



**Information Commissioner's Office**  
Promoting public access to official information  
and protecting your personal information

## **Press Release**

### **For immediate release**

Date: Tuesday 26 February 2008

### **Information Commissioner orders release of Cabinet minutes relating to Iraq invasion**

The Information Commissioner, Richard Thomas, has ordered the Cabinet Office to release the minutes of Cabinet meetings where military action against Iraq was discussed. He does not believe, however, that the disclosure of these minutes will necessarily set a precedent in respect of other Cabinet minutes.

The Commissioner's decision follows a request under the Freedom of Information Act for a copy of Cabinet minutes and records relating to two meetings held between 7 – 17 March 2003 where the Attorney General's legal advice was considered.

The Cabinet Office refused to release the information, stating that it is exempt from disclosure because it relates to the formulation of government policy and ministerial communications.

The Information Commissioner fully recognises the Cabinet Office's arguments against disclosure of the information in relation to the importance of the Cabinet's ability to freely consider the most important and sensitive policy issues without inhibition. He also accepts that protecting the convention of Cabinet collective responsibility is a strong factor in favour of withholding of Cabinet minutes.

However, in the Information Commissioner's view the public interest in disclosing the Cabinet minutes in this particular case outweighs the public interest in withholding the information. He believes that disclosure of the information would allow the public

to more fully understand this particular decision of the Cabinet and considers several public interest factors to favour the disclosure of this information:

- The gravity and controversial nature of the subject matter
- Accountability of government decisions
- Transparency of decision making
- Public participation in government decisions

However, the Information Commissioner accepts the Cabinet Office's argument that there are a number of specific references in the Cabinet minutes which, if released, would be likely to have a detrimental effect on international relations. He therefore concludes that in respect of these references the public interest in maintaining the exemptions does outweigh the public interest in disclosure.

The full decision notice can be viewed at [http://www.ico.gov.uk/upload/documents/decisionnotices/2008/fs\\_50165372.pdf](http://www.ico.gov.uk/upload/documents/decisionnotices/2008/fs_50165372.pdf)

**ENDS**

If you need more information, please contact the Information Commissioner's press office on 020 7025 7580 or visit the website at: [www.ico.gov.uk](http://www.ico.gov.uk)

#### **Notes to Editors**

1. The Information Commissioner promotes public access to official information and protects personal information. The ICO is an independent body with specific responsibilities set out in the Data Protection Act 1998, the Freedom of Information Act 2000, Environmental Information Regulations 2004 and Privacy and Electronic Communications Regulations 2003.
2. For more information about the Information Commissioner's Office subscribe to our e-newsletter at [www.ico.gov.uk](http://www.ico.gov.uk)