



Ministry of Defence

Our Ref: FOI2015/04063

Ministry of Defence
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Dear

Thank you for your email of 28th April 2015 requesting the following information:

"I would like documents focusing on a conspiracy theory that was reported in the press during 1987-1988 concerning the death of 25 British scientists who had been working on various defence related projects but were not employed by the MoD. This theory was then compiled in a book, Open Verdict, by Tony Collins (Sphere, 1990).

I am not interested in the individual files concerning the scientists but the MoD reaction to the media reports linking their deaths."

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

A public interest test has now been conducted and the information you have requested can be found enclosed. We interpreted your request to mean the 'lines to take' drawn up by the MoD in reaction to the stated media reports. 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 36 (Effective conduct of public affairs) 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 36(2)(b) and (c) has been applied because some of the notes surrounding the lines to take contain frank comments which were only for the purpose of deliberation.

While disclosing the documents with the comments intact would demonstrate the MOD's dedication to transparency and show that there was indeed no 'conspiracy', this is outweighed by the need to protect the thinking space in which there can be a free and frank exchange of views between officials for the purposes of deliberation – there may otherwise be a reluctance to engage in a discussion process which may be disclosed. Should the information withheld under section 36 be released into the public domain there is a risk that it would prohibit the free and frank exchange of views for the purposes of deliberation. The Minister has decided therefore that the balance of public interest is in withholding the information as it would be likely to inhibit the effective conduct of public affairs.

If you are not satisfied with this response or you wish to complain about any aspect of the handling of your request, 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 of this letter.

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>.

Yours sincerely,

DDC Secretariat Parliamentary