Cabinet Office	
Brian Williams <brian.williams@< th=""><th>GRO-C</th></brian.williams@<>	GRO-C

Re: FOI requests for access to Infected Blood Files held by HMT
1 message
Eirian Walsh Atkins <eirian.walshatkins@ 09:43="" 17="" 2018="" <br="" at="" august="" brian="" gro-c="" to:="" williams=""></eirian.walshatkins@> GRO-C GRO-C
Hi,
HMT have come back to say
'There is no intention for the files to be transferred to TNA. I'm told, were it not for the review they would be destroyed.'
So I don't think we can apply section 22 unfortunately.
Thanks
Eirian
Eirian Walsh Atkins Head, FOI Clearing House Cabinet Office eirian.walshatkins@ GRO-C

On 13 Aug 2018, at 14:19, Eirian Walsh Atkins <eirian.walshatkins@ gro-c<="" th=""><th>> wrote:</th></eirian.walshatkins@>	> wrote:
I will check in with and revert,	
E	
Eirian Walsh Atkins Head, FOI Clearing House Cabinet Office eirian.walshatkins@	GRO-C
On 13 August 2018 at 14:14, Brian Williams <bri> GRO-C wro</bri>	te:
The Inquiry are happy for HMT to disclose - they see no harm, from an Inquiry point-of-I like the idea of citing s.22 as this information is due for disclosure to the National Architule. Eirian - can we confirm with HMT whether this info is due for release to TNA?	_
Brian	
Brian Williams Head of the Cabinet Office Inquiries Sponsor Team E: brian.williams@ GRO-C Follow us on Twitter @cabinetofficeuk	M: T: T:
On 13 August 2018 at 13:29, Sue Gray <sue.gray@ gro-c=""> wrote:</sue.gray@>	
Does the Inquiry have a view?	
Personally i would favour the Inquiry releasing the information in a managed way (out of scope)	-

The HMT team will need to do a lot of consultation with former Ministers who i suspect will be very sore about

this. Much better to do as part of a release with the Inquiry. And i would use S3′ goes to ICO.	I for now. Can always revisit if
Alternatively i wondered whether we could use future publication and open up a end of the year.	s part of the next release at the
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	Cabinet Office
NOT RELEVANT	L Cabiner Onice

NOT RELEVANT
12/14/2018 Cabinet Office Mail - Re: FOI requests for access to Infected Blood Files held by HMT
On 13 August 2018 at 12:47, Brian Williams < brian.williams@ GRO-C wrote:
Hi Sue,
any views on this?
Brian
Brian Williams Head of the Cabinet Office Inquiries Sponsor Team E: brian.williams@ GRO-C M: T: Follow us on Twitter @cabinetofficeuk
On 6 August 2018 at 18:18, Brian Williams < brian.williams@ GRO-C > wrote:
Sue,
please see the email chain below and attached docs. My view is that the benefits of disclosing the info outweigh the disadvantages - to withhold it (even if there are grounds to, which it seems there aren't) simply makes Gov look like it still has things to hide.
The language in the documents will be perceived as cold and unfeeling, but the Inquiry will doubtless disclose the info at some point in the future, so better for Gov to be on the front foot. Disclosing the info won't hurt or undermine the Inquiry, so I'm minded to advise HMT to disclose. What do you think?
Brian
Brian Williams Head of the Cabinet Office Inquiries Sponsor Team E: brian.williams@ GRO-C M: T: Follow us on Twitter @cabinetofficeuk

