



Llywodraeth Cymru
Welsh Government

Our ref: ATISN 26400

Date: 3 February 2026

Dear ,

Re: Complaint in respect of ATISN 26400

I am writing further to your email of 7 January 2026 and your request for an internal review of Welsh Government's response to your Freedom of Information Act request ATISN 26400. In your email, the grounds of your complaint were set out as:

I am perturbed by your refusal to disclose, which constitutes an abuse of Freedom of Information laws.

The Nation of Sanctuary is a highly contentious policy and is rightly subject to political debate. It is therefore in the public interest to release where money is being sent.

I therefore request an internal review of the decision.

I have now undertaken this internal review and have set out my findings below.

In your request for information dated 21 November, you requested:

Under the Freedom of Information Act, I request the following information:

In each of the past 5 years, how much funding has Welsh Government provided to each of the following organisations:

1. Welsh Refugee Council
2. City of Sanctuary UK
3. Asylum Justice
4. Hoops and Loops
5. City United Reformed Church

In the Welsh Government response dated 19 December, whilst parts of the information requested were released, it was decided that some of information requested was exempt from disclosure under section 38 of the Freedom of Information Act 2000 and was therefore withheld. The reasons for applying this exemption were set out in Annex 2 of the letter and are set out below:

The Freedom of information Act/Environmental Information Regulations provide a right for anyone to ask a public authority to make requested information available to the wider public. As the release of requested information is to the world, not just the requester, public authorities need to consider the effects of making the information



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freely available to everybody. Any personal interest the requester has for accessing the information cannot override those wider considerations.

We have decided to withhold the following information under **section 38** of the Freedom of Information Act:

- The organisation names that received funding from 1 April 2020 – 31 March 2025.

This Annex [annex 2] sets out the reasons for the engagement of section 38 of the Freedom of Information Act and our subsequent consideration of the Public Interest Test.

Engagement of section 38 (Health and Safety) of the Freedom of Information Act

This exemption states:

(1) Information is exempt information if its disclosure under this Act would, or would be likely to—

- (a) endanger the physical or mental health of any individual, or*
- (b) endanger the safety of any individual.*

The Commissioner's Guidance on s38 states (inter alia):

Section 38 provides an exemption from disclosing information if it would endanger any individual (including the applicant, the supplier of the information or anyone else). The exemption does not necessarily deal with what are usually thought of as health and safety matters, such as establishing the cause of an accident.

The Welsh Government believes that third sector and community organisation names and details of their contracts, including organisations who expressed Health and Safety concerns, should be exempt from disclosure due to the targeting and direct abuse of organisations linked to the Welsh Government's Nation of Sanctuary policy.

Officials have received evidence detailing how involvement with supporting refugees and asylum seekers in Wales has led to online misinformation, targeting and abuse. This clearly evidences the harms that releasing this information may have on individuals.

Third sector organisations have been targeted for abuse, both online and via threats, and the disclosure of this information is likely to escalate issues, resulting in the endangerment of both the physical/mental health of funded organisation staff, as well as endangering their safety.

Public Interest Test

In order to satisfy the public interest test in relation to the exemption(s), it is necessary to conclude that the public interest arguments in favour of withholding the information are sufficient to outweigh the public interest arguments in favour of release.



Public interest arguments in favour of disclosure

The Welsh Government acknowledges the general public interest in openness and transparency that release of this information would engender. Further, we recognise there is a public interest in supporting the public to better understand the Nation of Sanctuary policy and approach.

Public interest arguments in favour of withholding

The Welsh Government recognises the general public interest in avoiding prejudice and harm to individuals, which could arise if this information was released. There is a public interest to protect staff and residents at the accommodation, local services, communities and staff working in the third sector. Withholding the information would avoid potential escalation of such risks.

Balance of public interest test

The Welsh Government can see no public interest in allowing prejudice to occur and putting people at risk and so believes the public interest favours withholding under the above stated exemption.

I have now considered your complaint and I have decided that withholding the information not disclosed under s38 Freedom of Information Act 2000 was correct and lawful for the reasons set out previously and above. To that end, I do not uphold your complaint.

I have considered your complaint in accordance with the procedure outlined in the Welsh Government's Practical Guide for Making Requests for Information which is available by post on request or via the internet at:

<https://www.gov.wales/requesting-information-welsh-government-html>

If you remain dissatisfied with this response you 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.

Yours sincerely



A J John
Director, Communities and Social Justice



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