



Ministry
of Defence

Secretariat
Defence Infrastructure Organisation
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E-mail: diosec-parli@mod.uk
www.gov.uk/DIO

Ref. FOI2016/05070

24 May 2016

Dear

Thank you for your email of 3 May 2016 requesting the following information:

I request a copy of the architects report, in English, on the staircase at that was conducted on 11th February 2016

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.

Section 42 (Legal Professional Privilege (LPP)) 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 42(1) has been applied because some of the information has been provided to the Department's Lawyers in confidence as legal advice. The outcome of the balance of the public interest test concluded that whilst release would promote openness, transparency and a further understanding of government processes in decision making. It has been necessary to weigh the factors favouring disclosure on a case by case basis against the strong public interest in protecting the LPP which has been recognised by the courts and the Information Tribunal. The balance of the public interest therefore lay in withholding this information, legal advice is that releasing the report would not promote settlement but may be interpreted incorrectly leaving the Department open to further claims.

Yours sincerely,

DIO Secretariat

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 DIO Secretariat 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, 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 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.org.uk>.