Forwarded message From: Eirian Walsh Atkins <eirian.walshatkins@< th=""><th>GRO-C</th><th>> Date:</th></eirian.walshatkins@<>	GRO-C	> Date:
6 August 2018 at 16:39 Subject: Fwd: FOI requests for access to Infected Blood Files hel	ld by HMT To:	
GRO-C >, Brian Williams <brian.williams@< td=""><td>GRO-C</td><td></td></brian.williams@<>	GRO-C	
Hi both,		
Can I take your views on this please - the information is very much of its time, and is unparalled the Inquiry and the very many letters I know you will have read from infected product of the Inquiry in your view? I felt the best exemption to apply was sometimes originally, but Section 42 Very could however simply agree to ensure that these files are also provided to the Inquiry.	arties. Will releasi 1 when I looked a	ng it now t this
Thanks		
Eirian		
Eirian Walsh Atkins Head, FOI Clearing House Cabinet Office eirian.walshatkins@	GRO-C	
July 2018 at 09:59 Subject: RE: FOI requests for access to Infected Blood Files held by F Eirian.WalshAtkins@ GRO-C C: foiclearinghouse mailbox <foiclearinghouse< p=""></foiclearinghouse<>	IMT To: Eirian Wa	

NOT RELEVANT

12/14/2018 Cabinet Office Mail - Re: FOI requests for access to Infected Blood Files held by HMT

Hi Eirian,

This is the case I spoke to you briefly about on Friday. The request was for the first 20 pages of a particular file relating to the issue of haemophiliacs (the information is attached). The information dated back to 1990 and so many of the FOI exemptions are not available to us. You had previously suggested s31

(section 42). The Records team here are keen to release the information on the basis they don't think there is a reason to withhold in terms of the actual content of the information.

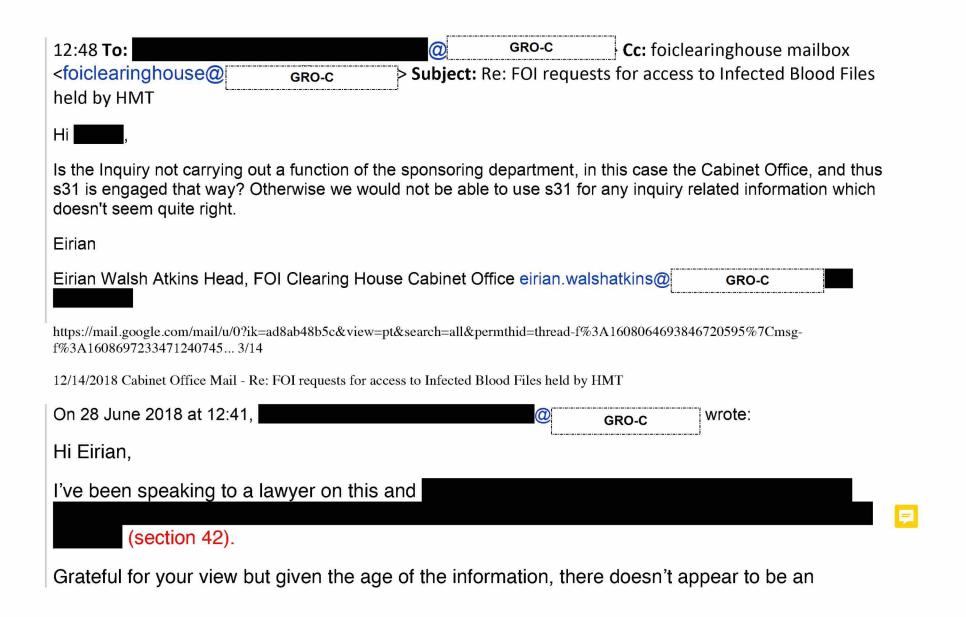
Grateful if you could please have another look at the information and let me know if you have any objections to us releasing the material. Alternatively, if you think we should continue to withhold, it would be really helpful if you could provide us with some additional reasoning that we could reply on with reference to engaging the exemptions.

