



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref FOI 11717

12 December 2017

Dear ,

ATISN 11717: Grant funding for Muslim Council of Wales

Thank you for your request which I received on 15 November 2017. You asked for copies of all information we hold from 2014 onwards on:

1. The provision of grants to the Muslim Council of Wales (MCW)
2. Muslim Engagement and Development (MEND aka MEND Cymru)

I can confirm that (1) we do not hold information about the provision of grants to the Muslim Council of Wales from 2014 onwards because none were given; (2) we do hold information about Muslim Engagement and Development (MEND aka MEND Cymru) from 2014 onwards. All of this information aside from four emails is attached at **Annex 1** to this letter.

You should be aware that after careful consideration we have decided that some of the information identified through the searches (four emails) is exempt from disclosure under section 35 of the Freedom Information Act 2000 because it relates to the formulation and development of government policy.

Section 35 of the Act is a qualified exemption, and requires the consideration of the public interest test. We have balanced the public interest for section 35 and found that the public interest falls in favour of maintaining the exemption. Arguments for and against disclosure in terms of the public interest, with the reasons for our conclusion, are set out in the attached **Annex 2**.

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Of the information searches undertaken and on balance of probability we are, as is reasonably practicable, assured that we have no other information.

If you are dissatisfied with the Welsh Government's handling of your request, you can ask for an internal review within 40 working days of the date of this response. Requests for an internal review should be addressed to the Welsh Government's Freedom of Information Officer at:

Information Rights Unit
Welsh Government
Cathays Park
Cardiff
CF10 3NQ

Or Email: FreedomOfInformationOfficer@wales.gsi.gov.uk

Please remember to quote the ATISN reference number above.

You also have the right to complain to the Information Commissioner. The information Commissioner can be contacted at:

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

However, please note that the Commissioner will not normally investigate a complaint until it has been through our own internal review process.

Yours sincerely

The information held is a copy of Open source information which can be found using the link:

<http://muslimcouncilwales.org.uk/statements/challenging-islamophobia-event-a-response/>

and

<https://5pillarsuk.com/2015/12/10/is-shazia-awan-serious-about-combatting-islamophobia-and-misogyny/>

Freedom of Information request from Liam Connell**Information requested**

Information on Muslim Engagement and Development (MEND aka MEND Cymru)

Section 35 test

The information is exempt from disclosure because it relates to the formation or development of government policy and therefore the exemption under section 35 (1) of the FOI Act is engaged.

Public interest test

Section 35 exemptions in the FOI Act is referred to as a 'qualified exemption', and is subject to a public interest test (PIT). This test is used to balance the public interest in disclosure against the public interest in favour of withholding the information, or the considerations for and against the requirement to say whether the information requested is held or not. We must carry out a PIT where we are considering using any of the qualified exemptions in response to a request for information.

The 'public interest' is not the same as what interests the public. In carrying out a PIT we consider the greater good or benefit to the community as a whole if the information is released or not. The 'right to know' must be balanced against the need to enable effective government and to serve the best interests of the public.

The FOI Act is 'applicant blind'. This means that we cannot, and do not, ask about the motives of anyone who asks for information. In providing a response to one person, we are expressing a willingness to provide the same response to anyone, including those who might represent a threat to the UK.

Public interest considerations in favour of disclosing the information – section 35

The Welsh Government recognises that there is a general public interest in disclosure and the fact that openness in government increases public trust in, and engagement with, the government. In the context of this request, there is a public interest in understanding how the UK Government and Devolved Administrations are developing policy related to community cohesion and community safety. Disclosure of the reports will increase public understanding and confidence in government's ability to develop community cohesion and community safety policy.

Public interest consideration in favour of withholding the information – section 35

The primary public interest against this disclosure is the curtailment of the ability of government to have a sufficiently safe space in which to inform and implement policy. To divulge this information to the general public would pre-empt decisions still to be made by Ministers in the UK and Devolved Administrations, and undermine the integrity of the policy formulation and implementation process by failing to provide a safe space for Ministers and officials to consider policy options in private.

Balance of the public interest

We assess that the formulation of government policy is of overriding importance and that in this instance, the public interest is best served by the non-disclosure information the unit holds regarding policy development and implementation.