was prepared, we intend to extend further our consideration of the issues relating to parliamentary questions. We do not, however, deal in detail in this report with the House's own rules in relation to parliamentary questions. This is a matter for the Procedure Committee, which has recently reported to the House,⁵ and the Select Committee on the Modernisation of the House.

¹ HC (1995–96) 115

² 'Ministerial Accountability and Responsibility' HC (1995–96) 313

³ HC Deb 14 May 2002, Col 648–731

⁴ HC (2000–01) 61

⁵ HC (2001–02) 622

Parliamentary Questions

4. Written parliamentary questions take two forms: ordinary and named day questions. Departments should endeavour to answer ordinary questions within a working week of the question appearing on the Order Paper. In 1971 the House agreed to a recommendation from a Select Committee on Parliamentary Questions that a system of priority written questions should be introduced.⁶ Such a question should now be answered on a named day.

5. In evidence to the recent Procedure Committee inquiry, the Principal Clerk, Table Office, provided a summary of the traditional definition of parliamentary questions. “Questions are formal proceedings in Parliament, addressed by Members to Ministers, and must relate to matters for which Ministers are responsible and on which they are accountable to Parliament. The basic rules are quite clear. Questions must either press for action or seek information and a question which has recently been answered may not be asked again”.⁷

Ministers’ Refusal to Answer Written Questions

6. One of the recommendations made by our predecessor Committee in 1996, when it considered practical measures to ensure that Ministers are as open as possible with Parliament, was the publication each year of a memorandum, prepared by the Table Office, listing cases where ministers have refused to answer written parliamentary questions.⁸

7. A memorandum relating to the refusal to answer questions in session 1999–2000 is printed with the report in Appendix 1. We are grateful to the Table Office for providing it. We subsequently requested clarification from the relevant departments on the reasons why answers were refused, and we have printed our letter (and the replies we received) in Appendix 2.

8. The Memorandum provided by the Table Office is derived from the notes on the pattern of answers kept by the Office mainly to ensure that a question is not asked again if the department has previously indicated that it will not answer it. It, therefore, mainly lists instances of questions which have not been answered for the following reasons:

- the department concerned has said that either the Government is not responsible for the matter concerned, or else that department is not responsible;
- a Minister has directly refused to provide information on the grounds that the information is, for one reason or other, confidential.

If a Minister declines to provide information in answer to a parliamentary question or refuses to take a particular action, the same question cannot be asked again for the next three months (again, unless there is a reason to believe that circumstances have changed). The Memorandum does not list instances of refusal to answer because the cost of doing so would be disproportionate, although this is a traditional ground for refusal. The Table Office’s list shows that in many cases the reason given for refusal to answer a parliamentary question is a denial that Ministerial responsibility exists. Other reasons commonly given include commercial confidentiality, security, the need to protect the privacy of individuals and the confidentiality of law enforcement investigations. The Table Office list does not show occasions on which Ministers have given incomplete answers, or answers that may be interpreted as misleading.

⁶ CJ (1972-73) 84

⁷ HC (2001-02) 622, Ev 82

⁸ HC (1995-96) 313, para 68

Guidance for Officials in Drafting Answers to Parliamentary Questions

9. In its response to our Second Report 2000–01, the Government included the ‘Guidance to Officials on Drafting Answers to Parliamentary Questions’, which we published in our Fourth Report 2001–02.⁹ In addition to this guidance individual departments have their own internal guidance (an issue to which we will return later in this report). The central guidance issued by the Cabinet Office to civil servants stresses that departments should be as open as possible. It states that civil servants drafting replies should “Approach every question predisposed to give relevant information fully, as concisely as possible”.¹⁰ If civil servants believe that there is a case for not giving the information requested, they are told to “draft an answer which makes this clear and which explains the reasons in equivalent terms to those in the Code of Practice, or because of disproportionate cost or the information not being available”.¹¹ The Code of Practice referred to is that on Access to Government Information, which was introduced in 1994, and created a common set of standards governing the disclosure of information by government departments and agencies. The Freedom of Information Act 2000 will replace the Code of Practice and we expect the appropriate references from the Act will replace those from the code. However, we note that the Government has delayed much of the implementation of the Act until 2005 and that the code will remain in force until then.

10. The proportion of questions which ministers have refused to answer by each Department in session 1999–2000 was as follows:

Total of Written Questions to Departments Session 1999–2000

Department	Total Number of questions tabled*	Percentage refused
Cabinet Office + Office of the Deputy Prime Minister	624 + 65	0.73
Church Commissioners	57	1.75
Culture, Media and Sport	1540	0.91
Ministry of Defence	2755	2.90
Education and Employment	2592	0.23
Environment, Transport and the Regions	4367	0.25
Foreign and Commonwealth Office	2551	1.06
Health	3483	0.23
Home Office	4130	0.70
International Development	901	0.33
Lord Chancellor’s Department	630	1.27
Northern Ireland Office	909	4.51

⁹ HC 464

¹⁰ Ibid, Appendix

¹¹ Ibid

Prime Minister	650	2.15
President of the Council	139	0
Attorney General	169	1.18
MAFF	1894	0.48
Scotland Office + Advocate General	393	4.83
Social Security	2193	0.41
Trade and Industry	2809	0.89
HM Treasury	2548	0.75
Office of the Secretary of State for Wales	532	3.20

***Source: Parliamentary On-Line Information System**

Evidence from Departments

11. As in previous years, we asked departments to explain the reasoning behind their refusal to provide information in response to questions, as identified in the Table Office memorandum. The original letter from the Clerk of the Committee to departments was sent in May 2001 requesting a response in June. Partly no doubt because there was a general election in 2001, we had only received replies from seven departments by November. In that month we sent a second letter to the remaining thirteen departments requesting a response by December. It was not until March 2002 that we received the final departmental response. Notwithstanding the intervention of an election, it should not have taken departments up to ten months to respond to a relatively simple request, especially as some were able to respond to our original deadline of June 2001.

12. In our Second Report 2000–01 we expressed the hope that the intervention of the Cabinet Secretary would improve departmental responses.¹² In its Response to our report the Government said that it “attaches importance to the prompt and efficient handling of Members’ correspondence”. It added “The Government aims to continue to improve performance and to raise standards of all departments to those of the best”.¹³ The time taken by departments to respond to our requests appears to be lengthening rather than shortening. Our last report on Parliamentary Questions (for questions answered in the session 1998–99) could not be published until January 2001. This report deals with questions from the session 1999–2000, a gap of two years. Our letter to departments covering the session 2000–01 will be sent out before the House rises for summer recess. A new Cabinet Secretary will be in post in October and we will write to him expressing our concerns and stating our expectation that this issue will be effectively addressed.

¹² HC 61, para 34

¹³ Fourth Report HC (2001-02) 464, Appendix

13. We note that the Government has targets for responding to Members' correspondence within 20 days and that last year performance against that target rose by 4 per cent.¹⁴ By convention, the Government should respond to Select Committee reports within two months. **We see no reason why departments should take so long in responding to our request and believe that this is completely unacceptable. We recommend that departments respond to our letter concerning ministerial refusals to answer questions within the Government's own twenty day target for responding to correspondence.**

Citing the Relevant Exemption

14. One of the reasons why departments may refuse to answer a parliamentary question is that the information required falls within the exemptions to the Code of Practice on Access to Government Information. The fifteen exemptions are listed in Part II of the code. In our report last year we expressed our disappointment that many departments continued to fail to cite the appropriate exemption when refusing to answer questions. We repeated a recommendation from a previous report, which the Government had previously accepted, that departments adopt the practice of always citing the relevant exemption.¹⁵ The Government again accepted our recommendation when it replied to our last report in December 2001.¹⁶

15. In our report last year we expressed the hope that "we shall not again have reason to complain that Departments are not citing the Code of Practice (or equivalent) when they decline to provide information".¹⁷ However, we once again have to return to this issue. Despite twice having our recommendation accepted by the Government, we have to report that departments continue to fail to cite the relevant exemption to the code.

16. Some departments are better than others. Despite the large number of questions it refuses to answer, the Ministry of Defence cited the relevant exemption for each one.¹⁸ Both the Prime Minister and the Department for Culture, Media and Sport (DCMS) refused to answer questions concerning the Dome, but while the Prime Minister's office cited the relevant exemption DCMS did not.¹⁹ In the list provided by the Table Office DCMS did not once cite an exemption. However, in their reply to our letter about their refusal to answer questions, DCMS stated the relevant exemption in every case.²⁰ Similarly, the Home Office did not originally cite any exemptions under the code, but cited each exemption when replying to the committee.²¹ It should be normal practice for departments to cite the relevant exemption when replying to the original question. The Committee will continue to monitor departments and intend to publish a league table of their performance in citing the relevant exemption under the code.

¹⁴ HC Deb 21 Mar 2002, 175WH

¹⁵ HC 61, para 12

¹⁶ HC 464, Appendix

¹⁷ HC 61, para 37

¹⁸ Appendix 1

¹⁹ Ibid

²⁰ Appendix 2

²¹ Ibid

Indeed the failure to cite the relevant exemption at the proper time is not limited to parliamentary questions. In his Annual Report 2001–02 the Parliamentary Commissioner for Administration, or Ombudsman, Sir Michael Buckley said “The bad habit of citing exemptions for the very first time at a very late stage of an investigation has reappeared”.²² **Our frustration on this matter is easily gauged by the fact that this is the third time we have made such a recommendation. Despite twice recommending this before (and twice having it accepted by the Government), we recommend again that where departments withhold information under an exemption of the Code of Practice they cite the relevant exemption in their written answers.**

17. One major change was introduced during the session 1999–2000. In October 1999 the House agreed to a resolution which meant that, subject to certain caveats, questions may not be tabled on matters for which responsibility has been devolved by legislation to the Scottish Parliament or the National Assembly for Wales.²³ In her written evidence to the Procedure Committee, the Principal Clerk, Table Office said that “detailed written questions on devolved matters are now generally not possible”.²⁴ This change accounts for the relatively high percentages of refused answers for the Scotland and Wales Offices. For example of the 17 questions refused by the Wales Office 14 were matters for the National Assembly for Wales.²⁵

The Continuing Dissatisfaction of Members

18. In our last Report on Ministerial Accountability and Parliamentary Questions, we sought to ascertain from Members what displeased them about the inadequacy of Ministerial replies. Although we did not circulate a questionnaire, as last year, we have continued to receive correspondence from Members who have concerns about the responses they receive from departments. As part of its separate inquiry into Parliamentary Questions, the Procedure Committee conducted a survey amongst Members. Its survey found that while 60 per cent of Members thought written questions were effective in bringing information into the public domain, more were dissatisfied with the speed of answers (45 per cent) than satisfied (44 per cent), and more were dissatisfied with the quality of answers (28 per cent) than satisfied (21 per cent), although 36 per cent expressed no opinion one way or another.²⁶ In the succeeding paragraphs we cite examples given to us by Members to highlight some issues which remain a concern.

19. The need for prompt responses from departments to questions is of continuing concern to Members. Cheryl Gillan MP wrote to the Department for Work and Pensions in October 2001. The correspondence was transferred to the Home Office and then to the Department for Culture, Media and Sport. Mrs Gillan had not received a reply by January 2002.²⁷ The problem of delays in responding to Member’s questions was also raised in the Westminster Hall debate on last year’s report. Brian White MP said that the Government’s initiatives for more joined-up government had led to more delays because departments were passing round correspondence. He added that the Government needed to consider how best to address this problem.²⁸ The Government should consider more effective use of the Knowledge Network (the internal system for sharing information across government) as a possible solution to providing answers to questions relating to cross-cutting issues.

²² HC 897, para 1.18

²³ HC 622, Ev 81

²⁴ Ibid

²⁵ Appendix 2

²⁶ HC 622, para 63

²⁷ Appendix 3

²⁸ HC Deb 21 Mar 2002, 147WH

20. Another Member highlighted the use of the 'holding reply', which also serves to delay responding to questions. The Rt. Hon. Frank Field MP informed us that out of ten questions which he had tabled to the Treasury between January and March 2002, nine had received a holding reply. In our last report we noted that occasionally a Member tables a question to which the answer is delayed until another Member tables a similar one, in which case the second Member receives a substantive answer and the first by reference. Although we have received no correspondence from Members on this issue, some Members have indicated in person to the Committee that this practice is continuing. We continue to deplore this practice and urge Members to write to the Committee with any examples. We will continue to monitor this. Mr Field also raised the issue of 'in the Library' responses, which refer a Member to material deposited in the House of Commons Library rather than putting the information on the parliamentary record.²⁹ We very much agree with Mr Field and **recommend that wherever practicable the full answer should be placed on the official record.**

The Influence of Commercial Confidentiality

21. Norman Baker MP recently produced a report on the use of 'commercial confidentiality' as a reason for refusal to answer parliamentary questions. Exemption 13 of the Code of Practice on Access to Government Information relates to information whose unwarranted disclosure would harm the competitive position of a third party. Citing the commercial confidentiality exemption can effectively stop a Member from raising the question again for the rest of the session. Since 1997 there has been an increase from 0.26 per cent to 0.4 per cent in the number of questions Ministers have not answered on the grounds of commercial confidentiality. Mr Baker noted that when he asked departments how many answers to questions had been refused on the grounds of the commercial confidentiality exemption most departments refused to answer on grounds of disproportionate cost. Mr Baker undertook the exercise himself. He told us a manual search through Hansard took him four hours.

22. The issue of commercial confidentiality is of particular relevance at this time due to the Government's plans for reform of public services, an issue upon which the Prime Minister said he will be judged at the next election. The Government want to use private sector finance and knowledge to improve public service delivery. The main vehicles for this process are Public Private Partnerships (PPP) and the Private Finance Initiative (PFI). These projects use private sector finance as capital and then the private sector earns profit from managerial efficiency or ownership of the capital project after a period of time. The contracts for these projects are long-term, up to 30 years. The length of the contracts means that once they are signed there is little chance for public influence. The Capita Group, one of the major private companies involved with PPPs, has estimated the market to be worth £50 billion.³⁰ This indicates to us that the public interest is best served by as much information as possible being made public before the contracts are signed.

²⁹ Appendix 3

³⁰ HC 263-v, Q299

23. We recently published the first report in our on-going inquiry into public service reform.³¹ In ‘The Public Service Ethos’ we said that there was a need to promote a public service ethos and recognised that accountability within the public service is different to that in the private sector. One of the Seven Principles of Public Life is Openness, which the Committee on Standards in Public Life define as “holders of public office should be as open as possible about all their decisions and actions they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands”.³² **We re-iterate our support of openness in public life and call on the Government to ensure that the public interest is put above all other considerations by increasing the openness of parliamentary answers.**

The Quality of Responses

24. The quality of responses from departments is another issue of concern for Members. Peter Ainsworth MP informed us that he tabled a question following the Second Reading of the Animal Health Bill in November 2001. Initially he received a holding reply. The substantive reply, received in December, referred him to the Secretary of State’s comments in the debate, which had initiated his question in the first instance.³³ The Chairman of the Committee, Tony Wright MP, wrote to the Prime Minister, asking him if collective cabinet responsibility would apply in a referendum on the single currency. The Prime Minister replied referring him to an answer to a question concerning the conditions for a referendum on euro entry. The referred answer did not address the substantive question asked by Dr Wright.³⁴ Dr Wright also asked the Cabinet Office to list which public bodies are required to report to Parliament. The response from the Minister said that where a body is required to report to Parliament it is set out in the relevant statute and that a future annual report on public bodies should provide summary information on the arrangements for ensuring greater transparency. Dr. Wright wrote to the Minister, Christopher Leslie MP, asking why he had not answered the question. The new Minister in the Cabinet Office, Douglas Alexander MP, promised to supply Dr. Wright with a full response before the summer recess.³⁵ Norman Baker MP tabled a question about radioactive waste, to which the response was that the department did not hold the information. It transpired that an almost identical question was answered by the department in 1997.³⁶

25. Members’ concerns about ministerial replies to questions have also been raised a number of times in the Chamber. This was most frequently done on a point of order, as on 21 and 28 November 2001,³⁷ which prompted the Speaker to set out the expectations of the House. On 28 November the Speaker said “The House’s legitimate expectations are contained in the 1997 Resolution on ministerial responsibility. It is the duty of a Speaker to do what can properly be done from the Chair in support of the resolution. It is the duty of Ministers to act in the spirit of the resolution”.³⁸

The resolution says:

“Ministers should be as open as possible with Parliament, refusing to provide information only when disclosure would not be in the public interest, which should be decided in accordance with the Government’s code of practice on access to Government information”.³⁹

³¹ Seventh Report HC (2001–02) 263

³² First Report, 1995, Cm 2850

³³ Appendix 3

³⁴ Ibid

³⁵ Ibid

³⁶ Ibid

³⁷ HC Deb 21 Nov 2001 Col 319-21 and 28 Nov 2001 Col 971

³⁸ HC Deb 28 Nov 2001, Col 971

³⁹ CJ (1996-97) 328

The Speaker also said that Members “should seek advice—the Table Office is always ready to help—and then they should persist”. He added that Members could also contact either this Committee or the Procedure Committee if they were dissatisfied (an issue we will return later in this report).⁴⁰

26. The continuing concern of Members was raised in the Westminster Hall debate on our Second Report of 2000–01.⁴¹ In its recent report, the Procedure Committee recommended that we should address Members’ dissatisfaction at the quality of ministerial answers. The Procedure Committee asked us to give consideration in particular to cases where Ministers do not give a full and satisfactory response.⁴²

27. At present the only options, as outlined by the Speaker in his statement, for dissatisfied Members are to pursue the minister themselves or pass their concerns on to either this Committee or the Procedure Committee. We encourage Members to raise their concerns with either Committee. In addition, Members can pursue a more satisfactory answer to their question by requesting an adjournment debate or raising it by way of an Early Day Motion. Where Members are dissatisfied with the answer to an oral question, notice is sometimes given that in view of the unsatisfactory nature of the reply, the Member intends to raise the matter in an adjournment debate. In evidence to the Procedure Committee, the Principal Clerk, Table Office suggested that where a Member did not receive a substantive answer to a named day question on the due date, priority may be given to the Member in a forthcoming ballot for adjournment debates.⁴³ The Procedure Committee were attracted by this proposal, but considered that it would be better to see whether their other recommendations, if implemented, were effective before agreeing to introduce this sanction. The Procedure Committee may return to the proposal in a future report.⁴⁴

28. However, if a Member has pursued all the options currently available within the House and remains dissatisfied, there is no avenue for a complaint to be pursued any further (apart from the Ombudsman in cases of alleged breaches in the Code of Practice on Access to Government Information). The inability of the House to impose any sanctions on Ministers was raised frequently in the recent Westminster Hall debate, in which a number of options were put forward by Members. These included expanded roles for the Ombudsman, the Cabinet Secretary, the Speaker and this Committee.

29. We believe that it would not be appropriate for either the Speaker or the Cabinet Secretary to have an expanded role in pursuing complaints. The Speaker made a statement to the House last year setting out clearly his views on the subject. He said “It would be unwise for me to express a view on the adequacy of a particular ministerial answer. There are bound to be two views on that, and neither is a matter for me. So I cannot ... sit in judgement on particular answers”.⁴⁵ Any decisions made concerning the quality and content of replies would at the final complaint stage require the Speaker to make a judgement. As many complaints are likely to come from opposition Members, this would potentially involve the Speaker in taking sides between Government and opposition.