Many thanks,

| Head of Information Rights Unit | Correspondence and Information Rights Team | Corporate Centre Group, HM Treasury, Ground Orange, 1 Horse Guards Road SW1A 2HQ

www.gov.uk/hm-treasury

From: Eirian Walsh Atkins [mailto:eirian.walshatkins@ GRO-C Sent: 28 June 2018

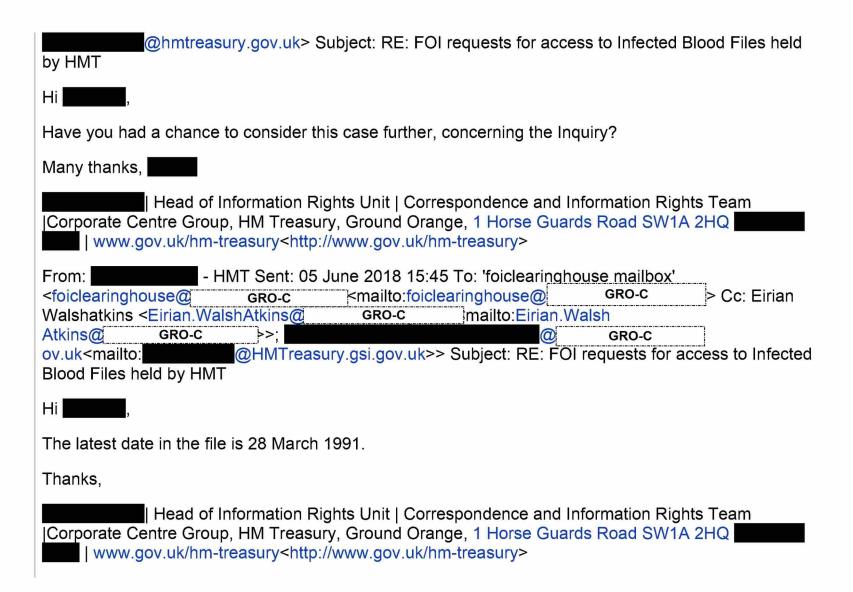


exemption we can legitimately engage? Many thanks, | Head of Information Rights Unit | Correspondence and Information Rights Team [Corporate Centre Group, HM Treasury, Ground Orange, 1 Horse Guards Road SW1A 2HQ www.gov.uk/hm-treasury From: Eirian Walsh Atkins [mailto:eirian.walshatkins@ Sent: 26 June 2018 **GRO-C** 13:46 **To:** @ GRO-C Cc: foiclearinghouse mailbox <foiclearinghouse@ > **Subject:** Re: FOI requests for access to Infected Blood Files GRO-C held by HMT I'd say 31(2)(b) by way of 31(1)(g) I think. So ascertaining whether any person is responsible for improper conduct (which is an aspect of the CBI I understand) E Eirian Walsh Atkins Head, FOI Clearing House Cabinet Office eirian.walshatkins@6 GRO-C On 26 June 2018 at 13:42, @hmtreasury.gov.uk> wrote: Hi Eirian, Thanks for this. What would be the subsection (and the basis) that we could rely on s31? Is it linked to

the purpose of the review?

NOT RELEVANT 12/14/2018 Cabinet Office Mail - Re: FOI requests for access to Infected Blood Files held by HMT Many thanks, Head of Information Rights Unit | Correspondence and Information Rights Team | Corporate Centre Group, HM Treasury, Ground Orange, 1 Horse Guards Road SW1A 2HQ www.gov.uk/hm-treasury From: Eirian Walsh Atkins [mailto:eirian.walshatkins@] Sent: 26 June 2018 GRO-C 11:38 **To:** Cc: foiclearinghouse GRO-C mailbox <foiclearinghouse@ > **Subject:** Re: FOI requests for access to GRO-C Infected Blood Files held by HMT Sorry to have missed this while I was on leave - is there a reason we aren't applying the section 31 exemption to this information? Thanks Eirian GRO-C Eirian Walsh Atkins Head, FOI Clearing House Cabinet Office eirian.walshatkins@ On 20 June 2018 at 11:15, @hmtreasury.gov.uk> wrote:

