



Foreign &  
Commonwealth  
Office

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04 June 2015

## **FREEDOM OF INFORMATION ACT 2000 REQUEST REF: 0441-15**

Thank you for your email of 05 May asking for information under the Freedom of Information Act (FOIA) 2000. You asked for information in three parts:

*I am requesting information contained in the 24 lever arch files and 11 ring folders which hold the documents supplied by the FCO to the Detainee Inquiry. For the avoidance of doubt, I am referring to the files and folders mentioned in paragraph 11 of the ICO decision notice dated 25 February 2015, for case number FS50561528. I have attached a copy of that notice to this email.*

*Specifically, I would like the following information:*

- 1. All information contained on the spine, front cover, inside front cover, inside back cover, and back cover, for each of the 35 files and folders;*
- 2. All information contained on any tabs, file separators, or other indexing cards within each file and folder;*
- 3. A copy of any contents page or index page within each file and folder.*

I am writing to confirm that we have now completed the search for the information which you requested.

I can confirm that the Foreign and Commonwealth Office (FCO) does hold information relevant to your request. Please find attached the information that the FCO can release to you.

I must inform you that the FCO is withholding some of this information because it is exempt under the exemption at section 23(1) of the Freedom of Information Act. Section 23 is an absolute exemption and relates to information supplied by, or relating to, bodies dealing with security matters. Section 23 is an absolute exemption and therefore we are not obliged to consider the public interest in disclosure.

Some of the information you have requested includes 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 s.40 confers an absolute exemption on disclosure. There is, therefore, no public interest test to apply.

Once an FOI request is answered, it is considered to be in the public domain. To promote transparency, we may now publish the response and any material released on [gov.uk](http://gov.uk) in the [FOI releases](#) section. All personal information in the letter will be removed before publishing.

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Yours sincerely

Intelligence Policy Department



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