



Ministry of Defence

HEADQUARTERS AIR COMMAND
Air Command Secretariat

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Royal Air Force
High Wycombe
Buckinghamshire
HP14 4UE

E-mail [REDACTED]
[REDACTED]

Our Ref: 2014/04234

18 September 2014

Dear [REDACTED]

Thank you for your email of 29 July 2014 requesting the following information:

"The latest documents on ALARP and Tolerability make reference to an assessment carried out by the Defence Science and Technology Laboratory. Please could I have a copy of their report and the tasking document?"

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 information in scope of your request is held; a copy of the Cost Benefit Analysis is attached. However, some of the information falls entirely within the scope of the absolute exemption provided for at Section 40 (Personal Data) and the qualified exemption provided for at Section 26 (Defence) of the FOIA and has been redacted.

Section 40(2) has been applied to some of the information in order to protect personal information as governed by the Data Protection Act 1998. Section 40 is an absolute exemption and there is therefore no requirement to consider the public interest in making a decision to withhold the information.

Section 26 is a qualified exemption and is subject to public interest testing which means that the information requested can only be withheld if the public interest in doing so outweighs the public interest in disclosure.

Section 26(1)(b) has been applied to some of the information because it contains details which are operationally sensitive and would prejudice the capability and effectiveness of our armed forces. The balance of public interest was found to be in favour of withholding the information for the reasons given below and I have set the level of prejudice against release of the exempted information at the higher level of "would" rather than "would be likely to".

Public Interest (PI) factors in favour of disclosure

- Greater public understanding of the basis on which the DSTL Cost Benefit Analysis for a Collision Warning System for Tornado was conducted.

Public Interest (PI) factors against disclosure

- Release of data on Tornado flying hours will expose the capability of the aircraft and therefore our ability to monitor British airspace for threats.
- Provision of this information could prove advantageous to any individual or organisation that may post a malicious threat to UK airspace.

In addition, please note that the document is protected by Crown Copyright and there is no automatic right of re-use. You are free to use it for your own personal, private purposes outlined as exceptions to infringement under the Copyright, Designs and Patent Acts. Any other form of re-use, for example, commercial publication, would require permission in the form of a license from the MOD, and any request for re-use of the source information must be made to MOD's Directorate of Intellectual Property Rights (DIPR). You can make such a request by e-mailing DIPR-CC@MOD.UK.

Under Section 16 of the Act (Advice and Assistance) you may find it helpful to note that it has not been possible to locate a separate tasking document.

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, you may apply for an independent internal review by contacting the Information Rights Compliance team, 1st Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail 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. 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,



Air DRes Sec 3b1