Hi Hi
Grateful for a view on whether CO have concerns about us releasing this information, concerning the Infected Blood Inquiry, and if so, given the age of the information, the exemptions that we might engage? We are being chased so grateful for a fairly quick reply.
Many thanks,
Head of Information Rights Unit Correspondence and Information Rights Team Corporate Centre Group, HM Treasury, Ground Orange, 1 Horse Guards Road SW1A 2HQ www.gov.uk/hm-treasury <http: hm-treasury="" www.gov.uk=""></http:>
NOT RELEVANT
12/14/2018 Cabinet Office Mail - Re: FOI requests for access to Infected Blood Files held by HMT
From: - HMT Sent: 12 June 2018 16:13 To: 'foiclearinghouse mailbox'
<foiclearinghouse@ c:="" eirian="" gro-c="" walshatkins="">;</foiclearinghouse@>



From:				
You are right - can we check what is the date of the last document in the file?				
thanks				
Policy Adviser, FOI Policy Cabinet Office Phone: @cabinetoffice.gov.uk <mailto: @cabinetoffice.gov.uk=""></mailto:>				
(File: CH000 - Department - Stage - Response)				
NOT RELEVANT				
12/14/2018 Cabinet Office Mail - Re: FOI requests for access to Infected Blood Files held by HMT				
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Clearing House				

E: foiclearinghouse@	GRO-C	<mailto:roundrobin@< th=""><th>GRO-C</th><th>T:</th></mailto:roundrobin@<>	GRO-C	T:		
When corresponding with the Cabinet Office, you may wish to be aware of how we treat your personal Information. This is set out in our personal information charter, at the following link: https://www.gov.uk/government/organisations/cabinet-office/a bout/personal-information-charter						
On 4 June 2018 at 16:03, ov.uk <mailto:< td=""><th></th><td>- HMT < @hr v.gsi.gov.uk>> wrote:</td><td>mtreasury.gsi</td><th>.g</th></mailto:<>		- HMT < @hr v.gsi.gov.uk>> wrote:	mtreasury.gsi	.g		
Hi ,						
Thanks. We do still physica	ally have the f	ile, so I presume it hasn't b	een transferre	ed.		
Where does it say that the always understood from s6 location?						
Thanks,						
Corporate Centre Group, I 2HQ https://maps.google.com/	HM Treasury, com/?q =1+Hc	ts Unit Correspondence a Ground Orange, 1 Horse G orse+Guards+Road+SW1A ttp://www.gov.uk/hm-treasu	Suards Road +2HQ&entry	SW1A		
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Sent: 04 June 2018 15:49 ov.uk <mailto:< td=""><th></th><td>- HMT < rv.asi.aov.uk>> Subject: Fw</td><td>@HMTreasu vd: FOI reque</td><th>, , ,</th></mailto:<>		- HMT < rv.asi.aov.uk>> Subject: Fw	@HMTreasu vd: FOI reque	, , ,		

Infected Blood Files held by HMT				
HI E				
I sent this further query to the other day.				
thanks				
Policy Adviser, FOI Policy Cabinet Office Phone: @cabinetoffice.gov.uk <mailto: @cabinetoffice.gov.uk=""></mailto:>				
(File: CH000 - Department - Stage - Response)				
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Clearing House				
E: foiclearinghouse@ GRO-C mailto:roundrobin@gro-c T:				
NOT RELEVANT				
12/14/2018 Cabinet Office Mail - Re: FOI requests for access to Infected Blood Files held by HMT				
When corresponding with the Cabinet Office, you may wish to be aware of how we treat your personal Information. This is set out in our personal information charter, at the following link: https://www.gov.uk/government/organisations/cabinet-office/a bout/personal-information-charter				
Forwarded message From: foiclearinghouse mailbox <foiclearinghouse@ gro-c<="" td=""></foiclearinghouse@>				