⁴⁰ HC Deb 28 Nov 2001, Col 971

⁴¹ HC Deb 21 Mar 2002, Col 137-182WH

⁴² HC 622, para 65

⁴³ *Ibid*, Ev 81

⁴⁴ *Ibid*, para 77

⁴⁵ HC Deb 28 Nov 2001, Col 971

30. Similarly the Cabinet Secretary is required to be politically impartial. As we said in our report last year, we welcomed the Cabinet Secretary's intervention, which we hoped would lead to an improvement in the service Members received from departments. However, the Cabinet Secretary is not best placed to make judgements on ministerial replies and impose sanctions. This is a role for Parliament.

31. The Ombudsman, currently has a role to play in dealing with certain issues arising from parliamentary questions. The Ombudsman acts as the guardian to the Code of Practice on Access to Government Information. The Code requires bodies (listed in Schedule 2 of the Parliamentary Commissioner Act 1967) to release information, both pro-actively and on request, unless that information is covered by one or more of the fifteen exemptions under the Code.

32. The Ombudsman's role is to investigate complaints referred by Members of Parliament that information that should have been provided under the Code has been withheld. The office of the Ombudsman therefore already has experience in handling sensitive papers and making decisions based upon judgement. Much of this work is informal, trying to resolve problems before any formal process is entered into. However, there are potential drawbacks to greater involvement by the Ombudsman. Firstly, that in 2005 the Information Commissioner will become responsible for the provisions of the Freedom of Information Act 2000. Secondly, the Ombudsman has reported that departments are less willing to co-operate with his office in relation to both investigations and findings.⁴⁶ In addition, any substantial change in the Ombudsman's role would require legislation.

33. As part of a series of parliamentary questions to Secretaries of State, Andrew Robathan MP asked the Home Secretary on how many occasions declarations of interests had been made by ministers under the Ministerial Code of Conduct. The Home Office refused to release the information citing two exemptions under the Code of Practice. Mr Robathan referred a complaint to the Ombudsman, who upheld the complaint, ruling that the exemptions cited by the department were not relevant. The department refused to comply with a ruling of the Ombudsman, the first time a ruling under the Code has been refused.⁴⁷ This case highlights the problem with the role of the Ombudsman. The Ombudsman can only report to Parliament, to this Committee, and has no powers or sanction to require ministers to comply with an investigation or a finding.

34. Before considering an expansion of the role of the Ombudsman (or indeed the creation of a new independent office), the House should consider the possibility of enhancing its existing internal processes. We believe that a possible option could be for the small minority of Members, still dissatisfied after pursuing all options open to them, to refer their complaint to the Chairman of this Committee. The Chairman would write to the Department concerned asking why the information had not been provided. The Chairman would not make a judgement and have no additional powers, but act merely as a conduit. The Committee would publish these letters in the same way that it currently records ministers' refusals to answer questions, thus continuing to report to Parliament on the quality of answers. In addition, the Committee would be able to call Ministers to appear before it and question them on their record on answering questions. **We therefore recommend that this Committee, through its Chairman, should be asked by the Speaker to refer unsatisfactory answers to questions to the Department concerned if requested to do so by a Member, and if such answers are deemed appropriate for such a referral.**

⁴⁶ Annual Report 2001-02, HC 897, para 1.18

⁴⁷ 'Access to Official Information: Declarations made under the Ministerial Code of Conduct' HC (2001-02) 353

35. We welcome the increased opportunity to debate Select Committee reports provided by sittings in Westminster Hall. However, it was noted by Members in the debate on 21 March 2002 on our last report on Ministerial Responsibility and Parliamentary Questions, and the Government's Response, that many Members wanted to contribute, but other important matters were under discussion in the Chamber. We have said that parliamentary questions are a key instrument of accountability. This is an issue which affects all Members of the House and should be the subject of the primary attention of the House. **We hope that this report, and those in successive sessions, on parliamentary questions will be debated in the House, either in Westminster Hall or in the Chamber,** and encourage all Members to participate in this important scrutiny exercise. We hope that our recommendations will go some way to reducing dissatisfaction among Members. However, if they do not, we will return to this issue in the future and explore further the options for an independent complaint process.

Other Developments

Events at the Department of Health

36. During the current parliamentary session a serious problem came to light concerning parliamentary questions within the Department of Health. Paul Burstow MP tabled an Early Day Motion criticising the length of time the department was taking in answering questions.⁴⁸ In February, the Secretary of State, the Rt. Hon. Alan Milburn MP, was informed that a number of questions, some dating back to June 2001, remained unanswered. Mr Milburn, made a statement, by way of a written Parliamentary answer, in response to the number of outstanding questions for answer.

37. Mr Milburn's answer of 5 March recorded that the department received 45 written parliamentary questions per day (double the level of the previous session) and that 411 were currently outstanding.⁴⁹ After investigating these matters Mr Milburn said "evidence came to light of what appears to be systematic falsification in recording the handling of parliamentary questions in the Department's parliamentary section. This included recording questions as having been answered when no such reply had been given to the Member or to the Official Report". He added that the department is "fully committed to supporting the system of accountability to Parliament which underpins our democracy. We aim to provide timely and accurate responses to parliamentary questions. There has been a serious failure in honouring that commitment which I deeply regret".⁵⁰ An official within the department was suspended and an internal investigation launched.

38. Mr Milburn made a further statement to the House, again by written answer, on 25 March following the departmental investigation. The total number of questions which the department's database recorded as being answered but had not been answered was 210. The investigation concluded that one person was responsible for the falsification of the database, but that the system was open to abuse. This problem was exacerbated by the growing workload of the parliamentary section (although we should note that other departments had also seen an increase in the number of questions without running into the same sort of problem). It also concluded that there was every indication that falsification had also occurred in previous Parliamentary sessions. The investigation also established that the department had not been following the normal practice of sending all questions answered by letter to the Library of the House, a practice it will follow "assiduously in the future", according to Mr Milburn.⁵¹

⁴⁸ EDM 869

⁴⁹ HC Deb 5 Mar 2002, Col 275W

⁵⁰ HC Deb, 5 Mar 2002, Col 275W

⁵¹ HC Deb, 25 Mar 2002, Col 756-759W

39. The Secretary of State announced a number of steps which the department would introduce immediately. Ministers' Private Offices will be more closely involved in preparing answers to questions. Additional staff were provided for the parliamentary section to deal with the backlog (along with a review of the long-term staffing implications) and new accommodation provided. New arrangements within the parliamentary section would be established to ensure that the process cannot be manipulated by any one individual. This would include additional external checking through the Library of the House and the new arrangements for quarterly reviews of outstanding questions introduced by the Leader of the House in March (see paragraph 41).⁵²

40. We welcome the Secretary of State's endorsement of the democratic importance of parliamentary questions and his commitment to ensuring that the department answers them in a timely and accurate manner. We also welcome the steps he has announced to improve the process for answering questions within the department, especially the use of external validation. Indeed this is something that other departments could imitate. We hope to take evidence from the Department of Health on these matters in the next session.

41. Following events at the Department of Health, the Leader of the House, the Rt. Hon. Robin Cook MP, issued a memorandum to all departmental Parliamentary Clerks. Mr Cook reminded departments, that the Commons Library must receive a copy of all answers and supporting documents. In addition he urged that all 'I will write' answers to questions should be followed up as quickly as possible. He also expressed his concerns about the number of questions that remained unanswered at the end of a session and at the reliability of systems in departments alerting Ministers to unanswered questions. He introduced two changes to address these concerns. A quarterly report will be compiled of 'I will write' answers and unanswered questions. These reports will be given to Secretaries of State so that they are aware of the situation in their department. So far the Leader of the House has resisted calls for the new quarterly reports to be made available. We believe that publishing these reports would improve transparency and ensure that Members were more aware of the performance of departments, thus allowing Parliament to gauge more effectively the performance of departments in answering questions and enabling them better to hold the Executive to account. The Scottish Executive publishes its own detailed quarterly audits of written questions and in addition it publishes reports covering four week periods.⁵³ **We recommend that the Leader of the House reconsider his decision and publish the quarterly reviews of unanswered and 'I will write' questions in Parliament.**

The Cost of Parliamentary Questions

42. One of the reasons given by departments for not answering a question is that the information is not held centrally and could only be provided at a disproportionate cost. Guidance on the costing of answering parliamentary questions is provided to departments and agencies by the Treasury,⁵⁴ although the final decision rests with individual departments, some of which have their own guidelines. The last major survey was carried out in 1991, which found the average cost of answering a written parliamentary question was £87. The cost of answering questions has been updated annually by indexation using the retail price index and the civil service earnings index. The current average cost of answering a written question is £129. The 1991 survey was reviewed in 1999. This review concluded that the original costings continued to provide a sound basis for calculating the average cost figures and setting the Disproportionate Cost Threshold (DCT). The DCT does not override any other valid reason why an answer to a question may be refused. Departments are not obliged to adhere to the Treasury guidance and can have their own internal costing systems. However, as Christopher Leslie, the then Parliamentary Secretary,

⁵² Ibid

⁵³ HC (2001–02) 622, Ev 132

⁵⁴ 'Costing Parliamentary Questions: a Guidance Note for Departments', HM Treasury, 1999

Cabinet Office, said “The final decision on how to answer the parliamentary question rests with the individual Minister concerned who may decide that a full answer should be provided irrespective of cost”.⁵⁵

43. The issue of cost has been the subject of debate both within the House and in the media. In the period from 9 June 2001 to 29 January 2002, 41,366 parliamentary questions were asked at a cost of £5 million.⁵⁶ It was reported in the House that between 9 June 2001 and 9 July 2002, one Member had tabled 4,382 questions at a cost of £565,278.⁵⁷ The Procedure Committee commented that “a further increase in the number of questions being tabled may lead to an erosion of the quality of responses and delays in responding”.⁵⁸ The Government, in evidence to the Procedure Committee, commented that “the sheer volume of questions that are currently being asked is inhibiting the speed with which answers can be prepared”.⁵⁹ The Procedure Committee, the Table Office and the Government are of the same opinion that the system of named day questions is not working as it was originally intended. The Procedure Committee, therefore, recommended that the House impose a daily quota per Member of five named day questions.⁶⁰ **We concur with the Procedure Committee and hope that such a recommendation should lead to an increase in the quality and speed of answers and urge the House to implement their recommendation.**

44. At a time when the number of questions to departments is rising and complaints from Members are growing, each Member must consider the need to ask so many questions. We share the Procedure Committee’s view that it is the right of Members to ask questions, but if Members, quite rightly, require quality responses, they must understand the demands they are placing on departments. We hope that the recommendations of that Committee are implemented and prove beneficial to Members.

Departmental Guidance

45. In addition to the central guidance issued by the Cabinet Office, individual departments have their own instructions to officials drafting answers. Information relating to internal departmental guidance has been the subject of recent comment in the House. Members raised their concerns in a series of points of order in the House in June 2002. Paul Tyler MP quoted from the internal guidance of the Department of Work and Pensions (DWP) claiming that civil servants were instructed to determine whether a Member was ‘friendly’ before deciding how to respond. The Rt. Hon. Andrew MacKay MP joined Mr Tyler in condemning departments for responding differently to different Members.⁶¹ In response to a number of written question, the new Secretary of State at DWP, the Rt. Hon. Andrew Smith MP, said “Guidance notes have been produced for many years to assist officials who help prepare answers to parliamentary questions. Until now they have been produced by officials without clearance by Ministers. The reference in the guidance notes to the question being ‘friendly’ is not appropriate and has been deleted”.⁶² Mr Smith also placed a copy of the guidance in the Library. As the Secretary of State signs off all answers to parliamentary questions it is vital that any internal guidance is approved by the Secretary of State. We welcome the action of the Secretary of State for DWP and would encourage all Secretaries of State to follow his lead and ensure that all departmental guidance has the approval of the appropriate Secretary of State.

⁵⁵ HC Deb 8 May 2002, Col 253W

⁵⁶ HC Deb 17 Apr 2002, Col 929W

⁵⁷ HC Deb 10 Jul 2002, Col 997W

⁵⁸ HC (2001-02) 622, para 67

⁵⁹ HC 622, Ev 64, para 7

⁶⁰ *Ibid*, para 73

⁶¹ HC Deb 11 Jun 2002, Col 724

⁶² HC Deb 17 Jun 2002, Col 96W

46. We have taken no evidence on this matter but re-iterate what both the Speaker and the Government have recently said. In response to the point of order of 11 June, the Speaker said that “Ministers are expected to give full and open answers”.⁶³ The Guidance on Drafting Answers to Parliamentary Questions makes it clear that civil servants should approach each question on the same basis and during the recent Westminster Hall debate, the then Parliamentary Secretary, Cabinet Office, Christopher Leslie MP said that “It is of paramount importance that Ministers give accurate and truthful answers to Parliament”.⁶⁴ We hope that when a Secretary of State approves the internal departmental guidance he or she ensures that it is consistent with the expectations of the Speaker and the central guidance published by the Government.

47. We believe that Members have a justifiable concern that the standard of answers to parliamentary questions may vary between departments, and potentially, may vary between different Members. The risk arises largely because of the existence of separate departmental instructions. We intend to examine the separate guidance produced by departments to see if each is consistent with the central guidance issued by the Cabinet Office. We will report our findings as part of our next annual report on parliamentary questions.

Conclusions

48. We have extended our inquiry into ministerial accountability and parliamentary questions this year. There have been some significant recent developments to which we hope to return over the course of considering our next annual report on this issue. We welcome correspondence from Members on these matters. We have already received the Table Office memorandum upon which next year’s report will be based. We hope that departments take note of the comments made in this report and respond promptly to our request for information.

49. We firmly believe that parliamentary questions are a key instrument for Members in holding the Executive to account. We urge that the recommendations made in this report, and those of the Procedure Committee, should be implemented to enable Members more effectively to perform their vital scrutiny role. We will continue to monitor developments and look at ways in which the process of holding ministers to account can be further improved.

⁶³ HC Deb 11 June 2002, Col 724

⁶⁴ HC Deb 21 Mar 2002, Col 179WH

LIST OF CONCLUSIONS AND RECOMMENDATIONS

Evidence from Departments

- (a) **We recommend that departments respond to our letter concerning ministerial refusals to answer questions within the Government's own twenty day target for responding to correspondence (paragraph 13).**

Citing the Relevant Exemption

- (b) **Despite twice recommending this before (and twice having it accepted by the Government), we recommend again that where departments withhold information under an exemption of the Code of Practice they cite the relevant exemption in their written answers (paragraph 17).**

The Continuing Dissatisfaction of Members

- (c) **We recommend that wherever practicable the full answer to a written parliamentary question should be placed on the official record. (paragraph 21).**

The Influence of Commercial Confidentiality

- (d) **We re-iterate our support of openness in public life and call on the Government to ensure that the public interest is put above all other considerations by increasing the openness of parliamentary answers. (paragraph 24).**

The Quality of Responses

- (e) **We recommend that this Committee, through its Chairman, should be asked by the Speaker to refer unsatisfactory answers to questions to the Department concerned if requested to do so by a Member, and if such answers are deemed appropriate for such a referral. (paragraph 35).**
- (f) **We hope that this report, and those in successive sessions, on parliamentary questions will be debated in the House, either in Westminster Hall or in the Chamber, (paragraph 36).**
- (g) **We recommend that the Leader of the House reconsider his decision and publish the quarterly reviews of unanswered and 'I will write' questions in Parliament (paragraph 42).**

The Cost of Parliamentary Questions

- (h) **We concur with the Procedure Committee and hope that their recommendation for rationing named day questions should lead to an increase in the quality and speed of answers and urge the House to implement their recommendation. (paragraph 44).**

PROCEEDINGS OF THE COMMITTEE RELATING TO THE REPORT

Thursday 18 July 2002

Members present:

Tony Wright, in the Chair

Mr Kevin Brennan	Mr Gordon Prentice
Sir Sydney Chapman	Hon Michael Trend
Mr Ian Liddell-Grainger	Mr Brian White
Mr John Lyons	

The Committee deliberated.

Draft Report [Ministerial Accountability and Parliamentary Questions], proposed by the Chairman, brought up and read.

Ordered, That the draft Report be read a second time, paragraph by paragraph.—(*The Chairman.*)

Paragraphs 1 to 50 read and agreed to.

Ordered, That the Appendices to the Report be reported to the House.—(*The Chairman.*)

Resolved, That the Report be the Ninth Report of the Committee to the House.—(*The Chairman.*)

Ordered, That the Chairman do make the Report to the House.

Ordered, That the provisions of Standing Order No. 134 (Select committee (reports)) be applied to the Report.

[Adjourned to a day and time to be fixed by the Chairman.]

PUBLIC ADMINISTRATION SELECT COMMITTEE REPORTS: PARLIAMENT 1997–2001

Session 1997–98

First Report: Public Appointments (HC 327)

Government Response: Third Special Report, Session 1997–98 (HC 723)

Second Report: Annual Report of the Health Service Ombudsman for 1996–97 (HC 352)

Government Response: Fifth Special Report, Session 1997–98 (HC 1055)

Third Report: Your Right to Know: The Government's Proposals for a Freedom of Information Act (HC 398)

Government Response: Fourth Special Report, Session 1997–98 (HC 1020)

Fourth Report: Ministerial Accountability and Parliamentary Questions (HC 820)

Fifth Report: Report of the Northern Ireland Ombudsman for 1997 (HC 630)

Government Response: First Special Report, Session 1998–99 (HC 53)

Sixth Report: The Government Information and Communication Service (HC 770)

Government Response: Second Special Report, Session 1998–99 (HC 162)

Session 1998–99

First Report: Report of the Parliamentary Ombudsman for 1997–98 (HC 136)

Government Response: Fourth Special Report, Session 1998–99 (HC 817)

Second Report: Annual Report of the Health Service Ombudsman for 1997–98 (HC 54)

Government Response: Third Special Report, Session 1998–99 (HC 816)

Third Report: Freedom of Information Draft Bill (HC 570)

Government Response: Fifth Special Report, Session 1998–99 (HC 831)

Fourth Report: Ministerial Accountability and Parliamentary Questions (HC 821)

Fifth Report: Freedom of Information Draft Bill: The Committee's Response to the Home Office Reply (HC 925)

Sixth Report: Quangos (HC 209)

Government Response: First Special Report, Session 1999–2000 (HC 78)

Session 1999–2000

First Report: The Freedom of Information Bill (HC 78)

Second Report: Work of the Commissioner for Public Appointments: Appointments to NHS Trusts and Health Authorities (HC 410)

Government Response: Cm 5037

Third Report: Review of Public Sector Ombudsmen in England (HC 612)

Fourth Report: Annual Report of the Parliamentary Ombudsman (HC 106)

Fifth Report: Administrative Failure: Inherited SERPS (HC 433)
 Government Response: First Special Report, Session 2000–01 (HC 264)

Session 2000–01

First Report: The Annual Report of the Health Service Ombudsman for 1998–99 (HC 60)

Government Response: Second Special Report, Session 2000–01 (HC 374)

Second Report: Ministerial Accountability and Parliamentary Questions (HC 61)

Government Response: Fourth Report, Session 2001–02 (HC 464)

Third Report: The Ministerial Code: Improving the Rule Book (HC 235)

Government Response: Second Report, Session 2001–02 (HC 439)

Fourth Report: Special Advisers: Boon or Bane? (HC 293)

Government Response: Third Report, Session 2001–02 (HC 463)

Fifth Report: Mapping the Quango State (HC 367)

Sixth Report: Public Participation: Issues and Innovations (HC 373)

Government Response: First Report, Session 2001–02 (HC 334)

Seventh Report: Making Government Work: The Emerging Issues (HC 94)

REPORTS: CURRENT PARLIAMENT

Session 2001–02

First Report: Public Participation: Issues and Innovations: The Government Response to the Committee's Sixth Report of Session 2000–01 (HC 334)

Second Report: The Ministerial Code: Improving the Rule Book: The Government Response to the Committee's Third Report of Session 2000–01 (HC 439)

Third Report: Special Advisers: Boon or Bane: The Government Response to the Committee's Fourth Report of Session 2000–01 (HC 463)

Fourth Report: Ministerial Accountability and Parliamentary Questions: The Government Response to the Committee's Second Report of Session 2000–01 (HC 464)

Fifth Report: The Second Chamber: Continuing the Reform (HC 494)
 Government Response: Sixth Report, Session 2001–02 (HC 794)

Sixth Report: The Second Chamber: Continuing the Reform: The Government Response to the Committee's Fifth Report (HC 794)

Seventh Report: The Public Service Ethos (HC 263)

Eighth Report: "These Unfortunate Events": Lessons of Recent Events at the Former Department for Transport, Local Government and the Regions (HC 303)

Ninth Report: Ministerial Accountability and Parliamentary Questions (HC 1086)

APPENDIX 1

Submitted by the Principal Clerk, Table Office, House of Commons

Following normal practice, I enclose a copy of the Table Office's digest of the pattern of answers: the list of questions which had been blocked by virtue of a minister's refusal to answer them in the Session 1999–2000, which lasted from November 1999 to 30 November 2000.

