



Department  
for Exiting the  
European Union

Freedom of Information Team  
Correspondence Unit  
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SW1A 2AG

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[www.gov.uk](http://www.gov.uk)

Poppy Leeder  
Via: [poppy@mollymep.org.uk](mailto:poppy@mollymep.org.uk)

Our ref: DEX000586

26 September 2017

Dear Poppy Leeder,

I refer to your request, where you asked:

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Please will you send me the Brexit impact analysis of the 50 sectors of the economy that was conducted by DexEU, as referenced in the letter from Minister of State David Jones to Molly Scott Cato MEP on 23rd May 2017.

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I can confirm that the Department for Exiting the European Union (DExEU) holds the information you have requested. This information is being withheld as exempt under Sections 27, 29 and 35 of the Act, which protect information that may prejudice international relations, the UK economy and the policy development process respectively. These exemptions are outlined further below.

### **Section 27**

Some of the information you have requested is exempt under section 27(1)(a-d) of the Act, which exempts information from release if to do so would, or would be likely to, prejudice: (a) relations between the UK and any other State; (b) relations between the UK and any international organisation or international court; (c) the interests of the UK abroad, or; (d) the promotion or protection by the UK of its interests abroad. Section 27 is a qualified exemption and I have considered whether the balance of the public interest favours releasing or withholding this material.

The Department recognises there is a general public interest in openness in government to allow for the public to scrutinise the manner in which authorities reach important decisions. This is particularly pertinent in the context of our exit from the EU.

Opposing this, we have taken into account that there is a substantial public interest in the Government being able to formulate independent foreign policy and in doing so, being able to successfully pursue our national interests abroad. We find that the information held in the scope of your request still relates to a very much live issue, and that for this reason there is a high public interest in protecting information which may relate to or factor into the

Government's negotiating positions.

Taking into account all the circumstances of this case, I have concluded that the public interest favours withholding the information we hold within the scope of your request.

### **Section 29**

The information you have requested is also exempt under section 29(1)(a-b) of the Act, which exempts information if it would, or would be likely to, prejudice: (1)(a) the economic interests of the UK, or; (1)(b) any part of the UK, or the financial interests of any administration in the UK (where "administration in the UK" means the government of the UK, the Scottish Administration, the Executive Committee of the Northern Ireland Assembly, or the Welsh Assembly Government).

Section 29 is a qualified exemption and I have considered whether the public interest in withholding the information outweighs the public interest in releasing the information relating to your request.

Further to the general reasons for release detailed above, we recognise there is a public interest in being assured that the Government has properly analysed the consequences of our exit on various sectors and industries.

Against this, there is a strong public interest in the sound economic management of our exit from the EU. I find there to be significant public interest in the UK securing the best deal for the UK, and in doing so securing the best deal for the economy. In the meantime, there is high public interest in the Government making sure that the UK remains as stable as possible throughout the process of our exit from the EU. By releasing the information in scope, we may undermine the economic or financial interests of the UK by giving an indication of notable information which may weaken the UK Government's position within the negotiations. This, in turn, may make it harder for the UK to secure a sound, economically desirable exit from the EU, which is not in the public interest.

For these reasons, I have concluded that in all circumstances of the case, public interest favours maintaining the exclusion of the duty to confirm or deny whether we hold information in relation to your request.

### **Section 35**

The information you have requested is also exempt under Section 35(1)(a) of the Act, which applies to information held by a government department relating to the formulation or development of government policy. Section 35 is a qualified exemption and I have considered whether the public interest in exempting the information in scope outweighs the public interest in releasing the information.

Specific to this exemption in the context of your request, we recognise that transparency in the formulation and development of the Government's approach to our exit from the EU is in the public interest as policy formulation and considerations may go on to have a significant impact on the lives of citizens.

Against this, there is a strong public interest in policy making associated with our exit from the EU being of the highest quality and being fully informed by a consideration of all

options. In the context of the negotiations, it is vital that Ministers and their Departments can exchange views on available options/scenarios freely and openly, and can discuss and understand potential implications, especially on live issues. By releasing information in scope, we may undermine the effective formulation or development of policies which have been and will continue to be key to our negotiation and implementation strategy.

More generally, to be of value the advice and options presented to Ministers as part of the policy development process must be frank and free from fear that it could be released to the wider public inappropriately. The release of this information could jeopardise the safe space necessary for optimal policy development.

I have determined that in all circumstances of the case that the public interest favours withholding the information we hold within the scope of your request over releasing.

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If you are unhappy with the service you have received in relation to your request or wish to request an internal review, you should write to [foi@dexeu.gov.uk](mailto:foi@dexeu.gov.uk) or:

Freedom of Information Team (internal review)  
Department for Exiting the European Union  
9 Downing Street  
SW1A 2AG

You should note that DExEU will not normally accept an application for internal review if it is received more than two months after the date that the reply was issued.

If you are not content with the outcome of your internal review, you may apply directly to the Information Commissioner for a decision. Generally, the Commissioner cannot make a decision unless you have exhausted the complaints procedure provided by DExEU. The Information Commissioner can be contacted at:

The Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Yours sincerely,

**Freedom of Information Team, DExEU.**