e.gov.uk <mailto:foiclearinghouse@ gro-c=""> Date: 1 June 2018 at 10:49 Subject: Re: FC requests for access to Infected Blood Files held by HMT To: " - HMT" - HMT" - HMT" @hmtreasury.gsi.gov.uk<>></mailto:foiclearinghouse@>			
Hi III			
The exemptions still apply if the files have not been transferred to the TNA - do you still have them at HMT?			
thanks			
Policy Adviser, FOI Policy Cabinet Office Phone: @cabinetoffice.gov.uk <mailto: @cabinetoffice.gov.uk=""></mailto:>			
(File: CH000 - Department - Stage - Response)			
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Clearing House			
E: foiclearinghouse@ GRO-C <mailto:roundrobin@ gro-c=""> T:</mailto:roundrobin@>			
When corresponding with the Cabinet Office, you may wish to be aware of how we treat your personal Information. This is set out in our personal information charter, at the following link: https://www.gov.uk/government/organisations/cabinet-office/a bout/personal-information-charter			
On 31 May 2018 at 16:53, @hmtreasury.gsi.gov.uk			

Hi 📴

Many thanks for your assistance with this request and for contacting the Inquiry Support Team.

Whilst we appreciate the Support Team's concerns, potential FOI exemptions that we have considered (s. 32, s. 42 and s. 36) may not be engaged by virtue of s.63 of the FOI Act (i.e. historical records) which specifies that none of these exemptions may be applied to information contained in a 'historical record'.

Whilst 'historical record' was initially defined as one over 30 years old, this has been amended to 20 years under the Constitutional Reform and Governance Act 2010. Under the transitional arrangements in the Freedom of Information (Definition of Historical Records) (Transitional and Saving Provisions) Order 2012 (SI 2012/3029), a document produced in 1990 (as in the case here) became a historical record in 2016.

In light if this, would it be possible for you to liaise further with the Inquiry Support Team to enquire of them (or advise them) on what legislation might be engaged here in order to withhold these documents from release?

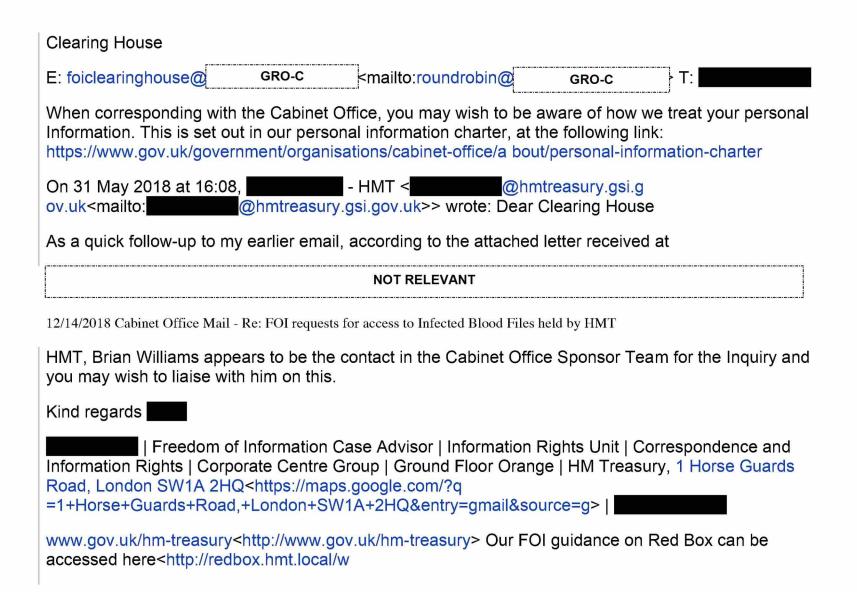
Many thanks

NOT RELEVANT

12/14/2018 Cabinet Office Mail - Re: FOI requests for access to Infected Blood Files held by HMT

| Freedom of Information Case Advisor | Information Rights Unit | Correspondence and Information Rights | Corporate Centre Group | Ground Floor Orange | HM Treasury, 1 Horse Guards Road, London SW1A 2HQhttps://maps.google.com/?q