The Table Office's previous memoranda to the Committee set out the procedure relating to the compilation, Office style and use of the pattern of answers list, which is of course neither a complete digest of blocking answers nor an absolute statement of what may not be asked. It is primarily an internal document designed as a practical guide to some of the limits set by ministers in replying to questions.

Dates between 17 and 30 November in the list are all from 1999, unless otherwise indicated.

19 March 2001

PATTERN OF ANSWERS LIST FOR SESSION 1999–2000

ADVOCATE GENERAL

No.	Date	Subject	Comment	qno.	Col.
1	14.12	Devolved matters	Administration of Justice a matter for the Scottish Executive	101244	119
2	14.12	Law Officers' advice	Convention that neither the substance of Law Officers' advice nor the fact that they have been consulted is disclosed outside Government	101249	120
3	22.2	Trial at Zeist	Oral answer: Matter for the Scottish Executive and the Lord Advocate as prosecuting authority; also <i>sub judice</i>	109633	1361

AGRICULTURE

No.	Date	Subject	Comment	qno.	Col.
1	7.12	Badgers (TB)	Precise location and timing of trials not publicised for security reasons	100273	525

No.	Date	Subject	Comment	qno.	Col.
2	11.1	Pesticides	Details of applications for approval of pesticides withheld for reasons of commercial confidentiality until approval given	101749	152
3	25.1	CAP Payments	Details of recipients of the 10 largest CAP payments in 1998 commercially sensitive and withheld	105512	188
4		Correspondence			
	10.2	(a) Correspondence with Members	Details of correspondence with Members including the numbers of letters received confidential	108404	291
	29.3	(b) Correspondence between Ministers and Hon Friends	Not appropriate to comment on correspondence between Ministers and Hon Friends	100175	135
5	21.2	Beef exports	Information about the value of beef exports commercially confidential as long as there are only two establishments approved to export it.	108484	747
6	28.2	Leaked and internal documents	Government does not comment on leaked documents nor on internal policy documents	107237	26
7	15.5	Advice to ministers	Not customary for policy advice given by officials to ministers to be made publicly available	121955	9
8	13.6	Animal experiments	S.24 of Animals (Scientific Procedures) Act 1986 prevents the disclosure of information about the use of animals in scientific procedures that has been provided in confidence	125902	534

ATTORNEY GENERAL/SOLICITOR GENERAL

No.	Date	Subject	Comment	qno.	Col.
1	13.12	Advice	Convention that neither the substance of Law Officers' advice on a question nor the fact that they have been consulted is disclosed outside Government other than in exceptional circumstances: and see 29.6 [127063]	102132	39
2	24.1	Crown Prosecution Service (Senator Pinochet)	Crown Prosecution Service acting as agent on behalf of the Kingdom of Spain in relation to the extradition request for Senator Pinochet; details of instructions received withheld under solicitor-client confidentiality.	106408	1

CHURCH COMMISSIONERS

No.	Date	Subject	Comment	qno.	Col.
1	17.7	Individual salaries	The Commissioners do not disclose the salaries of persons employed by them or bishops	130405	9

CULTURE, MEDIA AND SPORT

No.	Date	Subject	Comment	qno.	Col.
1		Millennium Dome			
	2.12	(a) Construction costs	Construction costs of each zone in the Dome withheld as commercially sensitive	99338	325
	2.12	(b) Commercial interest	Details of responses from those interested in purchasing or leasing the Dome after the millennium experience withheld as commercially confidential	99321	324
	4.2	(c) Sponsorship contract details	Sponsorship contract details confidential	104602	771

No.	Date	Subject	Comment	qno.	Col.
28.2		(d) Employment contracts	Not NMEC policy to publish contract documents between the company and employees: and see 17.3 [110073] (pay rates offered to production crews confidential)	109958	90
10.3		(e) Amounts owed to suppliers	Amount owed to suppliers is commercially confidential. Disclosure would be in breach of the terms of contracts between the NMEC and third parties	113510	838
17.3		(f) Catering contracts	Terms and conditions of standard catering contracts withheld as confidential.	110505	368
15.5		(g) New Millennium Experience Company	Potential range of net receipts are commercially confidential	120229	11
2	7.12	BBC	Longstanding principle that the Government does not interfere with the BBC's programming and editorial matters, which are matters for the Board of Governors; and see 13.12 [101377] 21.7[130927]	99965	469
3	27.1	Representations (ITV Mergers)	Details of representations on ITV mergers withheld because of commercial confidentiality	106953	304
4	4.7	Lottery funds	Applications for Lottery funds are made in confidence & therefore no list of Lottery funds applications is available	128345	151
5	6.7	Internal advice	Information relating to internal advice and consultation is not disclosed	129164 129175	289
6	30.10	Ministerial engagements	Not the practice to publish details of ministerial engagements	134635	331
7	14.11	Royal Art Collection	The Royal Collection is not the responsibility of the Government	137547	622

DEFENCE

No.	Date	Subject	Comment	qno.	Col.
1	26.11	Future budget	Planning assumptions for future budget pending new pay rates to be agreed withheld under Exemption 2 of the Code of Practice on Access to Government Information	99922	222
2	26.11	Security costs (Bloody Sunday Inquiry)	Cost of special security measures for former members of the Parachute Regiment withheld for security reasons under Exemption 1 of the Code of Practice on Access to Government Information	98588	225
3	30.11	AWE Aldermaston	Number of MoD Police officers at AWE Aldermaston withheld under Exemption 1(a) of the Code of Practice on Access to Government Information	100682	84
4	6.12	US Army Chinook	Information about a US Army Chinook barrel roll incident in 1998 withheld under Exemption 1c (information received in confidence from foreign governments) of the Code of Practice on Access to Government information	101400	347
5	7.12	NATO decision making	Details of the application of NATO decision making processes in specific operations withheld as harmful to defence, security and international relations under Exemption 1 of the Code of Practice on Access to Government Information	101336	456

No.	Date	Subject	Comment	qno.	Col.
6		Munitions:			
	7.12	(a) Use	Information on the Royal Navy's use of munitions in the course of Operations (i) Allied Force and (ii) Bolton withheld under Exemption 1 of the Code of Practice on Access to Government Information: and see 28.1 [107246; 107244] (Quantity of ammunition expended by the Navy and Army); 8.6 [125005][125081][125008](details of live-fire training exercises withheld under Exemption 1 of the Code of Practice on Access to Government Information)	101337	456
	28.1	(b) Holdings	How many of each type of cluster munition held by the RAF, Army and Navy withheld under Exemption 1 of the Code of Practice on Access to Government Information: and see 5.6 [124316](refusal to specify proportion of stockpile used in operation Allied Force); 5.6[124223](book value, if collected centrally, would be withheld under Exemption 1 of the Code of Practice on Access to Government Information); 8.6[125011](stocks of Exocet, Sea Eagle, Sea Dart withheld under Exemption 1 of the Code of Practice on Access to Government Information)	107273	384
	28.2	(c) Provision levels	Specific information on the amount of ammunition provided for training purposes withheld under Exemption 1 of the Code of Practice on Access to Government Information	111787	32
7		Procurement:			
	7.12	(a) Cost estimates	Cost estimates of listed projects are commercially sensitive and withheld under Exemption 7 of the Code of Practice on Access to Government Information	98481	452

No.	Date	Subject	Comment	qno.	Col.
15.12		(b) Number of missiles ordered	Disclosure of number of missiles ordered harmful to national security interests and would be a breach of third party commercial confidences and withheld under Exemptions 1 and 13 of the Code of Conduct on Access to Government Information; and see 9.2 [108749][108748]; 25.7 [131490]	100760 100759	211
21.12		(c)(1) C-17; (2) Antonov 124-100	Geographical or other constraints on aircraft operation withheld under Exemption 7 of the Code of Practice on Access to Government Information because it would prejudice the assessment of options and (in the case of the Antonovs) involve commercially confidential information which is withheld under Exemption 13 of the Code of Practice on Access to Government Information	103107 103108 103105 103106	471 472 473
3.4		(d) Placing Antonov on British military list	Length of time required to place Antonov on British military list withheld under Exemption 2 of the Code of Practice on Access to Government Information	116598	300
3.4		(e) Unit cost of Antonov124 and Boeing C17	Information withheld as commercially sensitive	116560	300
28.1		(f) Representations from interested parties	Representations from companies with a potential commercial interest in purchase of C17 Transports withheld under Exemption 13 of the Code of Practice on Access to Government Information on the basis that support for one option is potentially a matter within a company's commercial interest	104404	380
2.2		(g) Employment forecasts (A400M Project)	Inappropriate to publish information supplied by companies on employment consequences of competing options for the Future Transport Aircraft requirement; information withheld under Exemption 13 of the Code of Practice on Access to Government Information	104420	583

No.	Date	Subject	Comment	qno.	Col.
14.3		(h) Astute Class Submarines	Terms and conditions of the subcontracts for the optronics masts withheld under Exemption 13 of the Code of Practice on Access to Government Information	113912	105
14.3		(i) Strategic airlift	European Staff Requirement for Strategic Airlift withheld under Exemption 1 of the Code of Practice on Access to Government Information	113934	112
27.3		(j) Global Positioning System	Estimate of cost of upgrades withheld under Exemption 7 of the Code of Practice on Access to Government Information (<i>otherwise the question was answered</i>).	115750	27
6.4		(k) Invitations to tender (CVR(T) Tank	Invitations to tender documents contain classified information and withheld under Exemption 1 of the Code of Practice on Access to Government Information	117129	554
12.4		(l) PFI for service accommodation	(i) Annual maintenance charge withheld under Exemption 7 of the Code of Practice on Access to Government Information	118063	146
			(ii) Estimated prices of houses, pending final tender, withheld under Exemption 7 of the Code of Practice on Access to Government Information	118059	147
19.4		(m) New Carriers	Annual procurement costs for new carriers withheld under Exemptions 2 and 7a of the Code of Practice on Access to Government Information (<i>but general figure for costs given</i>)	118265 118268	479
8		Nuclear Weapons etc			
14.12		(a) US/UK exchanges of information	Precise details of US/UK exchanges on aspects of nuclear weapons stewardship withheld under Exemption 1 of the Code of Practice on Access to Government Information	102128	93

No.	Date	Subject	Comment	qno.	Col.
10.1		(b) Trident missile yields and targets	Details withheld under Exemption 1 of the Code of Practice on Access to Government Information: and see 10.1 [104074;104073]	104077	95
21.3		(c) Tritium production	(i) Unit cost of production of tritium withheld under Exemption 1 & 13 of the Code of Practice on Access to Government Information	114444	491
3.4			(ii) Quantity of tritium produced and exported withheld under Exemption 1 of the Code of Practice on Access to Government Information: and see 3.5 [120065] (block confirmed)	116592	303
12.4		(d) Experts names	Names of experts responsible for assessing the details of tenders for managing AWE Aldermaston withheld under Exemption 2 of the Code of Practice on Access to Government Information	118513	148
17.5		(e) Nuclear accident response plans	Radioactive inventories and source terms as well as certain listed documents are classified and withheld under Exemption 1 of the Code of Practice on Access to Government Information	121412 121348	161
9	15.12	Army Intelligence Corps	Date of decision to stand down the Army Intelligence Corps withheld under Exemption 1a of the Code of Practice on Access to Government Information	101865	216
10	16.12	STANOC Centre, Larkhill	Details of specific charges levied by STANOC Centre, Larkhill withheld under Exemption 13 of the Code of Practice on Access to Government Information	102872 102873	258
11	16.12	Deaths of Gulf Veterans	Information on comparative sample of deaths of non-Gulf personnel withheld pending peer review under Exemption 11a of the Code of Practice on Access to Government Information	103469	257

No.	Date	Subject	Comment	qno.	Col.
12	10.1	Army Foundation College	Investment Appraisals for the Army Foundation College withheld as being the basis of advice to ministers under Exemption 2 of the Code of Practice on Access to Government Information	102580	84
13		Internal discussions and advice			
	28.1	(a) Record of internal discussions	Working notes of a meeting between DERA and the Scottish Environmental Protection Agency are a record of internal discussions and withheld under Exemption 2 of the Code of Practice on Access to Government Information: and see 17.2 [108486] (details of internal discussion and advice on the Bloody Sunday inquiry)	106726	382
	14.3	(b) Advice to ministers	Ministry of Defence Equipment Approvals Committee consideration of the strategic airlift project constitutes advice to ministers and details withheld under Exemption 2 of the Code of Practice on Access to Government Information	113953	108
	10.7	(c) Internal advice and consultation	Internal advice and consultation is not disclosed under Exemption 2 of the Code of Practice on Access to Government Information	129159 129106 129178	
14	28.1	Sale price of Ministry land	Sale price of the Old Range, Shoeburyness withheld until completion as commercially confidential under Exemption 7 of the Code of Practice on Access to Government Information: and see 7.3 [113515]; 25.7[131407]	107027	383
15	31.1	PFI contract (Defence Helicopter Flying School)	Exact value of PFI contract for the Defence Helicopter Flying School withheld under Exemption 11 of the Code of Practice on Access to Government Information; <i>but rough figure given.</i>	100284	413
16	3.2	Correspondence with Members	Correspondence with Members confidential unless the Member wishes otherwise	108409	678

No.	Date	Subject	Comment	qno.	Col.
17		Operational matters			
	7.2	(a) Iraq.	Number of aircraft involved in specific incidents withheld under Exemption 1a of the Code of Practice on Access to Government Information	108433	31
	2.3	(b) Location of vessel	Precise location of HMS Vigilant during deep water training in Atlantic withheld under Exemption 1 of the Code of Practice on Access to Government Information: and see 11.7 [129858]	111949	328
	6.6	(c) Allied operations	Detailed information on the activities of other allies in Iraq withheld under Part II section 1c of the Code of Practice on Access to Government Information	122846 122848 122844 122847	168 169
	6.6	(d) Authority to attack	Details of operations relating to authority to attack on several occasions withheld under Part II section 1a of the Code of Practice on Access to Government Information	122849	171
	7.7	(e) Readiness of submarines	Specific operational readiness of each submarine classified and withheld under Exemption 1 of the Code of Practice on Access to Government Information: and see 26.7 [132710]	129670	338
18	9.2	Thiepval Barracks	Report on Thiepval Barracks of 1997 withheld under Exemption 1a of the Code of Practice on Access to Government Information	109082	164
19		Individuals' details			
	28.2	(a) Nancekuke study	Document containing individuals' names and medical records withheld under Exemption 12 of the Code of Practice on Access to Government Information	111699 111701	32

No.	Date	Subject	Comment	qno.	Col.
5.6		(b) Personal service record	Details of personal service record not disclosed without the consent of the person referred to under Exemptions 8 and 12 of the Code of Practice on Access to Government Information.	123557	22
20		Nerve agents			
8.3		(i) Toxic doses	Details of estimates on toxic doses of nerve agents withheld under Exemption 1 of the Code of Practice on Access to Government Information	112367	709
25.7		(ii) Toxicity level	Comparative toxicity levels of sarin and GF withheld under Exemption 1 of the Code of Practice on Access to Government Information	130528	548
21	25.7	Chemical weapons	Holdings of chemical weapons withheld under Exemption 1 of the Code of Practice on Access to Government Information	130852	549
22	21.3	Strategic Defence Initiative	Strategic Defence Initiative Memorandum of Understanding 1985 withheld under Exemption 1 of the Code of Practice on Access to Government Information	114325	492
23	21.3	Transport aircraft	Cost of the hire of transport aircraft withheld under Exemption 13 of the Code of Practice on Access to Government Information	114744	493
24	22.3	Live Firing Exercises	Number and other details of live firing exercises undertaken by the Royal Navy withheld under Exemption 1 of the Code of Practice on Access to Government Information	114547	569
25		Weapons performance			
3.4		(a) Light Support Weapon	Details of the performance of the Light Support Weapon withheld under Exemption 1 of the Code of Practice on Access to Government Information	114214	298

No.	Date	Subject	Comment	qno.	Col.
3.4		(b) Field Trial Report	Report on the SA80 and LSW withheld under Exemption 1 of the Code of Practice on Access to Government Information	114215	298
26		Security matters			
5.4		(a) Security clearance	Not appropriate to give details of the particular levels of security clearance held by individuals	117775	489
10.4		(b) Injunctions	Details of publishers, publications, authors and titles of the works subject to temporary injunctions which are harmful to national interests or in breach of confidentiality obligations withheld under Exemptions 4 and 14 of the Code of Practice on Access to Government Information (<i>but number of injunctions in force given</i>).	117260	19
23.5		(c) Intelligence activities	Long-standing practice of successive Governments not to comment on alleged intelligence activities, which are covered by Exemption 1 of the Code of Practice on Access to Government Information.	122763 122764	461
19.6		(d) Use of informants in Northern Ireland.	Whether use of informants by MoD is governed by Home Office guidelines withheld under Exemption 1 of the Code of Practice on Access to Government Information.	126222	34
19.6		(e) Anglo-Irish meeting	Further details of an informal meeting withheld under Exemptions 4, 12 and 14 of the Code of Practice on Access to Government Information, <i>but previous answer given on 19 July 1999</i> .	126223	36
27	12.5	RAF Menwith Hill	Number of GCHQ staff withheld under Exemption 1 of the Code of Practice on Access to Government Information	121780	513
28	23.5	Joint NBC Regiment	Copy of study on the location of the regiment withheld under Exemption 1 of the Code of Practice on Access to Government Information	123119 123116	464

