Dear [Name],

FOI 2014/27033

Thank you for your e-mail of 26 November 2014, where you requested the following information:

"I would like to request a list of meetings that Richard Paniguian attended between 4 April 2013 and 1 January 2014.

I would like to cover all meetings that involved people who are not part of UKTI and for the list to include: the date, length and location of each meeting; a list of those present (with names and positions for politicians and senior officials, and positions for those to whom Section 40 exemptions are applied); and the purpose of the meeting. I would like this to include meetings in both the UK and overseas."

The Information Right Unit wrote to you on 23 December 2014 and 23 January 2015 confirming that the Department held information falling within the terms of your request but that we required more time to consider your request as there are exemptions which apply to some of the information you requested including s27 (International relations) and s43 (Commercial Interests) which had to be considered against the balance of public interest.

The attached table has been compiled using Mr Paniguian’s official diary in line with previous requests. In some cases the diary entry does not include all the information you requested and where this is the case "Not recorded" has been noted in the table. Also these entries were planned and may or may not have actually taken place. Whenever, meetings are known not to have happened or where representatives were confirmed as not attending they have been removed from the list as not in scope. Because the diary entries are made in advance to book meetings the purpose listed is not necessarily what was discussed at the meeting.
The following exemptions apply in some cases:

Section 21 (Information accessible to applicant through other means). Section 21 exempts information from the right of access under the Act if that information is reasonably accessible to applicant by other means. Some of the Information you have requested can be found at the following links:

29/7/13 Cyber Group Partnership – Second Main Board Meeting
https://www.techuk.org/insights/meeting-notes/item/1254-cgp-july-2013-main-board-minutes

7/11/13 Defence Suppliers

13/11/13 Cyber Group Partnership – Third Main Board Meeting
https://www.techuk.org/insights/meeting-notes/item/1255-cgp-november-2013-main-board-minutes

10/12/13 DSF Exports Sub Group
Meeting https://www.gov.uk/government/publications/defence-suppliers-forum(exports-sub-group/minutes-of-meeting-10th-december-2013

Section 23 (information supplied by, or related to, bodies dealing with security matters). We can neither confirm or deny that UKTI holds information regarding any meetings with the security bodies listed in Section 23(3) of the Freedom of Information Act. The duty to comply with Section 1(1)(a) of the Act does not apply by virtue of Section 23(5). This is an absolute exemption and no public interest consideration is required.

Section 27 sub sections (1)(a) and (1)(c) of the Freedom of Information Act exempts information if its disclosure under the Act would, or would be likely to, prejudice relations between the UK and any other state or the interest of UK abroad. It is a qualified exemption and we have considered the public interest test arguments.

We acknowledge there is a public interest in the Department whenever possible providing transparency about its engagement with Overseas Government and the release of this information would increase public knowledge of the UK’s diplomatic relations. However, against this it can be argued that the effective conduct of international relationship depends upon maintaining trust and confidence of Government of other nations. For this reason, we believe that the public interest in withholding this information outweighs the public interest in disclosing it.
Section 35(1)(a) and 35 (1)(b) exempts information from disclosure if its affects the formulation of government policy and communications between Ministers. This is a qualified exemption, which means that it is necessary to consider the public interest when deciding whether to release or withhold such information. There is a public interest in favour of disclosure so that the public can understand the interaction between departments and ministers and disclosure of this information would bring greater transparency to the policy making process. However, we consider that in this case this transparency also poses a risk to the protection of the decision-making process which needs to be based on a broad assessment and discussion of options. As such ministers and officials need to be able to free and frank discussions about the issues and information surrounding the issues. In considering these arguments, we judge, on balance, that disclosure would not be in the public interest.

Section 40 (Personal Information). Section 40(2) provides an absolute exemption for personal data which then falls to be dealt under the Data Protection Act. Personal data of third parties can only be disclosed in accordance with the data protection principles. In particular, the first data protection principle requires that the disclosure must be fair and lawful, and must comply with one of the conditions in schedule 2 of the Data Protection Act. The names and positions of civil servants and company employees, together with information concerning their employer constitutes personal data from which individuals may be identified. Where we think it is fair to disclose their personal data we have released this information. However, in circumstances where we do not think that it would be fair to disclose that information this has been withheld.

Section 43(2) (Commercial information). Section 43(2) is subject to a public interest test. In this context, we recognise that there is a general public interest in the disclosure of information as greater transparency makes Government more accountable. Against this there is a public interest in ensuring that the commercial interest of external business are not damaged or undermined by disclosure of information which is not common knowledge and which could adversely impact on future business. In this case, we consider that the public in favour of disclosing information is outweighed by the necessity to protect the commercial interest of the department as release of this information could weaken our position to assist UK companies as it is market sensitive information that could be used by our competitors.

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be sent to the Information Rights Unit at:

Information Rights Unit  
Department for Business, Innovation & Skills  
1 Victoria Street  
London  
SW1H OET  
E-mail:foi.request@bis.gsi.gov.uk
Please remember to quote the reference number above in any future communications.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours Sincerely

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