



# Ministry of Defence

Our Ref: FOI2014/03885

Ministry of Defence  
Main Building (01/D/06)  
Whitehall  
London SW1A 2HB  
United Kingdom

Telephone [REDACTED]

E-mail: [REDACTED]

[REDACTED]  
By e-mail

28 August 2014

Dear [REDACTED],

Thank you for your email of 25 July 2014 requesting the following information:

1. *I would like to request a copy of all documents provided by the MOD to the Detainee Inquiry (Gibson Inquiry), during its period of operation (approx July 2010 – Dec 2013).*

2. *I would also like to request a copy of any list any documents mentioned in 1 (above), plus any covering/transmittal letters from the MOD to the Detainee Inquiry (whether any such list/letter is held on email, memo, database or other record).*

3. *Lastly, I would like to request the names of any unit and/or staff within the MOD who were responsible for liaising with the Detainee Inquiry and for coordinating the MOD's relationship with the Inquiry. In terms of unit, I am interested in the name of any unit set up specifically to liaise with the Inquiry, and/or any existing department or unit given this responsibility. In terms of individual staff, I am interested in both their names and the role/post at the time. Where staff are considered junior enough for their names to be considered private information within the meaning of the Act, please just provide their role/post.*

In addition you have asked that if any of the information requested is subject to exemption, that it is redacted (via blacking out, rather than via excising) as appropriate, and annotate it to show which section(s) of the Act have been applied with regards to each redaction.

I am treating your correspondence as a request for information under the Freedom of Information Act 2000 (FOIA).

A search for the information has now been completed within the Ministry of Defence and I can confirm that some of the information in scope of your request is held.

I am advising you that your request is being refused under Section 14(1) of the FOI Act as it is considered to be vexatious..

Section 14(1) has been applied in accordance with guidance issued by the Information Commissioner's Office. The guidance states that a request can be refused if providing a response places an unreasonable burden upon a public authority. The material you have requested encompasses in excess of 1900 documents. To review these documents and remove any exempt information will involve many subject matter experts across the Department. This would represent disproportionate effort and will impede operations and core business.

Under Section 16 of the Act (Advice and Assistance) you may find it helpful to know that a copy of the Detainee Inquiry Report was published on 19 December 2013 and can be found at the following link <http://www.detaineeinquiry.org.uk/2013/12/report-of-the-detainee-inquiry/>

For information on the use of Section 14 of the FOIA please see the Information Commissioners Guidance on this particular exemption at [http://ico.org.uk/for\\_organisations/freedom\\_of\\_information/guide/~media/documents/library/Freedom\\_of\\_Information/Detailed\\_specialist\\_guides/dealing-with-vexatious-requests.ashx](http://ico.org.uk/for_organisations/freedom_of_information/guide/~media/documents/library/Freedom_of_Information/Detailed_specialist_guides/dealing-with-vexatious-requests.ashx)

Although we have refused your request under Section 14(1) you might wish to reconsider refining your request in order to lessen the administrative burden. For example you might wish to consider specifying a specific timeframe, or reducing the scope of the information so that it covers less information.

If you are not satisfied with this response or you wish to complain about any aspect of the handling of your request, then you should contact me in the first instance. If informal resolution is not possible and you are still dissatisfied then you may apply for an independent internal review by contacting the Information Rights Compliance team, 1<sup>st</sup> Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail [CIO-FOI-IR@mod.uk](mailto:CIO-FOI-IR@mod.uk)). Please note that any request for an internal review must be made within 40 working days of the date on which the attempt to reach informal resolution has come to an end.

If you remain dissatisfied following an internal review, you may take your complaint to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not investigate your case until the MOD internal review process has been completed. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website, <http://www.ico.gov.uk>.

Yours sincerely,