No.	Date	Subject	Comment	qno.	Col
29	19.6	Animal experiments	Details of study on animals commercially sensitive and withheld under Exemption 13 of Code of Practice on Access to Government Information	125675	27
30	26.6	Ballistic Missile Defence	Records of meetings with the Russian Defence minister withheld under Exemption 1 of the Code of Practice on Access to Government Information	126940	409
31	24.7	Michael John Smith	List of documents removed from a prison cell withheld under Exemption 4c of the Code of Practice on Access to Government Information	132275	381
32	27.7	Ministerial duty rosters	Not normal practice to publish duty rosters	133075	749

CABINET OFFICE/DUCHY OF LANCASTER

No.	Date	Subject	Comment	qno.	Col.
1	21.12	Ministerial meetings	Internal meetings between ministers confidential	102133	573
2	3.2	Correspondence with Members	Correspondence with Members confidential unless the Member wishes otherwise	108407	719
3	28.2	Cabinet proceedings (list of cabinet advisers)	Proceedings of Cabinet and Cabinet Committees exempt from commitment to disclose information under Exemption 2 of the Code of Practice on Access to Government Information: and see 10.7 [128056]; 30.11[140404]	111912	150
4	28.2	Personal salary details	Not practice to give personal salary details of those employed in the Civil Service	112071	151
5	27.7	Ministerial duty rosters	Not normal practice to publish duty rosters	132974	801

EDUCATION AND EMPLOYMENT

No.	Date	Subject	Comment	qno.	Col.
1	7.12	Education Service Providers (bids)	Bids and related documents are commercial in confidence	101504	509
2	12.1	Remploy	Bourton Report on Remploy withheld as commercially sensitive	104095	175
3	16.2	Correspondence with Members	Correspondence with Members confidential unless the Member wishes otherwise	108410	579
4	17.2	Further education students	Number in Wales a matter for the National Assembly for Wales	109153	654
5	19.7	Internal advice	Internal advice and consultation not disclosed under Exemption 2 of the Code of Practice on Access to Government Information	129146 129180	203

ENVIRONMENT, TRANSPORT AND THE REGIONS

No.	Date	Subject	Comment	qno.	Col.
1	13.1	Millennium Dome (Financial value)	Government estimate of financial value of Millennium Dome restricted as commercial-in-confidence	104437	212
2	3.2	Correspondence	Correspondence with Members confidential unless the Member wishes otherwise: and others see 20.11.00[139078]	108402	664
3	24.3	Future engagements	Not the practice to give details of future ministerial engagements	116261	703

No.	Date	Subject	Comment	qno.	Col.
4		Advice			
	20.4	(a) Internal Advice	Internal advice and the source of such advice is not made public, under Exemption 2 of the Code of Practice on Access to Government Information: and see 19.5 [120586]; 7.7 [129161;129181]	120044	612
	26.6	(b) Legal advice	Not practice of the Government to disclose the legal advice which they have received on any matter, nor the source of such advice (and see 27.6 col 728 for a point of order arising from the answer)	127314	373
5		Matters for the London Mayor			
	13.6	(a) Congestion taxes	and see 22.6 DTI (inward investment)	124013 124027	544
	3.7	(b) GLA roads	and see 26.7 [133168; 133165; 133170; 133167; 133166; 133169]; and 27.7 [133175]	128382 128295	92
	17.7	(c) Single Regeneration Budget	in London	130509	55
6	13.7	Confidential communications	Practice of successive Governments not to disclose confidential communication between departments and public bodies, under Exemption 2 of Part II of the Code of Practice on Access to Government Information	130438	629

FOREIGN AND COMMONWEALTH

No.	Date	Subject	Comment	qno.	Col.
1	23.11	Murdered hostages (Chechnya)	Interview transcripts withheld under Exemptions 1c and 14a (information provided in confidence), 14b (disclosure could prejudice future cooperation) and 4 (continuing law enforcement and legal proceedings)	99250	86

No.	Date	Subject	Comment	qno.	Col.
2		Intelligence matters:			
	8.12	(a) Intelligence operations (Echelon)	Long standing practice not to respond to speculation on alleged intelligence operations; and see 4.5 [120774] (interception activity); 7.6 [118947]	100839	538
	18.1	(b) Intelligence reports	Security constraints prevent discussing intelligence reports	104857	410
	29.3	(c) Intelligence sharing between the US and Britain	Correspondence concerning sharing of information and intelligence withheld under Exemption 1 of the Code of Practice on Access to Government Information	116353	169
	20.6	(d) Surveillance systems	Government policy not to comment on alleged surveillance systems	126298	161
		EU matters			
3	27.1	(a) EU handbooks	Copies of guidance handbooks on EU institutions and procedures of the Council withheld as prejudicial to the UK position in negotiations	106162	298
	15.5	(b) EU Working Groups	Preparatory discussions within Working Groups are confidential	121511	30
4		Terrorism			
	18.1	(a) Threat assessment	Threat assessment relating to Hamas made from intelligence sources and withheld under Exemption 1 of the Code of Practice on Access to Government Information	104859	411
	18.1	(b) Financial links between Iran and Hamas	Extent of financial link between Hamas and Iran made from intelligence sources and withheld under Exemption 1 of the Code of Practice on Access to Government Information	104858	411
	18.1	(c) Data on countries which sponsor terrorism	Data on countries which sponsor terrorism withheld under Exemption 1 of the Code of Practice on Access to Government Information: and see 19.1 [105001]	104770	413

No.	Date	Subject	Comment	qno.	Col.
	25.1	(d) Sources of funds for Palestinian Islamic Jihad	Sources of funds for Palestinian Islamic Jihad withheld under Exemption 1 of the Code of Practice on Access to Government Information	106540	166
5	20.1	Correspondence with other Governments (Pinochet)	Not practice to make publicly available contents of notes of meetings or copies of correspondence with other Governments—details are confidential to the Governments concerned	106009	581
6	24.1	Internal discussions	Minutes of internal discussions are not made public under Exemption 2 of the Code of Practice on Access to Government Information	106646	36
7	3.2	Correspondence with Members	Correspondence with Members confidential unless the Member wishes otherwise	108401	740
8		Sale of Property (commercial confidentiality)			
	17.2	(a) Names of buyers	Names of buyers not published for reasons of commercial confidentiality	110512	682
	5.5	(b) Price etc	Not policy to reveal details of price and other terms: and see 19.5 [122954]	119326	239
9	17.2	Departmental meetings	Not normal practice to release details of specific meetings with private individuals and companies	110510	678
10		Nuclear matters			
	6.3	(a) UK/French Joint Nuclear Commission	Records of meetings withheld under Exemption 1 of the Code of Practice on Access to Government Information, <i>but general information given on the frequency of meetings</i>	112417 112421 112420 112419 112418 112422	500
	24.3	(b) Import and export of nuclear materials	Correspondence between the British Embassy in Washington and the Government on the import and export of nuclear material withheld under Exemptions 1 and 2 of the Code of Practice on Access to Government Information	116268	715

No.	Date	Subject	Comment	qno.	Col.
11	2.5	Internal advice	Internal advice and the source of such advice is not made public, under Exemption 2 of the Code of Practice on Access to Government Information: and see 6.7 [129168; 129155]	120045	66
12	27.7	Ministerial holidays	Not normal practice to disclose Ministers' holiday plans	132939	826
13	27.7	Ministerial duty rosters	Not normal practice to publish duty rosters	133072	827

HEALTH

No.	Date	Subject	Comment	qno.	Col.
1		Devolved matters			
	8.12	(a) Departmental Estate (Scotland)	Value of land and properties held by NHS and the Health Department in Scotland a matter for the Scottish Executive	99737 99735	562
	9.2	(b) Statistics on operations (Scotland, Wales and Northern Ireland)	Matters relating to Wales, Scotland and Northern Ireland are for the devolved administrations; statistics on waiting times for (a) the UK and (b) England and Wales as a unit not given.	108863	197
2	3.2	Correspondence with Members	Correspondence with Members confidential unless the Member wishes otherwise	108400	712
3	17.7	Internal advice	Information relating to internal advice and consultation is not disclosed under Exemption 2 of the Code of Practice on Access to Government Information	129171 129105	73
4	27.7	Ministerial duty rosters	Not normal practice to publish duty rosters	133074	750
5	14.11	Personnel records	Personnel records relating to public employment are confidential under Exemption 2 of the Code of Practice on Access to Government Information	137574	603

INTERNATIONAL DEVELOPMENT

No.	Date	Subject	Comment	qno.	Col.
1	24.1	Special Advisers (CVs)	Curriculum vitae of specialist advisers withheld as personally confidential	106343	76
2	27.1	Cabinet Committees	Attendance at Cabinet Committees not made public under Exemption 2 of the Code of Practice on Access to Government Information	106447	317
3	4.2	Correspondence with Members	Correspondence with Members confidential unless the Member wishes otherwise	108405	783

HOME

No.	Date	Subject	Comment	qno.	Col.
1		Security matters			
	23.11	(a) Security costs	Not in public interest to disclose information that could compromise the security arrangements relating to public figures; and see 2(b) below; and see 9.3 [113048;113049; 113050] (policy not to comment on the details of protection arrangements for individuals, as to do so could compromise their security)	99258; 99259	66
	2.5	(b) Individual records	Long-standing Government policy neither to confirm or deny whether security or intelligence agencies hold records on any individual	120048	76
	20.11. 2000	(c) Extremist political involvement	Policy of successive Governments not to comment on extremist political involvement in matters	139019	90

No.	Date	Subject	Comment	qno.	Col.
2		Operational matters (Police)			
24.11	(a)	Police (deployment; management; enforcement policy)	For Chief Officers to determine staffing levels and deployment within the resources available: and see 21.12 [103325; 103324] (deployment); 28.2 [110469](deployment at ports); 17.7 [130983](officers on the beat); 21.7[130072;130071](provision of services from & management of fixed asstes, esp. police stations); 27.7 [132095](enforcement of the law regarding cycling)	99056 98518 98519	123 126
7.3	(b)	Personal protection (Senator Pinochet)	Number of officers employed and cost relating to protection of Senator Pinochet withheld for security reasons; number of officers deployed an operational matter for the relevant chief officers of police: and see 16.3 [113559]	113513 113514	568
3	29.11	Commission for Racial Equality (settlement of claims)	Details of individual settlements relating to claims of racial discrimination by employees of the CRE confidential between the parties	100211	8
4		Internal communications			
15.12	(a)	Communications between Ministers and officials	Internal discussion and advice exempt from the commitments to provide access to Government Information: and see 7.7 [129163]; 10.7 [129174]; 30.11 [100799]	101709	211
1.2	(b)	Discussions between ministers	Normal convention that discussions between ministers are not disclosed	106650	509
5		Immigration			
21.12	(a)	Individual cases	Detailed records on individual overseas nationals are confidential: and see 27.1 [106975] (representations about individual cases)	102775	489

No.	Date	Subject	Comment	qno.	Col.
6.3		(b) Asylum (accommodation)	All information about organisations which have tendered to provide accommodation for asylum seekers under the national asylum support scheme and the details of their bids is commercially confidential	113315	542
6	24.1	Communications with other Governments (General Pinochet)	Not practice to make publicly available the contents of correspondence with other Governments; details of contacts of this nature are confidential to the Governments concerned	106017	20
7	27.1	Negotiating positions of member states	Not practice to disclose negotiating positions of EU member states	106423	232
8	3.2	Correspondence with Members	Correspondence with Members confidential unless the Member wishes otherwise	108408	700
9	3.2	Burns Inquiry (appointments)	Invidious to give details of merits of persons not appointed to the inquiry	108181	707
10	22.2	Animal experiments	S.24 of the Animals (Scientific Procedures) Act 1986 prohibits naming of applicants for licences under the Act: and see 7.3 [112633; 112564; 112565; 112629; 112630; 112631; 112632]; and 23.3 [115749](how many animals killed at a particular establishment); 3.4 [116939; 116940]; 4.4 [117020; 117021; 117022]; 11.5 [121506]; 15.5 [121488] & 25.7 [130708,130709](prevents disclosure of detailed information about individual research programmes licensed under the Act); 15.5 [121958] (prohibits release of an application to use protected animals and the cost/benefit assessment)	110987 111048 110989 111015 111083 111013 110988	878
11	27.3	Legal advice	Not policy to disclose details of legal advice in relation to commercial arrangements for installation and operation of Information Technology	116294	5

No.	Date	Subject	Comment	qno.	Col.
12	24.5	Extradition	Long standing policy not to comment on whether an extradition request has been made for a particular individual	123047	488
13	27.7	Ministerial duty rosters	Not normal practice to publish duty rosters	132976 133076	900

LORD CHANCELLOR

No.	Date	Subject	Comment	qno.	Col.
1	20.12	PFI bids	No plans to publish value for money study or related PFI bids due to their confidential nature	102824	314
2	10.1	Training of Judges (devolved)	Training for judges in Scotland a matter for the Scottish Executive	103610	36
3		Trials and judges			
	19.1	(a) Conduct of Judges	Names of complainants and judges about whom complaints have been made are confidential	105335	507
	16.5	(b) Conduct of trials	Inappropriate to call for a report on a trial as they are matters for the judiciary and independent of the government and administration	122479	118
4	31.1	Maintenance Orders (Enforcement Overseas)	Inappropriate to comment on individual cases	107026	473
5	3.2	Correspondence with Members	Correspondence with Members confidential unless the Member wishes otherwise	108399	727
6	25.7	Magistrates' Courts	Decisions on future of magistrates' courts for local courts' committees	130602	537
7	27.7	Ministerial duty rosters	Not normal practice to publish duty rosters or ministers' holiday plans	133171	872

PRESIDENT OF THE COUNCIL

No.	Date	Subject	Comment	qno.	Col.
1			Nil		

NORTHERN IRELAND

No.	Date	Subject	Comment	qno.	Col.
1		Matters devolved			
	6.12	(a) Farming		100057	335
	13.12	(b) Industries and Universities		100644 100660	336
	13.12	(c) Number of companies		102482	22
	15.12	(d) Northern Ireland Civil Service matters	and see 24.1 [103831; & 103832] (training for NI departments); 6.6 [124254][124255]	102039 101884	197; 199
	15.12	(e) Northern Ireland Fire Brigade		101886 101885	198
	24.1	(f) Adult education		102680 105277	283 5
	10.1	(g) Composition of local authority work forces		104012	33
	12.1	(h) North/South ministerial Council and economic development		103420 103431	178
	24.1	(i) Young people in care		106449 106454 106448	8
	27.1	(j) Flying the flag from public and school buildings	and see 1.2 [107817]; 19.6 [125544]; <i>but since then a Flags Order has been made.</i>	101873	297
	31.1	(k) Transtec loans and grants		107633	448
	9.2	(l) Northern Ireland Executive (Redundancy Payments)		107691	188

No.	Date	Subject	Comment	qno.	Col.
9.2		(m) Part-time working		107694	189
12.6		(n) The 11-plus		123872	493
12.6		(o) Ambulances	<i>but partly answered</i>	123889 123888	493
21.6		(p) How many jobs created	and see 27.11.2000 [140471](unemployment rates of Catholics and Protestants in the last 20 years)	125489 125502	220
21.6		(q) When a Civic Forum is to be established		125492	221
3.7		(r) Estimate of the number of various types of fish caught		128853	27
12.7		(s) Non-departmental public appointments		129850	543
19.7		(t) Links between schools		129881	195
19.7		(u) Abortion & contraceptive services		129887	196
19.7		(v) Allocation of EU structural Funds		129873	195
15.11		(w) The New Deal		136475	663
2	8.2	Correspondence with Members	Correspondence with Members confidential unless the Member wishes otherwise	108406	84
3	14.2	Contributors to consultation (Parades Commission)	Not Government practice to publish lists of contributors	110048	353
4	15.2	RUC (Individual operational responsibilities)	Not considered appropriate to answer questions relating to the operational responsibilities of individual members of the RUC	108429	462
5	2.3	Security	Government policy not to discuss security with third parties: and see 16.3 [113831] and 10.4 [117262] (no discussion of security provided to individuals or groups); 21.3 [113472](security assessments confidential)	103817	404

No.	Date	Subject	Comment	qno.	Col.
6	22.5	Surveillance	Not Government policy to comment on claims of this nature (about the placing of a listening device); and see 23.5 [122763][122764](not Government policy to comment on alleged intelligence activities).	118979	329
7	12.6	Shootings (prejudice to proceedings)	Inappropriate to release information relating to the shootings of Martin Patten and Kurt Konig, as to do so might prejudice future proceedings	124326	494
8	17.7	Internal advice	Information on internal advice and consultation is not disclosed under Exemption 2 of the Code of Practice on Access to Government Information	129172 129158	17
9	27.7	Ministerial duty rosters	Not normal practice to publish duty rosters	133073	807

PRIME MINISTER

No.	Date	Subject	Comment	qno.	Col.
1	6.12	Private meetings	Not practice to provide details of private meetings: and see 21.12 [103749] and 17.2 [110503] (<i>but general details given of background of invitees</i>); and 27.6 [125999] (not normal practice...); 6.11 [135433]	101207	355
2	7.12	Cabinet Committees (Joint Cabinet Consultative Committee)	Proceedings of the JCCC confidential (reference back to Answers of 5 July 1999 stating that details of Cabinet Committees exempt from disclosure): and see 20.12 [102643] [103081]; 19.12[105668][105667]; and 7.2 [107829] (number of Cabinet Committee meetings withheld under Exemption 2 of the Code of Practice on Access to Government Information)	101212 101214	471
3	7.2	Correspondence with Members	Correspondence with Members confidential unless the Member wishes otherwise: and see 30.10 [134571]	108961	4

No.	Date	Subject	Comment	qno.	Col.
4	9.3	Confidential information from foreign Governments	Established practice not to disclose information received in confidence from foreign Governments under Exemption 1(c) of the Code of Practice on Access to Government Information: and see 22.5 [122792] (requests for meetings with him by foreign Governments)	113065	789
5	20.3	Honours	Established practice not to disclose information, opinions and assessments relating to honours	115421 115422 115423	405
6	20.4	Internal advice	Internal advice and the source of such advice is not made public, under Exemption 2 of the Code of Practice on Access to Government Information: and see 7.7 [129149;129182; 129236]; 27.11[140134]	120047 120049	596
7	25.5	Honours (Removal)	Removal of a peerage requires legislation	122905	577
8	28.7	Leak inquiries	Not practice to comment on leak inquiries	132317	966
9	28.7	Civil servants pay	Salaries of individual civil servants not disclosed	132348	966
10	10.11	Value of sites— The Dome	Established practice not to disclose such information (value of the Dome site if the Dome were to be demolished) under Exemption 7 of the Code on Access to Government Information	138017	423

