

BERR Ref: 01.04 [REDACTED]

YourRef: [REDACTED]

Mr Peter [REDACTED]
[REDACTED]
[REDACTED]

13 November 2008

Dear Mr [REDACTED]

"BT, Internet Service Providers and Phorm" and Freedom of Information request 08/0718

Thank you for your letter of 18 October 2008 to David Hendon about "BT, Internet Service Providers and Phorm". Your letter was received on 21 October. I am replying on his behalf.

Your letter was divided into two parts.

The first part of your letter sought clarification of BERR's current policy on several matters. These were given in my letter to you dated 28 October 2008.

The second part sought information to be disclosed under the Freedom of Information Act 2000, namely

- All correspondence exchanged between BERR and MoJ concerning the 'issues' surrounding Phorm/BT Webwise since January 1st 2008:
- Documentation and correspondence concerning the way the 'issues' were resolved:
- The dates of meetings between BERR and MoJ concerning the 'issues' surrounding Phorm/BT Webwise since January 1st 2008, please disclose the purpose, meeting and minutes of these meetings:
- I understand you will be meeting with BT on 20 October 2008. Please disclose the purpose, agenda and minutes of that meeting.

That part of your request has been dealt with under the requirements of the Freedom of Information Act.

Answer to questions 1, 2 and 3.

Following a search of our paper and electronic records, I have established that the information you requested is not held by this Department. The "issue" that was referred to in the e-mail of 2 April 2008 to which you refer, was simply an administrative one of arranging the

Enterprise and Business Name, 1 Victoria Street, London SW1H 0ET
www.berr.gov.uk

Direct Line +44 (0)20 7215 1772 | Fax +44 (0)20 7215 1966 | Minicom +44 (0)20 7215 6740
Enquiries +44 (0)20 7215 5000 | Email name.surname@berr.gsi.gov.uk

agreement between BERR and the Ministry of Justice as to which Department would lead on drafting and submitting the response to the European Commission to ensure a full and prompt response would be received. This involved telephone discussions between officials in BERR and, Ministry of Justice to ensure that each department was in agreement and aware of the others actions. No correspondence was exchanged

Answer to question 4

The information you asked for was contained in the letter to you from David Hendon, dated 31 October 2008 (BERR ref 01.04.05/4130c). Details of the meeting on 20 October with BT have already been released through two previous Fol requests (our refs: 01.04.05/4043c and 01.04.05/4131c). I have copied the information for your convenience below:

The purpose of the meeting was an informal "catch up" meeting between BERR officials and BT to discuss matters of common interest. As previously released material has already disclosed, the proposed trial by BT was a subject that BERR was interested in. No future plans that BT might, or might not, have for Phorm were discussed.

As meetings of this nature are informal affairs, no formal agenda was agreed beforehand, and no minutes were taken.

Appeals procedure

If you are unhappy with the result of your request for information, you may request an internal review within two calendar months of the date of this letter. If you wish to request an internal review please contact me.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

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

Yours sincerely



Patrick Balchin
Business relations 2