



Foreign &
Commonwealth
Office

Knowledge Management Dept
Hanslope Park
Hanslope
Milton Keynes MK19 7BH

15 May 2015

Dear

FREEDOM OF INFORMATION ACT 2000 REQUEST – REF: 0262-15

Thank you for your email of 9 March requesting access, under the Freedom of Information Act (FOIA), to any information held by the Foreign and Commonwealth Office (FCO) relating to the late Sir Peter Hayman:

“1...Does the Foreign Office hold a personnel file and or similar for Sir Peter.

2...If the answer is yes please provide a copy of this document and its contents. Please feel free to redact any documents and correspondence from the file which could have implications for national security or the intelligence services. But please do not redact or remove any documents which relate to Sir Peter's private life and or his membership of the Paedophile Information Exchange and or any police investigations sparked by his sexual preferences.

3...Between 5 May 1979 and 5 April 1982 did Lord Carrington exchange correspondence and communications with Margaret Thatcher which in any way touched upon Sir Peter's private life and or his sexual preferences and or his membership of the Paedophile Information Exchange and or any police enquiries into him. If the answer is yes can you please provide copies of this correspondence and communications.

4...Between 5 May 1979 and 5 April 1982 did Lord Carrington meet with the Prime Minister to discuss Sir Peter's private life and or his sexual preferences and or his membership of the Paedophile Information Exchange and or any police enquiries into him. If the answer is yes can you please provide details of these meetings including venues and dates. Can you please provide copies of any relevant documents which specifically relate to these particular meetings.

5...Between 5 May 1979 and 5 April 1982 did the Foreign Office exchange correspondence and communications with the Cabinet Secretary and or Mrs Thatcher's Private Secretary

which in any way relates to Sir Peter's private life and or his sexual preferences and or his membership of the Paedophile Information exchange and or any police enquiries into him. If the answer is yes can you please provide copies of this correspondence and communications.”

My letter of 6 May explained that we needed more time to take a decision on where the balance of the public interest lies for certain information relevant to your request, and we would let you have a final response by Friday 15 May.

We have now completed our consideration of the material held for release. I confirm that we can release material identified that is relevant to your request and I attach a scanned copy of the releasable material.

There are a number of redactions under Section 23 (information supplied by, or relating to, bodies dealing with security matters), Section 40(2) (personal information) and section 41(1) (information provided in confidence). All three exemptions are absolute exemptions and therefore do not require the application of a Public Interest Test.

Some of the information you have requested has been withheld under FOIA section 40 - personal data relating to third parties, the disclosure of which would contravene one of the data protection principles. In such circumstances sections 40(2) and (3) of the Freedom of Information Act apply. In this case, our view is that disclosure would breach the first data protection principle. This states that personal data should be processed fairly and lawfully. It is the fairness aspect of this principle, which, in our view, would be breached by disclosure. In such circumstances, section 40 confers an absolute exemption on disclosure.

Some of the information you have requested has been withheld under FOIA section 41 which relates to information provided in confidence. This is because the information in question is such that unauthorised disclosure of it would amount to a breach of confidence capable of being upheld in court, and hence that section 41 is engaged.

The exemption at section 41 is absolute and therefore does not require the application of the Public Interest Test; however we can confirm that we have taken into account the public interest test inherent within the common law duty of confidence in reaching this decision.

We also considered whether to withhold the information under Section 37(1)(b) (conferral of honours) and Section 38(1)(a) (endangering physical or mental health). However, after careful consideration of the public interest we have decided that these exemptions no longer apply in this case.

Yours sincerely,

Knowledge Management Department