SCOTLAND OFFICE

No.	Date	Subject	Comment	qno.	Col.
1		Matters for Scottish Parliament/ Executive (Other devolved matters: see 103610; 99737 & 99735)	Devolved matters		
	9.12	(a) GM foods		101754	629
	10.1	(b) Training of Police and Prison Service		103611	26
	8.3	(c) Tuition fees	and see item 3 below	112042	715
	12.6	(d) Local economic development		123576	463
	26.6	(e) Recovery of costs of repairs to the Erskine Bridge		126692	432
	28.6	(f) Revenue funding of police forces	as amended 13.7 col 675	127330	523
	17.7	(g) Relocation of Scottish Executive civil servants		129916	56
	17.7	(h) Scottish water authorities	and see 17.7 [126272]	126273	57
	17.7	(I) Scottish public authority pensions		126271	57
2	3.2	Correspondence with Members	Correspondence with Members confidential unless the Member wishes otherwise	108398	717
3	8.3	Legal advice	It is neither the custom nor the practice of the UK Government or the Scottish Executive to publish their legal advice	112042	715
4	21.3	Parliament Building	Cost of the Scottish Parliament Building a matter for the Scottish Parliamentary Corporate Body; and see 21.3 [114010] (Oral Answer)	114016	526

No.	Date	Subject	Comment	qno.	Col.
5	17.7	Internal advice	Information relating to internal advice and consultation is not disclosed under Exemption 2 of the Code of Practice on Access to Government Information: and see 1.2 [107817]; 19.6 [125544]	129166 129177	58
6	27.7	Ministerial duty rosters	Not normal practice to publish duty rosters	133078 133146	876

SOCIAL SECURITY

No.	Date	Subject	Comment	qno.	Col.
1	29.11	Industrial Injuries Scheme (individual claimants)	Representations relating to individual claimants confidential	99572	58
2	18.1	Legal advice	Legal advice tendered by legal advisers internal policy advice and is not normally disclosed under Exemption 2 of the Code of Practice on Access to Government Information	104991 104990	431
3	3.2	Correspondence with Members	Correspondence with Members confidential unless the Member wishes otherwise	108411	713
4	9.3	Cabinet Committees	Information on Cabinet Committees not made public under Exemption 2 of the Code of Practice on Access to Government Information	113620 113621	809
5	11.7	Internal advice	Information relating to internal advice and consultation is confidential and not disclosed under Exemption 2 of the Code of Practice on Access to Government Information	129154 129169	486
6	27.7	Ministerial duty rosters	Not normal practice to publish duty rosters	133057	840

TRADE AND INDUSTRY

No.	Date	Subject	Comment	qno.	Col.
1		Departmental support			
	9.12	(a) Launch Aid (Departmental royalties)	Possible levies arising from individual projects commercially confidential	100550	611
	17.1	(b) Applications for grant or financial support	Individual applications are commercially confidential: and see 9.2 [109004] (applications for export credit support); 2.3 [112411] (general information on value of ECGD support, but information on business under consideration withheld as commercial in confidence); 26.7 [131892]; <i>but see 29.3 [116218] (answer given whether or not a company has applied for Regional Selective Assistance)</i>	104767	259
2		Post Office (Benefit Payments)			
	20.12		(a) Unit costs of processing benefits payments by voucher, Girocheque and payable order commercially confidential	103143	380
	21.12		(b) Value to the Post Office of the business this represents commercially confidential	101609	467
	21.6		(c) Details of payments made to post offices in respect of business undertaken for the Benefits Agency are commercially confidential.	124713	184
3	19.1	ADD Report on the synchrotron project	Full ADD Report confidential and withheld under Exemptions 2 and 7 of the Code of Practice on Access to Government Information, <i>but a summary of the Report and the key conclusions will be published</i>	105625	487
4	20.1	Horizon Working Group	Horizon Working Group on Post Office business issues withheld as commercially sensitive	104724	519

No.	Date	Subject	Comment	qno.	Col.
5	20.1	Departmental Inquiries	Inquiry into Hollis Industries plc confidential and in accordance with established practice and legal constraints conclusions withheld	104670	525
6	27.1	Grants to businesses	Details of Government's dealings with business over grants are confidential	105784	286
7	27.1	Mergers (Representations)	Not policy to disclose identity of those making representations on mergers so that interested parties may comment freely: and see 20.3 [115213]; 3.7 [128493]	106144	289
8		Communications			
	7.2	(a) Correspondence with Members	Correspondence with Members confidential unless the Member wishes otherwise	108397	7
	3.3	(b) Correspondence with companies (BNFL)	Correspondence with BNFL a matter for company and the Government	112354	421
	3.3	(c) Correspondence with Governments (BNFL)	Correspondence with Japanese Government a matter for both Governments	112355	422
	20.3	(d) Internal communications	Communications between the Embassy in Tokyo and the department withheld because disclosure would harm the frankness of internal discussion: and see 14.4 [118721] (internal ministerial correspondence relating to Longbridge withheld because it contained commercially sensitive information)	114082	412
	20.6	(e) Correspondence with the European Commission	Correspondence with the European Commission on the Parental Leave Directive is confidential	126286	142
9	7.2	Sellafield MOX plant	Details of BNFL's commercial contracts for the Sellafield MOX plant are commercially confidential.	106713	5

No.	Date	Subject	Comment	qno.	Col.
10	3.3	Affairs of particular companies	Policy of the Department not to comment on the affairs of particular companies: and see 6.3 [113038]	112735	424
11	17.3	A3XX Super-Jumbo Project	Specific terms of the investment are commercially confidential: and see 3.4 [116950] (independent assessment of the likely demand for the A3XX withheld as commercially confidential); 7.4 [118263;118261] (detailed terms of launch investment provided confidential)	115137	365
12	29.3	DTI investigations	Department's well established practice not to comment on whether or not confidential investigations have been or are being carried out	114471	187
13	3.5	Internal advice	Internal advice and the source of such advice is not made public, under Exemption 2 of the Code of Practice on Access to Government Information; and see 24.5 [122942][122943](policy advice from the Director General of Fair Trading is not published); and [129179][129153].	120050 120304	132 133
14	21.6	Allegations against companies	Inappropriate to comment on specific allegations against British companies which are a matter for the appropriate courts	127079 127080	183
15	22.6	Matters for the London Mayor	Inward investment in London from July 2000	127139	236
16	22.11 2000	Leak inquiries	Policy under successive administrations not to publish the findings of internal inquiries of this kind	139248	197

TREASURY

No.	Date	Subject	Comment	qno.	Col.
1	22.11	Budget (Changes to the tax system)	Cannot anticipate any changes in future Budgets: and see 23.11 [99180; 99181] (Stamp Duty); 18.1 [105357](Beer Duty); 10.2 [108753] (representations on the Budget); 30.10 [134654](plans to reduce duty on red diesel); <i>but see 3.2 [106899] (Chancellor will not proceed with proposed Pesticides Tax) for a partial unblock</i>	99194	48
2		Customs & Excise			
	24.11	(a) Customs & Excise investigations (Anti-personnel mines)	Not normal practice to disclose publicly information provided to Customs & Excise in connection with their enforcement and investigation responsibilities	99509	155
	17.1	(b) Smuggling	Martin Taylor's Report on combatting smuggling confidential including areas of operational sensitivity and copies withheld	105332	351
	28.2	(c) Purchase of seized spirits	Price obtained commercially confidential	112041	156
	30.3	(d) Customs Officers	Policy not to make public details of the deployment of Customs anti-smuggling officers at each UK airport	116717	259
	30.3	(e) Drugs seizures	Policy not to make public details of Customs drug seizures at each UK airport	116719 116716	259 260
	5.4	(f) Operational matters	Not policy to release information which could compromise a key operational technique (numbers of controlled drugs deliveries)	117321 117345	497

No.	Date	Subject	Comment	qno.	Col.
3	6.12	Private taxpayers	Inland Revenue has a statutory duty of confidentiality in respect of all taxpayers' affairs; details of Inland Revenue's investigations withheld; and see 14.4 [118057] (Windfall Tax); 7.6 [124215] (applies to paragraph 31 of the Memorandum of Understanding on Royal Taxation)	100862	449
4	13.12	Bank of England	Details of arrangements the Bank of England has with other central banks are commercially confidential	102150	75
5	20.12	Joint Ministerial Committee	Proceedings of the Committee are confidential	103053	433
7	24.1	Ministers' shareholdings	Advice which ministers seek confidential and withheld under Exemption 2 of the Code of Practice on Access to Government Information	105433	117
8	24.1	National Insurance Records	Inappropriate to make public personal information about NI records and information not published under Exemption 12 of the Code of Practice on Access to Government Information, <i>but Member written to by the minister.</i>	106167	118
9	3.2	Correspondence with Members	Correspondence with Members confidential unless the Member wishes otherwise	108412	688
10	18.5	Applications for funding	Applications for funding within Government are not published	121422	260
11	7.7	Internal advice	Information relating to internal advice and consultation is not disclosed	129152 129173	321
12	27.7	Ministerial duty rosters	Not normal practice to publish duty rosters	133060	878

WALES OFFICE

No.	Date	Subject	Comment	qno.	Col.
1		Devolved matters:			
	27.1	(a) Total cost of the new Welsh Assembly Building	Matters for the National Assembly of Wales	106984	326
		(b) Cancelled operations		106856	326
		(c) Local authority land and contaminated land policy		106148	327
	28.1	(d) influenza statistics		106855	359
	28.2	(e) NHS in Wales	and see 7.3 [112912]; 9.3 [113635]; 26.10[135240] (number of NHS dentists in Wales)	110943	40
	2.3	(f) Allocation of Health funding		112306	331
	28.2	(g) business rates revaluation		112305	41
	28.6	(h) Trunk roads and motorways		124726	507
	24.7	(i) Level of Council Tax		131656	479
	24.7	(j) Cardiff County Council	and see 24.7 [131660]	131670	480
	26.10	(k) Number of teachers in Wales	and see 6.11 [135221] etc (education); [135487] (Learning Support Units)	134910	166
	8.11	(l) EU support for organic farming		137098	221
	23.11 2000	(m) Operation of the Bellwin scheme in Wales		139507	263
2	3.2	Correspondence with Members	Correspondence with Members confidential unless the Member wishes otherwise	108413	712
3	5.6	Rate Support Applications	Rate Support Applications are commercial in confidence between the Assembly and the applicant	115202	48

No.	Date	Subject	Comment	qno.	Col.
4	10.7	Internal advice	Internal advice and consultation withheld under Exemption 2 of the Code of Practice on Access to Government Information	129162	410
5	27.7	Ministerial duty rosters	Not normal practice to publish duty rosters	133064	836

APPENDIX 2

Letter from the Clerk, Public Administration Select Committee, to all Departments

I am writing, first, to introduce myself as the new Clerk to the Select Committee on Public Administration, in succession to Alda Barry.

As you may remember, the Committee has continued the practice initiated in 1995–96 by the Public Services Committee of obtaining from the Table Office of the House of Commons a list of the questions which the Table Office has ‘blocked’ in the previous session because of Ministers’ refusal to answer. For the last two years the Committee has asked departments to expand on the reasons given for such refusals, and this year it has decided to do the same again, for answers given in the 1999–2000 session. I enclose a copy of the letter from the Principal Clerk, Table Office dated 19 March 2001, and of the part of the list that relates to your department.

The Committee would like you to explain more fully why it was necessary to withhold information; to indicate, where a refusal is justified by reference to a ‘practice’ or a policy, what is the reason for that practice or policy; and to indicate in each case where there is not reference to the Code of Practice on Access to Government Information (which, as you know, the guidance on answering Parliamentary Questions says should be referred to when departments withhold the information in response to a Parliamentary Question) how the refusal relates to the Code. The Committee does not need any further information on cases where the information requested was not held or collected by the Department, or was the responsibility of another Department.

It would be very helpful if Departments could, where possible, follow the example of the Prime Minister’s Office in the format of their replies. I attach a copy of last year’s return from that office as a guide. I would be grateful if you could send the information requested to the Committee Secretary, Jenny Cowan, in electronic form quoting the PQ number beside the subject. Please send in electronic form to cowanj@parliament.uk and on disk by Monday, 11 June.

11 May 2001

Letter from the Clerk, Public Administration Select Committee, to all Departments

I am writing to remind you of the Committee’s request for information on Parliamentary Questions that were ‘blocked’ last Session. Our letter of 11 May 2001—which is attached—requested a response by 11 June 2001, but up to now we have had no reply from your department. The Committee requires this information speedily so that it can produce a report on this important issue. I would be grateful for a response by Friday, 21 December 2001.

I would be grateful if you could send the information requested to the Committee Secretary, Jenny Nelson, in electronic form and on disk quoting the PQ number beside the subject. Please send in electronic form to nelsonj@parliament.uk and on disk to Public Administration Select Committee, Committee Office, First Floor, Portcullis House, London SW1A 2LW.

20 November 2001

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MEMORANDUM 1

Submitted by the Attorney General's Chambers

Thank you for your letter of 11 May seeking further information about why certain information was withheld in answer to two PQs in the last Parliamentary session.

I set out below more detail, where appropriate, on the reasons why the Solicitor General decided to withhold certain information.

21 May 2001

13.12.99

Subject: Nuclear deterrence policy (102132)
Reason: Exemption 2—By convention Law Officers' advice, and the fact that they have been consulted, is not disclosed outside Government other than in exceptional circumstances. This convention, which is of long standing, is intended to protect the confidentiality of the legal advice given to the Government.

24.1.00

Subject: Senator Pinochet (106408)
Reason: Exemption 4—When the Crown Prosecution Service acts as the agent for another country in relation to an extradition request, it has a solicitor/client relationship with that country. Invariably, information passing between the CPS and that country will be covered by legal professional privilege. In accordance with a Divisional Court decision, this could, of course, be waived by the country itself and the information could then be made available.

MEMORANDUM 2

Submitted by the Department of Culture, Media and Sport

Thank you for your letter of 11 May, in which you ask us to explain more fully why we were unable to provide a full explanation in response to a number of Parliamentary Questions during the last session. I am sorry for the delay in replying.

I enclose a table which I hope explains this to the Committee's satisfaction.

I am sending in electronic form and on disk to Jenny Cowan as requested.

6 September 2001

2.12.99

Subject:

Millenium Dome—99338

Reason:

Exemption 7—the cost of construction of each zone of the Dome was held to be commercially confidential, the disclosure of which would harm the New Millenium Experience Company's (NMEC) ability to obtain value for money in its dealings with contractors. NMEC was required to operate in a commercial way in order to deliver its objectives and compete in the visitor attraction market. This would have been considerably compromised by the publication of commercially sensitive details.

2.12.99

Subject:

Millenium Dome—99321

Reason:

Exemption 7—the details of the individual responses to the invitation for outline ideas for future uses of the Dome site were commercially confidential. They could not, therefore, be disclosed. Negotiations with potential future users of the site were extremely sensitive.

4.2.00

Subject:

Millenium Dome—104602

Reason:

Exemption 7—The sponsorship contracts included a confidentiality clause preventing disclosure of details of the contract. This included the number of tickets that each sponsor received as part of the agreement.

28.2.00

Subject:

Millenium Dome—109958

Reason:

Exemption 12—It would have breached employer and employee confidentiality to have published details of the Chief Executive's contract. Details of remuneration and bonus arrangements were given in the answer and actual remuneration included in NMEC's Annual Report and Accounts.

10.3.00

Subject:

Millenium Dome—113510

Reason:

Exemption 13—To publish information on unpaid creditors would have placed NMEC in breach of contract with those firms. The information could not, therefore, be disclosed. NMEC was required to operate in a commercial way in order to deliver its objectives.

17.3.00
Subject:
Reason:

Millenium Dome—110505

Exemption 7—NMEC believed that publication of this information would harm its negotiating position with the firms in question.

15.5.00
Subject:
Reason:

Millenium Dome—120229

The potential range of net receipts under discussion was commercially confidential because it was directly relevant to NMEC's competitive position. Details of actual receipts are reported in NMEC's Annual Report and Accounts.

7.12.99
Subject:
Reason:

BBC—99965

It is a longstanding principle that the Government does not intervene with the BBC's programming and editorial matters, which are matters for the Board of Governors.

27.1.00
Subject:
Reason:

Representations (ITV Mergers)—106953

Exemption 6—Information was commercially confidential and could prejudice the conduct of official market operations, or could lead to improper gain or advantage.

4.7.00
Subject:
Reason:

Lottery funds—123845

Exemptions 7 and 14—This information is not centrally held by the Department. In most cases applications for Lottery funds are made to the National Lottery distributing bodies voluntarily in confidence.

6.7.00
Subject:
Reason:

Internal advice—129164/129175

Exemption 2—It is not normal practice of Governments to release information relating to internal advice and consultation.

30.10.00
Subject:
Reason:

Ministerial engagements—134635

Exemption 2—It is not the normal practice of Ministers to publish details of their schedule of engagements for legitimate reasons of confidentiality.

14.11.00
Subject:
Reason:

Royal Art Collection—137547

Answer cannot be expanded upon. Responsibility for the care and display of the Royal Collection rests with the Royal Household, not Government.

MEMORANDUM 3

Submitted by the Ministry of Defence

Thank you for your letter of 11 May about the reasons why information was not provided by the Ministry of Defence in answer to certain parliamentary questions in the session 1999–2000.

In each instance, the reason Defence Ministers were unable to provide the information requested was explained in the answer. In the case of 76 of the 80 cases cited by the Table Office, each refusal concerned a category of information which is expressly exempt from the disclosure commitment under Part II of the Code of Practice on Access to Government Information. Of the remaining four cases, question number 116560, the answer did cite Exemption 13 of the Code of Practice as the information requested was commercially sensitive. Question numbers 108409, 117775 and 133075 explained why the information was not provided although no Exemption Code was cited.

As you requested the attached list follows the example of the Prime Minister's Office in the format of their replies, and in some cases, expands on the reason for withholding the information.

The enclosed schedule gives the relevant details, reiterating the Exemption Code where necessary, for all the cases you listed.

16 August 2001

SCHEDULE

26.11

Subject: **Future budget**—Question number 99922
Reason: Exemption 2—Internal discussion and advice is not made public.

Subject: **Security costs (Bloody Sunday Inquiry)**—Question number 98588
Reason: Exemption 1a—Information whose disclosure would harm national security or defence is not made public.

30.11

Subject: **AWE Aldermaston**—Question number 100682
Reason: Exemption 1a—Information whose disclosure would harm national security or defence is not made public.

6.12

Subject: **US Army Chinook**—Question number 101400
Reason: Exemption 1c—Information received in confidence from foreign governments is not made public.

7.12

Subject: **NATO decision making**—Question number 101336
Reason: Exemption 1a—Information whose disclosure would harm national security or defence is not made public.

