

This would not serve the best interests of the public as a whole. We may be in a position to disclose some of this information, after discussions with other Government departments, in several months time.

Presentational Issues

The high profile nature of the applicant and the controversial subject matter means that we will be liaising with the Press Office when sending out the response to this Internal Review.

Level of Controversy

There is the distinct possibility that Mr Kushlick will appeal this decision to the Information Commissioner, as is his right under the Act. If Mr Kushlick does decide to challenge our decision, I believe that we can evidence our position and the potential harm and prejudice to a sufficient degree for our decision to be upheld. It should be noted however that this is unlikely. Given that there is at present an 18 month backlog with the Information Commissioner’s Office, by the time that this case is being considered by the ICO it is very likely that the information requested would have been disclosable under this Act or even proactively released following DSU’s consultations with other Government Departments.

Respectfully submitted for your consideration and approval.

Ian Lister  
Information Access Consultant  
Information Rights Team

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Annex C

SEE PDF ATTACHMENT

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Annex D

Potential issues arising from release of report

The release of the report entails the risk of Transform, or other supporters of legalisation, using information from the report to criticise the Government’s drug policy, or to support their call for legalisation of drugs and the introduction of a regulated system of supply. These risks should be considered in reaching a decision on whether to release the report, as recommended. Key potential issues that may be raised and brief précis of the Government’s position on these are set out below. We will work with other Departments to prepare additional full handling lines in advance of the report’s release, should these be required.

There is no agreed cross-Government overview of expenditure  
Expenditure relating to drugs may be either labelled - i.e. that which is included in budgets or end-of-year reports, is drug-specific, and is proactive – or it may be reactive, in that it arises as a result of drug misuse, such as enforcement activity or health costs. In addition, expenditure on programmes which may influence levels of