=1+Horse+Guards+Road,+London+SW1A+2HQ&entry=gmail&source=g> | www.gov.uk/hm-treasury<http://www.gov.uk/hm-treasury> @cabinetoffice.gov.uk<mailto: @cabinetoffice.gov.uk> From: @cabi netoffice.gov.uk<mailto: @cabinetoffice.gov.uk>] On [mailto: Behalf Of foiclearinghouse mailbox Sent: 31 May 2018 16:22 To: @HMTreasury.gsi.g @HMTreasury.gsi.gov.uk>> Cc: ov.uk<mailto: - HMT @HMTreasury.gsi.g ov.uk<mailto: @HMTreasury.gsi.gov.uk>> Subject: Re: FOI requests for access to Infected Blood Files held by HMT Hil We've discussed with the Inquiry support team and we don't think that it should be released at this time. The file will be of interest to the Inquiry and it seems right that the Inquiry should be able to decide on an orderly publication of files and evidence. We would recommend withholding at this stage, but making sure that the file is made available to the Inquiry when it calls for documents. thanks Policy Adviser, FOI Policy Cabinet Office Phone: @cabinetoffice.gov.uk<mailto: @cabinetoffice.gov.uk> (File: CH000 - Department - Stage - Response) [Image removed by sender. CO.JPG]



wm/foi/Pages/default.aspx>

From:	- HMT Sent: 31 Ma	y 2018 10:55 To: 'foiclearingh	ouse mailhox'	
<foiclearinghouse@< td=""><td>GRO-C</td><td>mailto:foiclearinghouse@</td><td>GRO-C</td><td>>> Cc:</td></foiclearinghouse@<>	GRO-C	mailto:foiclearinghouse@	GRO-C	>> Cc:
- HMT <	@HMTrea	asury.gsi.g		
ov.uk <mailto:< td=""><td>@HMTreas</td><td>ury.gsi.gov.uk>> Subject: RE:</td><td>FOI requests fo</td><td>r access to</td></mailto:<>	@HMTreas	ury.gsi.gov.uk>> Subject: RE:	FOI requests fo	r access to
Infected Blood Files	held by HMT			

FOI2018/08653

Dear Clearing House

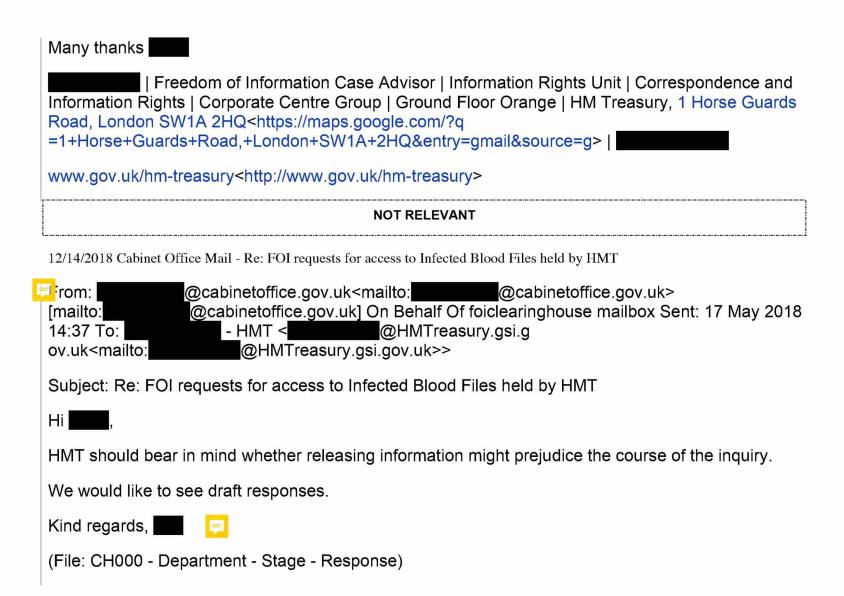
Following earlier correspondence with you regarding FOI requests we are receiving for access to HIV files that we hold, we have now been asked for:

Under FOI I would like to request a copy of the first 20 pages in your file: 31/12/1991, Health risks and special initiatives: haemophiliacs and Acquired Immunodeficiency Syndrome (AIDS), ST-HS J/0034/001 PART B

HMT colleagues have now located this file and scanned the first 20 pages (please see attached).