- Subject: **Munitions**—Question number 101337
 (a) Use
 Reason: Exemption 1a—Information whose disclosure would harm national security or defence is not made public.
- 28.1
 Subject: **(b) Holdings**—Question number 107273
 Reason: Exemption 1a—Information whose disclosure would harm national security or defence is not made public.
- 28.2
 Subject: **(c) Provision levels**—Question number 111787
 Reason: Exemption 1a—Information whose disclosure would harm national security or defence is not made public.
- Subject: **Procurement**—Question number 98481
 (a) Cost Estimates
 Reason: Exemption 7—Information whose disclosure could lead to improper gain or advantage. This question covered 20 parts, 12 of which were answered. The remainder were all covered by Exemption 7 as the details are commercial in confidence.
- 15.12
 Subject: **(b) Number of missiles ordered**—Question numbers 100760, 100759
 Reason: Exemptions 1 and 13—Details relating to numbers of missiles ordered is not made public.
- 21.12
 Subject: **C-17**—Question numbers 103107, 103108, 103105, 103106
 (c) Antonov 124-100
 Reason: Exemption 7 and 13—Information whose disclosure could lead to improper gain or advantage and would harm competitive position of a third party.
- 3.4
 Subject: **(d) Placing Antonov on British military list**—Question number 116598
 Reason: Exemption 2—Internal discussion and advice is not made public.
- 3.4
 Subject: **(e) Unit cost of Antonov 124 and Boeing C17**—Question number 116560
 Reason: Information withheld as commercially sensitive. The answer quoted Exemption Code 13 as unwarranted disclosure of the costs would harm the competitive position of a third party.
- 28.1
 Subject: **(f) Representations from interested parties**—Question number 104404
 Reason: Exemption 13—Information including commercial confidences, trade secrets or intellectual property whose unwarranted disclosure would harm the competitive position of a third party.

- 2.2
Subject: **(g) Employment forecasts (A400M Project)**—Question number 104420
Reason: Exemption 13—Information including commercial confidences, trade secrets or intellectual property whose unwarranted disclosure would harm the competitive position of a third party. Inappropriate to publish information provided by companies as it is commercially sensitive.
- 14.3
Subject: **(h) Astute Class Submarines**—Question number 113912
Reason: Exemption 13—Information which is commercial in confidence is not made public.
- 14.3
Subject: **(i) Strategic Airlift**—Question number 113934
Reason: Exemption 1—Information has security and commercial sensitivities and is not made public.
- 27.3
Subject: **(j) Global Positioning System**—Question number 115750
Reason: Exemption 7—Part of answer withheld as commercial in confidence.
- 6.4
Subject: **(k) Invitations to tender (CVR(T) Tank**—Question number 117129
Reason: Exemption 1—Information whose disclosure would harm national security or defence.
- 12.4
Subject: **(l) PFI for service accommodation**—Question numbers 118063, 118059
Reason: Exemption 7—Partly answered, however some information was withheld as it was commercially sensitive.
- 19.4
Subject: **(k) New Carriers**—Question numbers 118265, 118268
Reason: Exemption 2 & 7a—Information whose disclosure would harm the frankness and candour of internal discussion and lead to improper gain or advantage.
- 14.12
Subject: **Nuclear Weapons**—Question number 102128
(a) US/UK exchanges of information
Reason: Exemption 1—Information received in confidence from foreign governments is not made public.
- 10.1
Subject: **(b) Trident missile yields and targets**—Question number 104077
Reason: Exemption 1—Information whose disclosure would harm national security or defence.

21.3

Subject:
Reason:

(c) Tritium production—Question number 114444
Exemption 1 & 13—Information whose disclosure would harm national security and harm the competitive position of a third party.

3.4

Subject:
Reason:

Question number 116592
Exemption 1—Information whose disclosure would harm national security and defence.

12.4

Subject:
Reason:

(d) Experts names—Question number 118513
Exemption 2—Internal discussion and advice is not made public.

17.5

Subject:
Reason:

(e) Nuclear accident response plans—Question numbers 1214121, 121348
Exemption 1—Information whose disclosure would harm national security and defence.

15.12

Subject:
Reason:

Army Intelligence Corps—Question number 101865
Exemption 1a—Information whose disclosure would harm national security or defence.

16.12

Subject:
Reason:

STANOC Centre, Larkhill—Question numbers 102872, 102873
Exemption 13—Only part of the information was withheld as it was commercial in confidence.

16.12

Subject:
Reason:

Death of Gulf Veterans—Question number 103469
Exemption 11a—Where disclosure could be misleading.

10.1

Subject:
Reason:

Army Foundation College—Question number 102580
Exemption 2—Internal discussion and advice is not made public.

28.1

Subject:
Reason:

Internal discussions and advice—Question number 106726
(a) Record of internal discussions
Exemption 2—Internal discussion and advice is not made public.

14.3

Subject:
Reason:

(b) Advice to ministers—Question number 113953
Exemption 2—Internal discussion and advice to Ministers is not made public.

10.7

Subject:
Reason:

(c) Internal advice and consultation—Question numbers 129159, 129106, 129178
Exemption 2—Internal discussion and advice is not made public.

- 28.1
 Subject: **Sale price of Ministry land**—Question number 107027
 Reason: Exemption 7—Information withheld as it was commercially confidential.
- 31.1
 Subject: **PFI contract (Defence Helicopter Flying School)**—Question number 100284
 Reason: Exemption 11—Exact value of contract withheld.
- 3.2
 Subject: **Correspondence with Members**—Question number 108409
 Reason: It is not the normal practice of Government to make public correspondence with Members which might involve unwarranted disclosure to a third party. Original MP might choose to make the correspondence public. Exemption 12 would have been appropriate.
- 7.2
 Subject: **Operational matters**—Question number 108433
 Reason: **(a) Iraq**
 Exemption 1a—It is not Government policy to provide detailed information on operational matters as disclosure would harm national security or defence.
- 2.3
 Subject: **(b) Location of vessel**—Question number 111949
 Reason: Exemption 1—Information whose disclosure would harm national security or defence is not made public.
- 6.6
 Subject: **(c) Allied operations**—Question numbers 122846, 122848, 122844, 122847
 Reason: Exemption 1c—It is not Government policy to provide details of information received in confidence from foreign governments.
- 6.6
 Subject: **(d) Authority to attack**—Question number 122849
 Reason: Exemption 1a—Information whose disclosure would harm national security or defence is not made public.
- 7.7
 Subject: **(e) Readiness of submarines**—Question number 129670
 Reason: Exemption 1—Information whose disclosure would harm national security or defence is not made public.
- 9.2
 Subject: **Thiepval Barracks**—Question number 109082
 Reason: Exemption 1a—Information withheld on the grounds that the reports contained sensitive information which would harm national security or defence.

28.2

Subject:

Individuals' details—Question numbers 111699, 111701**(a) Nancekuke study**

Reason:

Exemption 12—Unwarranted disclosure to a third party of personal information about any person which would constitute an unwarranted invasion of privacy.

5.6

Subject:

(b) Personal service record—Question number 123557

Reason:

Exemption 8 & 12—Information, opinions and assessments given in confidence where disclosure would cause invasion of privacy.

8.3

Subject:

Nerve agents—Question number 112367**(i) Toxic doses**

Reason:

Exemption 1—Information whose disclosure would harm national security or defence is not made public.

25.7

Subject:

(ii) Toxicity level—Question number 1030528

Reason:

Exemption 1—Information whose disclosure would harm national security or defence is not made public.

25.7

Subject:

Chemical weapons—Question number 130852

Reason:

Exemption 1—Specific quantity withheld information whose disclosure would harm national security or defence is not made public.

21.3

Subject:

Strategic Defence Initiative—Question number 114325

Reason:

Exemption 1—Information whose disclosure would harm national security or defence is not made public.

21.3

Subject:

Transport aircraft—Question number 114744

Reason:

Exemption 13—Information withheld to protect third party's commercial confidences.

22.3

Subject:

Live Firing Exercises—Question number 114547

Reason:

Exemption 1—Information whose disclosure would harm national security or defence is not made public.

3.4

Subject:

Weapons performance—Question number 114214**(a) Light Support Weapon**

Reason:

Exemption 1—Information whose disclosure would harm national security or defence is not made public.

3.4

Subject:

(b) Field Trial Report—Question number 114215

Reason:

Exemption 1—Information withheld on the grounds that the report contained information which would harm national security or defence.

- 5.4
Subject: **Security matters**
Reason: **(a) Security clearance**—Question number 117775
As the answer states, it is not appropriate to give details of the particular levels of security clearance held by individuals. The use of Exemption 12 would have been appropriate.
- 10.4
Subject: **(b) Injunctions**—Question number 117260
Reason: Exemption 4 & 14—Information whose disclosure could prejudice the administration of justice and information given in confidence.
- 23.5
Subject: **(c) Intelligence activities**—Question numbers 122763, 122764
Reason: Exemption 1—Information whose disclosure would harm national security and defence is not made public.
- 19.6
Subject: **(d) Use of informants in Northern Ireland**—Question number 126222
Reason: Exemption 1—Information whose disclosure would harm national security and defence is not made public.
- 19.6
Subject: **(e) Anglo-Irish meeting**—Question number 126223
Reason: Exemption 4, 12 & 14—Information whose disclosure could prejudice the administration of justice and information given in confidence and could facilitate an invasion of privacy.
- 12.5
Subject: **RAF Menwith Hill**—Question number 121780
Reason: Exemption 1—Information whose disclosure would harm national security and defence is not made public.
- 23.5
Subject: **Joint NBC Regiment**—Question numbers 123119, 123116
Reason: Exemption 1—Information whose disclosure would harm national security and defence is not made public.
- 19.6
Subject: **Animal experiments**—Question number 125675
Reason: Exemption 13—Information including commercial confidences, trade secrets or intellectual property whose unwarranted disclosure would harm the competitive position of a third party.
- 26.6
Subject: **Ballistic Missile Defence**—Question number 126940
Reason: Exemption 1—Information whose disclosure would harm national security and defence is not made public.
- 24.7
Subject: **Michael John Smith**—Question number 132275
Reason: Exemption 4c—Information whose disclosure could prejudice the administration of justice.

27.7

Subject: **Ministerial duty rosters**—Question number 133075
Reason: Not normal practice to publish duty rosters. It would have been appropriate to refer to Exemption 12.

MEMORANDUM 4

Submitted by the Office of the Deputy Prime Minister

You wrote to John Fuller on 11 May seeking further information about why certain information was withheld by Cabinet Office Ministers in answer to some PQs in the 1999/2000 Parliamentary session.

I attach a Memorandum providing more detail, where appropriate, on the reasons why Cabinet Office Ministers decided to withhold certain information.

26 July 2001

21.12.99

Subject: **Ministerial meetings**
Reason: Exemption 2. Information whose disclosure would harm the frankness and candour of internal discussion.

3/2/00

Subject: **Correspondence with MPs**
Reason: Exemption 14. Correspondence between MPs and Departments is treated in confidence unless the originating MP chooses to make such issues public.

28/2/00

Subject: **Special advisers to Cabinet Committees**
Reason: Exemption 2. Membership of Cabinet and Cabinet Committees is made public. Information relating to the proceedings of Cabinet Committees is not made public.

28/2/00

Subject: **Salaries of civil servants**
Reason: Exemption 12. Personal information. It is not the Government's practice to give personal salary details of those employed in the civil service.

27/7/00

Subject: **Ministers' duty rosters**
Reason: Exemption 12. Personal information. It is not normal practice for the Government to publish information which would reveal the details of Ministers' holiday plans.

MEMORANDUM 5

Submitted by the Department for Education and Skills

Your letter of 11 May requested further information on certain Parliamentary Questions recorded as being “blocked” by the Table Office because of Ministers’ refusal to provide answers.

The information you have requested accompanies this letter.

21 September 2001

07.12.99

Subject:
Reason:
(101504)

Education Service Providers (bids)

The response to the question was limited by the “commercial in confidence” nature of the documents requested. Releasing such information would not only have damaged the companies’ competitiveness in procurement exercises, but would have breached a well established convention designed to protect business and commercial activities. Such information is covered by exemption 13 to the Code of Practice on Access to Government Information.

12.01.00

Subject:
Reason:
(104095)

Remploy

The Bourton report is a commercially sensitive document and was withheld under Part II of the Code of Practice on Access to Government Information.

Specifically:

Exemption 7—disclosure could prejudice Remploy’s commercial or contractual activities;

Exemption 13: disclosure could harm the competitive position of a third party; and Exemption 14: Remploy was not under any legal obligation to supply the information to the department and had not consented to its disclosure.

16.02.00

Subject:
Reason:
(108410)

Correspondence with Members

Exemption 14—Correspondence between MPs and Ministers is not made public.

19.07.00

Subject:
Reason:
**129146/
129180**

Internal advice

Exemption 2—Internal advice is not made public.

MEMORANDUM 6

Submitted by the Department for Environment, Food and Rural Affairs

Before Christmas you wrote to Brian Bender requesting the DEFRA return on why certain information was withheld in answer to some PQs in the 1999/2000 Parliamentary Session. I have been asked to reply. With apologies for the delay I attach the information requested. I should point out that 2 of the questions you have allocated to this Department, were in fact answered by the Northern Ireland Office and the Home Office. This has been made clear in the attached schedule.

21 January 2002

7/12/99

Subject: 100273 **Badgers (TB)**
Reason: Exemption 12—Privacy of an individual. Disclosure of information to third party could facilitate an unwarranted invasion of privacy

11/01/00

Subject: 101749 **Pesticides**
Reason: Exemption 13—Third party's commercial confidences. Disclosure of information including commercial confidences would harm the competitive position of the third party

25/01/00

Subject: 105512 **CAP Payments**
Reason: Exemption 13—Third party's commercial confidences. Disclosure of information including commercial confidences would harm the competitive position of the third party.

10/02/00

Subject: 108404 **Correspondence**
Reason: Exemption 14—Information given in confidence.

29/03/00

Subject: 100175 **Correspondence**
Reason: This Question was tabled to and answered by the Northern Ireland Office

21/02/00

Subject: 108484 **Beef Exports**
Reason: Exemption 13—Third party's commercial confidences. Disclosure of information including commercial confidences would harm the competitive position of the third party.

28/02/00

Subject: 107237 **Leaked and internal documents**
Reason: Exemption 2—Internal discussion and advice. Disclosure of information would harm the frankness and candour of internal discussion.

15/05/00
 Subject: **121955 Advice to Ministers**
 Reason: Exemption 2—Internal discussion and advice. Disclosure of information would harm the frankness and candour of internal discussion.

13/06/00
 Subject: **125902 Animal Experiments**
 Reason: This question was tabled to and answered by The Home Office

MEMORANDUM 7

Submitted by the Foreign and Commonwealth Office

In his letter of 11 May to Sir John Kerr, Philip Aylett asked that the FCO expand on the reasons it has given for withholding information in response to certain Parliamentary Questions tabled in the 1999–2000 Session.

I understand that, following the General Election, the new Public Administration Select Committee has confirmed the request and that when we spoke on 13 November you confirmed that a letter requesting this information would issue shortly.

As requested in Philip Aylett's letter and confirmed in our telephone conversation, I am sending the information in the tabular format requested.

16 November 2001

23.11.99
 Subject: **Murdered hostages (Chechnya) 99250**
 Reason: Exemptions 1c and 14a—information provided in confidence; 14b—disclosure could prejudice future cooperation; and 4—law enforcement and legal proceedings.

8.12.99
 Subject: **Intelligence Operations (Echelon)100839**

18.1.00
 Subject: **Intelligence reports 104857**

29.3.00
 Subject: **Intelligence sharing between UK/US 116353**

20.6.00
 Subject: **Surveillance systems 126298**
 Reason: The Security and Intelligence Services are not within the scope of the Code of Practice on Access to Government Information, nor is information obtained from or relating to them. It remains the long-standing practice of successive governments not to provide information on the activities of, or speculation about, the intelligence and security services which could have a bearing on the operational effectiveness of the agencies, or the safety of their staff and those who operate with them. The reasons were set out by the then Prime Minister in his written answer of 14 July 1994 (Hansard col 711).

27.1.00
Subject:
Reason:

EU Handbooks 106162

Exemption 1b, 2 and 7(a)—The disclosure of these documents would harm the conduct of international relations or affairs, and the frankness and candour of internal discussion and advice. The FCO believes that the harm from disclosure outweighs the public interest in making the information available.

15.5.00
Subject:
Reason:

EU Working Groups 121511

Exemption 15—statutory restrictions. Confidential discussions between officials from EU Member States within CFSP Working Groups are covered by the exemption in Article 4 of the Council Decision of 20 December 1993 on access to Council Documents. This is in line with exemption 15(a) of the Code (information whose disclosure is prohibited by or under any enactment, regulation, European Community law or international agreement).

In fact a very full answer was given to this question. On reflection, it would have been possible to add, without incurring disproportionate expense that the mandate of the Working Groups, in very general terms, follows Article 11 of the Treaty on European Union, that they should cover ‘all areas of foreign and security policy’.

18.1.00
Subject:
Reason:

Threat Assessment 104859

Exemption 1a—It is the long standing practice of successive governments not to disclose information that would harm national security where there is no public interest in its release.

18.1.00
Subject:
Reason:

Financial links between Iran and Hamas 104858

Exemption 1a—It is the long standing practice of successive governments not to disclose information that would harm national security where there is no public interest in its release.

18.1.00
Subject:
Reason:

Data on countries which sponsor terrorism 104770

Exemption 1a—It is the long standing practice of successive governments not to disclose information that would harm national security where there is no public interest in its release.

25.1.00
Subject:
Reason:

Sources of funds for Islamic Jihad 106540

Exemption 1a—It is the long standing practice of successive governments not to disclose information that would harm national security where there is no public interest in its release.

20.1.00
Subject:
Reason:

Correspondence with other Governments (Pinochet) 106009
Exemption 1c—Information received in confidence from foreign governments.

Furthermore, the non-disclosure provisions of the Data Protection Act 1998 prohibit the disclosure of personal data to third parties. This is in line with exemption 15 of the Code (Statutory restrictions).

24.1.00
Subject:
Reason:

Internal discussions 106646
Exemptions 1(b) and 2—To release the minutes of internal meetings and deliberations would harm the frankness and candour of internal discussion and could harm the conduct of international relations. The FCO believes that the harm from disclosure outweighs the public interest in making the information available.

3.2.00
Subject:
Reason:

Correspondence with Members 108401
Exemptions 14 and 15—This information cannot be released as it was supplied in confidence and cannot be made available without the consent of the supplier.

17.2.00
Subject:
Reason:

Sale of Property—names of buyers 110512
Exemptions 7(a) and 13—to disclose this information, which is commercially confidential, could unreasonably disadvantage the other parties involved in the course of their lawful business, commercial and financial affairs. Disclosure could also undermine the reputation of the FCO and its future negotiating position and commercial activities. The FCO believes that the harm from disclosure outweighs the public interest in making the information available. It notes that it was however possible to give a very full answer giving the location of properties sold, and prices obtained.

5.5.00
Subject:
Reason:

Sale of Property—Price etc 119326
Exemptions 7 (a) and 13—to disclose this information, which is commercially confidential, could undermine the reputation of the FCO and prejudice the competitive position of the FCO and the effective conduct of its commercial activities. The FCO believes that the harm from disclosure outweighs the public interest in making the information publicly available. The Member asking for the information was however given it in confidence.

