

Department for **Transport**

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Our Ref: F0004502

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Dear Mrs Darbshire,

1. Thank you for your e-mail dated 29 July in response to my letter of 18 July about your request for information under the Freedom of Information (Fol) Act 2000.
2. I note your request for copies of Directions in which European Regulations on liquids and other prohibited articles are incorporated. You will appreciate that Directions are restricted documents and only issued to those parties which are responsible for implementing the statutory security requirements contained within them.
3. However some of the information contained in Directions, which air travellers need to be aware of, is already in the public domain. For example information on aviation security restrictions can be found on the DfT website at <http://www.dft.gov.uk/transportforyou/airtravel/airportsecurity/> and on airport websites. Section 21 of the Fol Act exempts information from the right of access under the Fol Act where the information requested is reasonably accessible to the applicant by other means.
4. The Department is of the view that sections 23(5) and 24(1) of the Fol Act apply to the remainder of the information contained in Directions. Section 24(1) exempts certain information from disclosure where withholding the information is necessary to safeguard national security. National security of the UK includes the protection of its citizens, their assets and the UK's economic well-being against acts of terrorism and violence. Section 23(5) exempts information from disclosure where information is supplied by/relating to bodies dealing with security matters.
5. The exemptions in section 24(1) of the Fol Act are not absolute and in considering your request the Department has applied the 'public interest test' and considered whether the public interest in disclosing this information is outweighed by the public interest in withholding it. In applying this test, the Department considered that there is a general public interest in disclosure. Information on airport security measures, excluding that which is already available to the public, could promote transparency and openness and could help to reassure the travelling public of the airport security measures that are in place. However, in this instance the Department considers there to be a greater public interest in not disclosing the information contained in Directions, not already available to the public.

6. The Department is of the view that to safeguard national security, information on the Government's guidance to the aviation industry regarding airport security measures should not be made public. To make such information widely available would potentially undermine the effectiveness of the National Aviation Security Programme (NASP) as it would be much easier for the information to fall into the hands of a person with hostile intent. This danger is present even where only a limited amount of information is disclosed as incomplete or partial information can be used to supplement information already in the public domain and can be used to build a clearer picture of the UK's aviation security measures.
7. For the reasons given, your request for Directions issued by the Government to airport authorities for the conduct of ordinary security measures is denied under section 24(1) of the FoI Act, in addition to sections 21 and 23(5).
8. As regards your further request for information on the type of objects airports have sought clarification on i.e. whether an object is prohibited or not, there is no system for logging clarifications received from airports about security regulations. Queries may be received through different channels by a number of different officials. These may be verbal and be asked on an ad-hoc basis. The European Union regulations sets the baseline list of items that are prohibited and airports may add to that as they feel is appropriate and their security staff will make judgements about other items at the search point, as they are entitled to do. Information requests can therefore be refused on the grounds of cost, and we believe that retrieving and collating any information held will exceed the £600 limit due to the large number of officials that will have to be consulted.
9. However, in order to give you an idea of the range of the general enquiries we have received you may wish to note that officials have advised airports and passengers about whether the following items are liquid (and therefore prohibited if in containers exceeding 100mls) or not - jam, peanut butter, margarine, soup, tins of tuna, etc. They were told all of these items, apart from the tuna, were subject to the restriction on liquids carried in cabin baggage. There have been other requests for clarification regarding more formally recognised prohibited items such as knives including ceremonial knives, sports racquets, snooker cues, lighters and matches, etc. I hope this limited information is helpful and if there is a specific item you would like us to give you a view upon then please do not hesitate to seek our advice.
10. If you are unhappy with the way the Department has handled your request, then you may complain by writing to me at the above address. Please refer to the attached annex which explains DfT's complaints procedure. Should you be dissatisfied with the outcome of any internal review, in the event of an appeal, you have the right to apply directly to the Information Commissioner for a decision. He can be contacted at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.
11. If you have any queries about this letter, please contact me. You should quote the reference number above in any future communications.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Dharam Singh', written in a cursive style.

Dharam Singh

ANNEX

DfT's Complaints Procedures

You have the right to complain about the way in which your request for information was handled and/or about the decision not to disclose all or part of the information requested. In addition a complaint can be made that DfT has not complied with its FOI publication scheme.

Your complaint will be acknowledged and you will be advised of a target date by which to expect a response. Initially your complaint will be re-considered by the official who dealt with your request for information. If, after careful consideration, that official decides that his/her decision was correct, your complaint will automatically be referred to a senior independent official who will conduct a further review. You will be advised of the outcome of your complaint and if a decision is taken to disclose information originally withheld this will be done as soon as possible.