Whilst we appreciate your advice that HMT should consider whether the release of this information might prejudice the Infected Blood Inquiry, we do not feel that this is a judgement that we can make without a view from relevant colleagues of yours in the Cabinet Office who have oversight of this Inquiry.

From a clearance perspective, we first want to know whether the release of the attached might prejudice this Inquiry. I would be grateful if you can assist with this but, if you are unable to, may you can provide us with contact details of someone with oversight of the Inquiry who may be able to assist.



[Image removed by sender. CO.JPG] Clearing House E: foiclearinghouse@ GRO-C <mailto:roundrobin@</pre> GRO-C On 17 May 2018 at 14:19, - HMT < @hmtreasury.gsi.g ov.uk<mailto: @hmtreasury.gsi.gov.uk>> wrote: Hil Thanks for getting back to me so quickly on this. I think what we are really wanting from Clearing House is clarification as to whether we consider the requests as we would normally or should we have regard to the Inquiry (i.e. should we specifically withhold files because of any prejudice release may cause to the inquiry and if so, under what exemption)? Grateful for your thoughts. Regards | Freedom of Information Case Advisor | Information Rights Unit | Correspondence and Information Rights | Corporate Centre Group | Ground Floor Orange | HM Treasury, 1 Horse Guards Road, London SW1A 2HQhttps://maps.google.com/?q =1+Horse+Guards+Road,+London+SW1A+2HQ&entry=gmail&source=g>1

www.gov.uk/hm-treasury<http://www.gov.uk/hm-treasury> Our FOI guidance on Red Box can be

accessed herehttp://redbox.hmt.local/w wm/foi/Pages/default.aspx> @cabinetoffice.gov.uk<mailto: From: @cabinetoffice.gov.uk> @cabinetoffice.gov.uk<mailto: @cabinetoffice.gov.uk>] On Behalf Of [mailto: foiclearinghouse mailbox Sent: 16 May 2018 11:35 To: - HMT < @HMTreasury.gsi.g ov.uk<mailto: @HMTreasury.gsi.gov.uk>> Subject: Re: FOI requests for access to Infected Blood Files held by HMT NOT RELEVANT 12/14/2018 Cabinet Office Mail - Re: FOI requests for access to Infected Blood Files held by HMT Hill Thanks for the below and we are happy to clear your draft responses. We are currently doing the same for DH and we will refer on if we think it is necessary. Please do continue to refer any requests you receive on this matter to us. Kind regards, (File: CH000 - Department - Stage - Response)

Dear Clearing House

This request for advice relates to the attached letter, received last month, from the Cabinet Office Sponsor for the Infected Blood Inquiry.

Related to this, in February, we received an FOI request for a list of files concerning HIV/AIDS & haemophiliacs HMT holds and we provided the requested list to the requestor.

Since our response, HMT has received a number of FOI requests for files which concern the subject matter. To date, we have not released any information as the requests have been very broad (engaging s14). However, we are now receiving requests which are much more specific in nature.

As well as making you aware of this, we are seeking your advice on the handling of such requests. We do not have any information as to whether the files we hold will be relevant to the Infected Blood Inquiry but due to the nature of the files being requested, it would be helpful to have your advice - should we consider the requests as normal or should we have regard to the Inquiry? We do not want to potentially prejudice the ongoing Infected Blood Inquiry in some way.

Given the timeframes within which we need to work (re responses to these requests) a swift response would be gratefully appreciated.

Kind regards

| Freedom of Information Case Advisor | Information Rights Unit | Correspondence and Information Rights | Corporate Centre Group | Ground Floor Orange | HM Treasury, 1 Horse Guards Road, London SW1A 2HQhttps://maps.google.com/?q

=1+Horse+Guards+Road,+London+SW1A+2HQ&entry=gmail&source=g> |

www.gov.uk/hm-treasury<http://www.gov.uk/hm-treasury>

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