17.2.00
Subject:
Reason:

Departmental meetings 110510

Ministers and civil servants meet many people as part of the process of policy development and analysis. All such contacts are conducted in accordance with the Ministerial Code, Civil Service Code and guidance for Civil Servants: Contacts with Lobbyists. Some of these discussions take place on a confidential basis and, in order to preserve confidentiality, it is not the normal practice of Governments to release details of specific meetings with private individuals or companies.

This point was reinforced in the Government's response to the Sixth Report of the Committee on Standards in Public Life, published in July 2000.

6.3.00
Subject:
Reason:

UK/French Joint Nuclear Commission 112417 to 112422

Exemption 1 (a & b)—to release records of these meetings would harm national security or defence and the conduct of international relations or affairs. The FCO believes that the harm from disclosure outweighs the public interest in making the information available.

24.3.00
Subject:
Reason:

Import & export of nuclear materials 116268

Exemption 1 (a and b) and 2—To release such correspondence would harm national security or defence, the conduct of international relations and the frankness and candour of internal discussion. The FCO believes that the harm from disclosure outweighs the public interest in making the information available.

2.5.00
Subject:
Reason:

Internal Advice 120045

Exemption 2—To release internal advice and the source of such advice would harm the frankness and candour of internal discussion. The FCO believes that the harm from disclosure outweighs the public interest in making the information available.

27.7.00
Subject:
Reason:

Ministerial Holidays 132939

Exemption 15 (statutory restrictions)—The non-disclosure provisions of the Data Protection Act 1998 prohibit the disclosure of personal data to third parties except where an exemption applies. The FCO does not believe that any of the exemptions to these provisions apply in this case.

27.7.00
Subject:
Reason:

Ministerial duty rosters 133072

It is not the normal practice of Government to publish the daily ministerial Duty Roster. The FCO did however fulfil the undertaking given in answer to the question, that it would maintain sufficient cover through the summer recess in line with the requirements of the Ministerial Code.

MEMORANDUM 8*Submitted by the Department of Health*

I am replying to your letters of 11 May 2001 and 20 November 2001, which I understand were discussed at your meeting with Olga Senior and Trish Fretten on 5 February. I apologise for the long delay in replying—the reason for which, I trust, was explained to you then.

I am told that you were given copies of the relevant Hansard references which demonstrate, in our opinion, that we did not block the questions identified in your letters. As is usual practice, we either followed Cabinet Office guidance on questions directed at more than one department or referred to the appropriate section of the Code of Practice on Access to Government Information.

I hope this has resolved the matter, and I apologise again for not meeting your original deadline.

18 March 2002

MEMORANDUM 9*Submitted by the Home Office*

Thank you for your letter of 11 May to Mr John Gieve requesting further explanation of why the Home Office had withheld some information whilst answering certain Parliamentary Questions.

I attach a list giving reasons for Ministers not giving full answers and, where applicable, the corresponding reference to the Code of Practice on Access to Government Information.

If you need any further information or clarification, please do not hesitate to contact me.

24 August 2001

Date	Subject	PQ reply	Reason	Reference to Code
23.11.99; column 66	Security matters—costs	Not in public interest to disclose information that could compromise the security arrangements relating to public figures [99258; 99259]	Information is not made public about the nature or costs of the security measures provided to the Royal Family or other public figures as to do so can provide terrorists and other potential attackers with sufficient information enable them to determine levels of protection being provided, and to whom, in a way which would increase vulnerability of those identified as targets.	Part II, exemption one (bullet one)

2.5.99; column 76	Security matters —individual records	Long-standing Government policy neither to confirm or deny whether security or intelligence agencies hold records on any individual. [120048]	To give a full reply would impair the operational effectiveness of the Security and Intelligence Agencies in fulfilling their statutory functions under the Security Service and Intelligence Services Acts.	Part II, exemption one (bullet one)
20.11.2000 column 90	Security matters —extremist political involvement	Policy of successive Governments not to comment on extremist political involvement in matters. [139019]	It is not appropriate to respond to requests which may carry a danger of exposing confidential sources.	Part II, exemption two (bullet four)
24.11.99; columns 123-126	Police deployment	For Chief Officers to determine staffing levels and deployment within the resources available. [99056; 98518; 98519]	The Home Secretary has no power to determine police numbers. That was a responsibility passed by him to Chief Constables under the provisions of the Police & Magistrates' Court Act 1994 (consolidated in the Police Act 1996). It is therefore for Chief Officers of Police to decide on how the force budget will be allocated in respect of the numbers of officers employed, deployment of police officers and where police buildings are situated.	N/A
7.3.2000 column 568	Personal protection (Senator Pinochet)	Number of officers employed and cost relating to protection of Senator Pinochet withheld for security reasons; number of officers deployed an operational matter for the relevant chief officers of police. [113513; 113514]	For reasons of security details of cost and number of officers involved are not disclosed because of the assistance it could offer to terrorist and like minded organisations. The cost to the Surrey Police has since been published in a later PQ about all Senator Pinochet related costs.	Part II, exemption one (bullet one)
29.11.99; column 8	Commission for Racial Equality (settlement of claims)	Details of individual settlements relating to claims of racial discrimination by employees of the CRE confidential between the parties. [100211]	Information by virtue of the fact that it is information whose disclosure could prejudice the proceedings of the Employment Tribunal (whether actual or likely) is not disclosed. In each case a confidentiality agreement was signed by both parties.	Part II, exemption four (bullet one)

15.11.99; column 211	Communications between Ministers and officials.	Internal discussion and advice exempt from the commitments to provide access to Government Information. [101709]	The specific level at which particular decisions are taken, which particular Minister or official took the decision, or the manner in which a Minister consults colleagues is not normally disclosed.	Part II, exemption two (bullet two)
1.2.2000; column 509	Discussions between Ministers	Normal convention that discussions between ministers are not disclosed. [106650]	The specific level at which particular decisions are taken, which particular Minister or official took the decision, or the manner in which a Minister consults colleagues is not normally disclosed.	Part II, exemption two (bullet two)
21.12.99; column 489	Immigration —Individual Cases	Detailed records on individual overseas nationals are confidential. [102775]	Detailed records on individual overseas nationals are not made public.	Part II, exemption five
6.3.2000; column 542	Asylum— Accommodation	All information about organisations which have tendered to provide accommodation for asylum seekers under the national asylum support scheme and the details of their bids is commercially confidential. [113315]	At the time the question was asked NASS was in negotiation with a number of companies who had tendered to provide accommodation for asylum seekers. Information such as commercial confidences whose unwarranted disclosure would harm the competitive position of a third party is not made public.	Part II, exemption thirteen
24.1.2000; column 20	Communications with other Governments (General Pinochet)	Not practice to make publicly available the contents of correspondence with other Governments; details of this nature are confidential to the Governments concerned.	Government policy is that discussions and correspondence with foreign governments are normally undertaken on a confidential basis; to release the content of such dialogue would damage the good working arrangements that the UK usually has with foreign governments where those governments participate in the dialogue on the expectation of confidentiality, and would be harmful to the conduct of international relations. There appeared at that stage to be no overriding public interest in making the information available.	Part II, exemption one (bullets two & three)

27.1.2000; column 232	Negotiating positions of member states.	Not practice to disclose negotiating positions of EU member states. [106423]	Article 6 of the European Council's Rules of Procedure says that the deliberations of Council shall be covered by the obligation of professional secrecy except insofar as the Council decides otherwise. The Member States have a duty under Article 10 TEC, not to impair the application of those Rules	Part II, exemption fifteen
3.2.2000; column 700	Correspondence with Members	Correspondence with Members confidential unless the Member wishes otherwise. [108408]	As in reply.	Part II, exemption fourteen
3.2.2000; column 707	Burns Inquiry (appointments)	Invidious to give details of merits of persons not appointed to the enquiry. [108181]	Information given in confidence in relation to public employment and public appointments made by Ministers of the Crown is not made public.	Part II, exemption eight
22.2.2000; column 878	Animal experiments	S.24 of the Animals (Scientific Procedures) Act 1986 prohibits the naming of applicants for licences under the Act. [110987; 111048; 110989; 111015; 111083; 111013; 110988]	Section 24 of the Animals (Scientific Procedures) Act 1986 prohibits the naming of applicants for licences under the Act.	Part II, exemption fifteen
27.3.2000; column 5	Legal Advice	Not policy to disclose details of legal advice in relation to commercial arrangements for installation and operation of Information Technology. [116294]	Information covered by legal professional privilege or that which results from internal advice is not made public.	Part II, exemption four (bullet four) and also Part II, exemption two (bullet two)
24.5.2000; column 488	Extradition	Long standing policy not to comment on whether an extradition request has been made for a particular individual. [123047]	It is official UK policy never to confirm or deny whether a person is the subject of extradition proceedings; to do so could enable a fugitive criminal to evade the forces of law and order, and place the UK in breach of its international operations.	Part II, exemption four (bullet four)

27.7.2000; column 900	Ministerial Duty Rosters	Not normal practice to publish duty rosters. [132976; 133076]	Unwarranted disclosure to a third party of personal information about any personal information about any person or any other disclosure which would constitute or could facilitate an unwarranted invasion of privacy is not disclosed. Disclosing Ministerial rosters could inadvertently cause details of Ministers' holidays to be disclosed.	Part II, exemption twelve
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MEMORANDUM 10

Submitted by the Department for International Development

I am replying to Philip Aylett's letter of 20 November to Sir John Vereker requesting details of Parliamentary Questions that were "blocked" during the last Session. I should first apologise for failing to respond to the original request but I spent much of June and July in hospital and by the time I returned to the Office I had completely forgotten about it.

I attach a pro-forma setting out the details of why we withheld the information requested. If you do need any further assistance please do not hesitate to contact me.

As requested in Philip's letter, I enclose a disk containing this letter and the pro-forma. I will also send you both by electronic mail.

12 December 2001

24 January 2000 Question No 106343: Special Advisers (CVs)

Reason: this is standard human resource policy, supported by the Data Protection Act: personal details cannot be disclosed without the permission of the individual.

27 January 2000 Question No 106447: Cabinet Committees

Reason: Exemption 2—membership of Cabinet and Cabinet Committees is made public. Information relating to the proceedings of Cabinet Committees is confidential.

4 February 2000 Question No 108405: Correspondence with Members

Reason: Exemption 2—it is not the normal practice of Government to make public correspondence which is sent in confidence unless the Member wishes otherwise.

MEMORANDUM 11

Submitted by the Lord Chancellor's Department

I refer to your letter of 20 November and, once again, apologise for the delay in responding to you. As my Private Secretary stated on 22 November, it appears that somehow your letter of 11 May was not properly dealt with and I have made it clear that this was unacceptable.

I will now comment on the parliamentary questions in the order set out in the attachment to your letter:

1. Number 102824, answered on 20 December 1999, *Official Report*, Column 315W.

The minister declined to publish the value-for-money study relating to a PFI contract for magistrates courts in Derbyshire because this information was commercially sensitive. It was properly withheld under exemption 7 of Part II of the Code of Practice on Access to Government Information (the Code).

2. Number 103610, answered on 10 January 2000, *Official Report*, Column 36W.

Mr McNamara asked what training the judiciary in Northern Ireland and Scotland had been given to prepare for the incorporation of the ECHR into domestic law. A full answer was provided for the judiciary in Northern Ireland as this was part of the Lord Chancellor's Department's responsibilities. As regards the Scottish judiciary, Mr McNamara was referred to the Scottish Executive. It is a devolved matter and, in any event, the Lord Chancellor's Department has never been responsible for training the judiciary in Scotland.

3. Number 105335, answered on 19 January 2000, *Official Report*, Column 505W.

The information requested by Dr Cable was provided in the answer in anonymised form. It would not be proper to disclose the names of complainants against the judiciary without their consent. This information can be properly withheld under exemptions 12 and 14 of the Code. Nor would it be proper to disclose the names of those judges against whose conduct complaints are made as these are essentially personnel matters and the information may be properly withheld under exemption 7 of the Code. Only in those cases where the Lord Chancellor finds that a complaint is justified, and reprimands or takes other disciplinary action against a judge, would it be proper to place such information in the public domain.

4. Number 122479, answered on 16 May, *Official Report*, Column 118W

Mr Bottomley called for a report on the conduct of a trial. It would have been inconsistent with the constitutional principle of the independence of the judiciary for the executive to have complied with Mr Bottomley's request. The proper avenue for those dissatisfied with the conduct or outcome of a trial is to appeal to a higher court. This request was properly declined under exemption 4 of the Code.

5. Number 107026, answered 31 January 2000, *Official Report*, Column 473W

Mrs Curtis-Thomas asked a question relating to legal proceedings. It is not appropriate to comment on individual cases, particularly as these cases involve children. This information was properly withheld under exemption 4 of the Code.

6. Number 108399, answered 3 February 2000, *Official Report*, Column 727W

This was a 'round robin' question. The Department followed the long-standing parliamentary convention that correspondence between Members of Parliament and Departments is treated in confidence unless the originating Members chooses to make it public.

7. Number 130603, answered 25 July 2000, *Official Report*, Column 537W

In answering this question, the Minister did not withhold any information requested by the Member of Parliament. She declined his request for a review and state the Government's policy on this issue. The Minister was perfectly entitled to refuse the request for a review of the policy.

8. Number 133171, answered 27 July 2000, *Official Report*, Column 872W

This was another 'round robin' question. The Department followed the long-standing convention that the Ministerial Roster is not published. Neither is it normal practice to disclose Minister's holiday plans as this is essentially personal information and is properly withheld under exemption 12 of the Code.

Conclusion

In sum, I believe that none of the answers given to the above Parliamentary Questions should be described as 'blocking' replies. Full answers were given where possible. Information was only withheld where an exemption applied under the Code, or where to provide the information requested would have contravened a long-established convention or constitutional principle.

4 December 2001

MEMORANDUM 11

Submitted by the Northern Ireland Office

Thank you for your letter of 20 November in which you reminded me of the outstanding request for a fuller explanation of why it was necessary to withhold information in answers to particular Parliamentary Questions. I have looked into this matter and am pleased to be able to provide the attached schedule providing more detail, where appropriate, on the reasons why the Secretary of State decided to withhold certain information. I apologise for the delay in supplying this information.

As requested, I also enclose a disk containing the above information.

30 November 2001

8.2.00

Subject: Correspondence with Members of Parliament (108406)

Reason: Exemption 14—Information not released as it was given in confidence by persons who were not under any legal obligation to do so and have not consented to its disclosure.

14.2.00

Subject: Contributors to consultation (Parades Commission) (110048)

Reason: Exemption 14 (a)—information withheld on grounds that it was supplied in confidence and contributors have not consented to its disclosure.

15.2.00

Subject: RUC (individual operational responsibilities (108429))

Reason: Exemption 8(a)—Information withheld as it related to personnel records relating to public appointments as well as employees of public authorities.

2. 3.00

Subject: Security (Rosemary Nelson) (103817)

Reason: Exemption 2—Information not released as it is not normal practice of Government to make public the content of meetings with groups and individuals whose disclosure could harm the frankness and candour of internal discussion.

22.5.00

Subject: Surveillance (Listening Device) (118979)

Reason: Exemption 1—The Government does not comment on matters of intelligence.

12.6.00

Subject: Shootings (prejudice to proceedings) (124326)

Reason: Exemptions 4(a) and 4(b)—To disclose the information could prejudice the enforcement of proper administration of the law, including the apprehension or prosecution of offenders.

17.7.00

Subject: Internal Advice (129172 & 129158)

Reason: Exemption 2—information relates to internal advice/consultation whose disclosure would harm the frankness and candour of internal discussion

27.7.00

Subject: Ministerial Duty Rosters (133073)

Reason: Exemptions 1 & 12—Information withheld on security grounds and also because disclosure would constitute or facilitate an unwarranted invasion of privacy of an individual.

MEMORANDUM 13

Submitted by the Prime Minister's Office

You asked for information about why certain information was withheld by the Prime Minister in answer to certain PQs in the 1999/2000 session. I am sorry for the delay in replying. The information requested is attached.

1 February 2002

Number	Date	Subject	Reason for Refusal
1	6 December 1999	Private Meetings	Exemption 2. It is not the normal practice of the Government to release details of specific meetings or their content as some of these discussions may have taken place on a confidential basis.
2	7 December 1999	Cabinet Committees	Exemption 2. Membership of Cabinet and Cabinet Committees is made public. Information relating to the proceedings of Cabinet and Cabinet Committees is confidential.
3	7 February 2000	Correspondence with Members	Exemption 14. Correspondence between MPs and Departments is treated in confidence unless the originating MP chooses to make such issues public.
4	9 March 2000	Confidential Information from Foreign Governments	Exemption 1(c). Information received in confidence from foreign governments, foreign courts or international organisations is not made public.
5	20 March 2000	Honours	Exemption 8. Information, opinions and assessments given in relation to recommendations for honours is not made public.
6	20 April 2000	Internal Advice	Exemption 2. Internal discussion and advice is not made public.
7	25 May 2000	Honours (Removal)	Exemption 8. Information, opinions and assessments given in relation to honours is not made public.
8	28 July 2000	Leak Inquiries	Exemption 7(b). Information relating to leak investigations and the action taken in each case is withheld on the grounds that it could harm the efficient conduct and operations of individual Departments.

Number	Date	Subject	Reason for Refusal
9	28 July 2000	Civil Servants Pay	Exemption 12. Personal information. It is not normal practice for the Government to publish the detail of individual civil servants' pay in order to protect the privacy of the individuals concerned.
10	10 November 2000	Value of Sites—the Dome	Exemption 7. Information withheld as disclosure could prejudice: the competitive position/negotiations.

MEMORANDUM 14

Submitted by the Scotland Office

Philip Aylett's letter to Eric Ferguson of 11 May requested reasons for the 'withholding of information' to a number of Parliamentary Questions in Session 1999–2000. I now attach as an enclosure the contribution from the Scotland Office.

18 September 2001

PQ No. 127330

Subject:

Revenue Funding

Reason:

This question was addressed to and answered by the Home Office. Not for the Scotland Office therefore.

PQ No. 123576

Subject:

Local Economic Development

Reason:

This question was addressed to and answered by the DTI. Not for the Scotland Office therefore.

PQ Nos. 101754, 103611, 112042, 126692, 126271, 109633, 114016, 101244

Subject:

Devolved Matters

Reason:

All of these questions were answered on the lines that they raised matters that are the responsibility of the Scottish Executive or the Scottish Parliament. This is in line with the resolution approved by the House of Commons on 25 October 1999 that in general, parliamentary questions may not be tabled at Westminster on matters that have been devolved to Scotland.

PQ No. 129916

Subject:

Relocation of Scottish Executive Civil Service Posts

Reason:

The "blocking" part of the answer simply states that the policy in relation to the relocation of civil servants who work for the Scottish Executive is a matter for the Scottish Parliament. That part of the answer also provided additional information by referring to announcements made by the Scottish Executive in relation to relocation of public service jobs. This should not, therefore, be regarded as a blocking answer.

PQ Nos. 129166 and 129177**Subject:** Internal Advice**Reason:** Exemption II—The answer to these questions referred to the appropriate exemption in the Code of Practice on Access to Government Information thus giving the reason why the information could not be provided.**PQ No. 108398****Subject:** Correspondence**Reason:** Exemption II—In accordance with convention, correspondence received by Departments from Members is treated in confidence.**PQ Nos. 133078 and 133146****Subject:** Ministerial Duty Roster**Reason:** Exemption II—It is not normal practice to publish the daily Ministerial Duty Roster**PQ No. 101249, 112042****Subject:** Legal Advice**Reason:** Exemption 4(d)—Information covered by legal professional privilege.**MEMORANDUM 15***Submitted by the Department of Trade and Industry*

Earlier this year you asked for a memorandum identifying the reasons for withholding information in a number of answers to Parliamentary Questions given by the Department of Trade and Industry in the 1999–2000 session.

In the attached memorandum we have linked each of the answers listed in your letter to the relevant exemption under the Code of Practice on Access to Government Information. As my predecessor noted in response to the Committee's enquiry last year the Parliamentary Clerk will continue to monitor draft answers prepared by the Department and where necessary emphasise the importance of the Code.

*October 2001***Departmental Support**

9 Dec 1999 Subject	(100550) Royalties from Launch Aid
17 Jan 2000 Subject	(104767) Financial support for glass factory
9 Feb 2000 Subject	(109004) Application for export credit support
2 March 2000 Subject	(112411) Amount of export credit support

26 July 2000 (131892)
Subject Grant to BAe Systems

Reason Exemption 13—Information whose disclosure would harm the competitive position of a third party.

29 March 2000 (116218)
Subject Application for grant

Reason Code exemption not necessary as no information was refused; the company had not applied for a grant

Post Office (Benefit Payments)

20 December 1999 (103143)
21 June 2000 (124713)
Subject Cost to Post Office of processing benefit payments

Reason Exemption 13—Information whose disclosure would harm the competitive position of a third party.

21 December 1999 (101609)
Subject Payment of Benefits
Question answered by HM Treasury

ADD Report on the Synchrotron project

19 Jan 2000 (105625)
Subject Publication of report

Reason Exemptions 2 and 7 claimed in answer

Horizon Working Group

20 Jan 2000 (104724)
Subject Publication of Working Group report

Reason Exemption 2—information whose disclosure would harm the “frankness and candour of internal discussion”, and Exemption 13—information whose disclosure would harm the competitive position of a third party.

Departmental Inquiries

20 January 2000 (104670)
Subject Publication of report into investigations

Reason Exemption 15—information whose disclosure is prohibited by or under any enactment.

Grants to businesses

27 January 2000 (105874)
Subject Action to recover grants

Reason Exemption 13—Information whose disclosure would harm the competitive position of a third party.

Mergers (Representations)

27 January 2000 (106144)
20 March 2000 (115213)
3 July 2000 (128493)
Subject Representations regarding mergers

Reason Exemption 13—Information whose disclosure would harm the competitive position of a third party, and 14(a)—information supplied in confidence.

Communication

7 February 2000 (108397)
Subject Correspondence with Members

Reason Exemption 14—information supplied in confidence

3 March 2000 (112354)
Subject Correspondence with Companies Release of exchange of letters

Reason Exemption 14—information supplied in confidence

3 March 2000 (112355)
Subject Release of exchange of letters with Japanese Government

Reason Exemption 1c—Information received in correspondence from foreign Governments

20 March 2000 (114082)
Subject Release of correspondence with British Embassy

Reason Exemption 2—confidential communication between departments

14 April 2000 (118721)
Subject Release of internal correspondence

Reason Exemption 2—confidential communication between departments and Exemption 13 information whose disclosure would harm the competitive position of a third party.

20 June 2000 (126286)
Subject Release of correspondence with the European Commission

Reason Exemption 1c—Information received in confidence from an international organisation.

Sellafield MOX plant

7 February 2000 (106713)
 Subject Release of contract information

Reason Exemption 13—Information whose disclosure would harm the competitive position of a third party

Affairs of particular companies

3 March 2000 (112735)
 6 March 2000 (113038)
 Subject Investigation into companies

Reason Exemption 4 (c)—Information relating to investigations which have or might have resulted in proceedings.

A3XX Super-Jumbo Project

17 March 2000 (115137)
 3 April 2000 (116950)
 7 April 2000 (118263/118261)
 Subject Release of independent appraisal of project

Reason Exemption 13—Information whose disclosure would harm the competitive position of a third party

DTI investigations

29 March 2000 (114471)
 Subject DTI investigations

Reason Exemption 4—law enforcement and legal proceedings

Internal advice

3 May 2000 (120046/120050/120304)
 24 May 2000 (122942/122943)
 10 July 2000 (129179/129153)
 Subject Internal advice

Reason Exemption 2—confidential communications between departments, public bodies and regulatory bodies

Allegations against companies

21 June 2000 (127079/127080)
 Subject Court action overseas

Reason Exemption 4 (a)—information whose disclosure is, has been, or is likely to be addressed in the context of [legal] proceedings.

Matters for the London Mayor

22 June 2000 (127139)
 Subject Inward investment in London

Reason Responsibility has passed to the London Development Agency

Leak Inquiries

22 November 2000 (139248)
 Subject Publication of findings of inquiries

Reason Exemption 7(b)—Information whose disclosure would harm the proper and efficient conduct of a department

MEMORANDUM 16

Submitted by the Department for Transport, Local Government and the Regions

Thank you for your letter of 20 November, following up your request, made before the election, for information on why DETR Ministers refused to answer Parliamentary Questions during the 1999–2000 Session.

I apologise for the delay in responding. We had been waiting for advice from within Government on handling the earlier request following the changes after the Election. I now attach a table listing the PQs you identified and explaining why the information was not provided (where appropriate giving the relevant exemption under the Code of Practice on Access to Government Information).

21 December 2001

13.1.00

Subject: **Millennium Dome (Financial Value): 104437**
 Reason: Exemption 13—Commercial confidentiality

3.2.00 & 20.11.00

Subject: **Correspondence: 108402**
 Reason: Exemption 2—It is not the normal practice of Government to make public correspondence which is sent in confidence

24.3.00

Subject: **Future Engagements: 116261**
 Reason: It is not the normal practice of Governments to give details of Ministers' forthcoming engagements, primarily due to security considerations and the uncertainty of their diaries

20.4.00, 19.05.00 & 7.7.00

Subject: **Advice: Internal Advice: 12004, 120586, 129161, 129181**
 Reason: Exemption 2—Internal discussion and advice is not made public

26.6.00 & 27.6.00

Subject: **Advice: Legal Advice: 127314**
Reason: Exemption 2—Internal discussion and advice is not made public

Matters for the London Mayor

13.6.00

Subject: **Congestion Taxes (London): 124013, 124027**
Reason: From 3 July 2000, this is a matter for the London Mayor.

3.7.00, 26.7.00 & 27.7.00

Subject: **GLA Roads: 128382, 128295, 133168, 133165, 133170, 133167, 133166, 133169, 133175**
Reason: From 3 July 2000, these are matters for the London Mayor.

17.7.00

Subject: **Single Regeneration Budget: 130509**
Reason: From 3 July 2000, this is a matter for the London Mayor.

13.7.00

Subject: **Confidential Communications: 130438**
Reason: Exemption 2—It is not the normal practice of Government to make public confidential communications between Departments and public bodies

MEMORANDUM 17

Submitted by HM Treasury

Thank you for your letter of 11 May to Sir Andrew Turnbull about “blocked” written questions in the 1999–2000 session.

In each of the 19 cases cited by the Table Office the reason why the Table Office the reason why the information could not be provided was explained in the written answer. Non-disclosure was permissible under the Code of Practice on Access to Government Information. The enclosed note gives the relevant details in the form you requested.

This letter and enclosure are also being sent to you by e-mail.

18 May 2001

22 November 1999 (Q99194)

Proposals for simplifying capital gains tax system

Exemptions 6 & 10. Possible future Budget changes cannot be anticipated

24 November 1999 (Q99509)

Customs and Excise investigations

Exemption 4. It is not normal practice to disclose information provided to Customs and Excise in connection with their enforcement and investigation responsibilities

6 December 1999 (Q100862)

Adlearn Foundation

Exemption 12. The Inland Revenue has a statutory duty of confidentiality in respect of all taxpayers' affairs.

13 December 1999 (Q102150)**Gold Reserves**

Exemption 13. Details of any arrangements the Bank of England has with other central banks are commercially confidential

20 December 1999 (Q103053)**Joint Ministerial Committee**

Exemption 2. Proceedings of the Joint Ministerial Committee are confidential in order to permit free and candid discussion

12 January 2000 (Q105332)**Smuggling**

Exemptions 2 & 6. The information sought was personal and confidential advice to the Chancellor of the Exchequer, and it included issues of operational sensitivity to Customs and Excise

24 January 2000 (Q105443)**Ministerial Shareholdings**

Exemption 2. Advice to Ministers from civil servants is confidential

24 January 2000 (Q106167)**National Insurance Records**

Exemption 12. Public disclosure of personal information about an individual would be unwarranted

3 February 2000 (Q108412)**Correspondence with Members**

Exemption 12. Correspondence with Members is treated in confidence

28 February 2000 (Q112041)**Prices secured for resale of contraband goods**

Exemption 13. Information requested is commercially confidential

30 March 2000 (Q116717)**Deployment of anti-smuggling staff**

Exemption 6. Disclosure would assist tax avoidance and evasion

30 March 2000 (Qs116719 & 116716)**Drug seizures**

Exemptions 4 & 6. Disclosure would prejudice law enforcement and assist tax avoidance or evasion

5 April 2000 (Qs117321 & 117345)**Capital Modernisation Fund**

Exemption 7. Disclosure would prejudice the successful operation of the scheme

7 July 2000 (Q129152 & 129173)**Ministerial Code**

Exemption 2. The circumstances in which Ministers consult colleagues and seek advice from the Permanent Secretary is not made public

27 July 2000 (Q133060)

Ministerial Duty Roster

Exemption 2. Information relating to Ministers' movements and their availability during Parliamentary recesses is not made public by long-standing convention

MEMORANDUM 18

Submitted by the Wales Office

Thank you for your letter of 20 November referring to your letter of 11 May.

I interpreted the guidance in your letter of 11 May as meaning that there was no need for me to reply. Of the 17 questions listed, 14 were matters for the National Assembly for Wales, one quoted the exemption under the Code of Practice on Access to Government Information and I thought at the time that I could add nothing to the answers given to the other two.

On re-reading, however, I see that this assessment may have been mistaken in the case of the last question listed and I apologise.

The information you request is attached.

3 December 2001

You have sought further information about why the Secretary of State for Wales decided to withhold information in response to a number of Parliamentary Questions.

The information is below.

December 2001

27.7.00

Subject:

Ministerial Duty Rosters

Reason:

There are only two Ministers at the Wales Office. Between them the Secretary of State and Parliamentary Under Secretary of State ensure that there is Ministerial cover in the summer adjournment and other recess periods.

MEMORANDUM 19

Submitted by the Department for Work and Pensions

Philip Aylett's letter dated 20 November 2000 to Rachel Lomax seeking further information on why information was withheld in answer to certain PQs in the last Parliamentary session refers. The questions in the list were all for the former Department of Social Security.

I attach a table that sets out for each question the reason information was withheld and the appropriate reference in the Code of Practice On Access To Government Information.

19 December 2001

29.11.99	PQ no. 99572
Subject:	Industrial injuries scheme (individual complaints)
Reason:	Code of Practice part II paragraphs 12 and 14. Personal information about claimants is confidential.
18.1.00	PQ no. 104991 and 104990
Subject:	Legal advice
Reason:	Code of Practice part II paragraph 2. Internal advice is confidential
3.2.00	PQ no.108411
Subject:	Correspondence with Members
Reason:	Code of Practice part II paragraphs 12 and 14. Correspondence from MPs is confidential.
9.3.00	PQ no.113620 113621
Subject:	Cabinet committees
Reason:	Code of Practice part II paragraph 2. Proceedings of Cabinet committees are confidential.
11.7.00	PQ no.129154 129169
Subject:	Internal advice
Reason:	Code of Practice part II paragraph 2. Internal advice is confidential.
27.7.00	PQ no.133057
Subject:	Ministerial duty rosters
Reason:	Code of Practice part II paragraph 1. It is the custom across Government not to give details of Ministers movements for security reasons.

APPENDIX 3

Letters from Members of Parliament

Letter from the Rt Hon Frank Field, Member of Parliament for Birkenhead

Thank you very much for including in the final report the submission I made to your inquiry on answering Parliamentary Questions.

Your inquiry's work suggested that this is an issue in which there remains some mileage. Enclosed are the most recent ten answers I have received from the Treasury. Of the ten only one (152513) did not receive a holding reply.

In my experience The Treasury is the worst offender, although not too dissimilar records could be compiled for other Government Departments.

7 March 2001

Examples of answer by HM Treasury

PQ Nos. 146102, 146892, 148749, 151466, 151513, 151766, 151767 and 151769

I shall let the Rt hon Member have a reply as soon as possible.

PQ Nos. 142079, 146892 and 151769

The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Frank Field MP

Letter from the Rt Hon Frank Field, Member of Parliament for Birkenhead

Following on from the very helpful report your committee published last session looking at PQs I thought I would draw to your attention something that you might like to follow up again this session.

Enclosed are copies of answers to three PQs where the Minister simply refers the Member to a publication in the Library. I have only looked at one file of my PQs to find the answers here, and dozens of similar answers have been given recently.

This kind of answering is used to avoid placing material on the Parliamentary record, which Ministers know is widely read in influential circles, including journalists. If the whole point of a PQ is to obtain information on Parliamentary record this can't be justified—particularly given the imbalance of resources between Government Departments and MPs.

Can I suggest that this might be one part of another inquiry to bring these issues to the fore in the coming months?

12 November 2001

Examples of answer by Department for Work and Pensions

PQ No. 10460

The latest estimate for the monetary value of fraud and error in Housing Benefit was published in the report "National Housing Benefit Accuracy Review 97/98" which is in the Library. In April this year we set up the Housing Benefit review which will deliver an ongoing measurement of fraud and error in Housing Benefit.

PQ No. 5216

The latest information can be found in opportunity for All, One Year on: making a difference (Cm 4865). Copies of this report have been placed in the Library.

Frank Field MP

Letter from Peter Ainsworth, Member of Parliament for East Surrey

May I draw your attention to the small but perhaps telling example of sloppy practice to the answering of Written Questions.

I tabled Question Number 15520 to Margaret Beckett on 13 November. On 16 November, I received a holding reply. On 4 December the Secretary of State's substantive reply referred me to her comments made during the Second Reading of the Animal Health Bill which took place on 12 November. In other words, a holding reply was issued four days after the information I was seeking, according to the Minister, was already available.

Needless to say, the reason I tabled the question in the first place was because the matter had been raised and inadequately dealt with the day before.

Peter Ainsworth MP

6 December 2001

Letter from Norman Baker, Member of Parliament for Lewes

I am writing on an important matter concerning a parliamentary answer to one of my questions.

I would like to draw your attention to my question to the Secretary of State for Transport, Local Government and the Regions, and answered on 4 December 2001, requested information on flights carrying radioactive waste. The response was that "this Department does not hold statistical information of this nature" (Official Report 4/12/01; Vol.376, c. 286W).

However, I have discovered that an almost identical question in 1997 elicited a response that included figures on how many flights carried high, low and intermediate grade radioactive waste.

I am genuinely concerned that, despite recent guidance from Mr Speaker to Ministers to be as helpful as possible, it seems that the Government is actually being less open than before, even misleading. I would be grateful if you could look into this matter.

I look forward to hearing from you soon.

13 December 2001

Examples of answer by Department for Transport, Local Government and the Regions

PQ No. 20175

This Department does not hold statistical information of this nature.

PQ No. 7599

The Department does not hold information of the kind requested. However, it is estimated that of the order of 10,000 flights carrying packages of radioactive material currently occur each year, the vast majority of which contain limited quantities for medical or industrial use in excepted or Type A packages.

PQ No. 9210

It is estimated that less than 5% of such flights carry packages of radioactive material containing in excess of the quantities previously referred to. For transport purposes the terms high-level and intermediate level radioactive material are undefined.

Norman Baker MP

Letter from Cheryl Gillan, Member of Parliament for Chesham and Amersham

In December, Mr Speaker made a statement about the length of time which Ministers and Departments have been taking to reply to Written Questions. I believe that Mr Speaker's concerns may also have included the time taken to deal with correspondence from Members of Parliament.

I wondered whether the Administration Committee might take into consideration the length of time taken to transfer correspondence between Departments. As you will see from the enclosed copy correspondence, I wrote to the Department of Work and Pensions on 10 October about The Queen's Jubilee Medal. That Department replied on 16 October to say they had transferred the correspondence to the Home Office. The Home Office then replied just over one month after my original letter to inform me that correspondence was being transferred again, this time to the Department for Culture, Media and Sport.

This seems an inordinately long time for Departments to decide amongst themselves who should have responsibility for the answer. Of course this adds to the timelag before the constituent receives a substantive reply. If the Chairman of the Committee would agree to consider this alongside the other issues, I and my constituents would be very grateful.

7 January 2002

Questions from Tony Wright, Member of Parliament for Cannock Chase

Example of answer by the Prime Minister

PQ No. 30754: To ask the Prime Minister, if he plans to follow the precedent of the 1975 referendum on membership of the Common Market in respect of the Government's agreement to differ in a referendum on membership of the single European currency as binding.

I refer the hon. Member to the answer given by my hon. Friend the Economic Secretary to the hon. Member for Buckingham (Mr. Bercow) on 2 November 2001, Official Report, column 883W.

28 January 2002

Answer referred to in PQ No. 30754 above.

PQ No. 11099: To ask the Chancellor of the Exchequer if he will make a statement on the proposed date for referendum on euro entry.

The Government's policy on the euro remains as set out by the Chancellor in his statement to Parliament in October 1997 and restated by the Prime Minister in February 1999. The Government have said they will complete an assessment of the five tests within two years of the start of this Parliament. Once the assessment has been completed, the Government will make a decision on UK membership of the single currency. If the Government recommend UK entry, it will be put to a vote in Parliament and then to a referendum of the British people.

2 November 2001

Example of answer by the Prime Minister

PQ No. 36528: To ask the Prime Minister, pursuant to his Answer of 28th January, Official Report, column 25W, on single European currency, if he will explain the connection between the question to him on 25th January and his Answer of 28th January.

I referred the hon. Member to an Answer which sets out the Government policy on the euro.

25 February 2002

Example of answer by the Cabinet Office

PQ No. 54244: To ask the Deputy Prime Minister if he will list the public bodies which are required to report to Parliament.

Where a public body is under a statutory obligation to report to Parliament, this is set out in the relevant statute.

As set out in "Quangos: Opening the Doors", the Government believe that all advisory and executive non-departmental public bodies should produce and make publicly available annual reports. However, in the case of the small advisory bodies, these need only be short reports with costs of producing them kept to a minimum. The intention is that the next edition of the annual public bodies publication should include, for the first time, summary information on the arrangements that each body has in place for ensuring greater transparency in their work.

20 May 2002

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