



Ministry
of Defence

Navy Command FOI Section
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FOI 2015/05949

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Via email [REDACTED]

2 September 2015

Dear [REDACTED]

Request for Information – Final Response

Thank you for your email of 3 July confirming you wished to receive information you requested earlier this year which we were then unable to locate but has since come to light. Your original request was as follows:

"I am looking to find more information about a Ministry of Defence inquiry into the death of Sean Harper, a 20-year-old student who attended a party at the University of London Royal Naval Unit in December 1994. His body was found a couple of weeks later in January 1995. An inquest was held into his death in May 1995 which recorded an open verdict. A newspaper report following the verdict said that the Royal Navy would be holding an inquiry into Mr Harper's death in May 1995. I can't find any reference to a report or an inquiry on the National Archives website. Therefore may I ask if such an inquiry took place that its findings be disclosed to me under FOI?"

Your request has been considered to be a request for information in accordance with the Freedom of Information Act 2000.

Please accept our apologies for the failure to locate the relevant papers earlier this year which was due to their having been mislaid during the move of the London University RN Unit from the Brompton Road offices to its present location near the Tower of London.

The BOI papers have now been recovered, and I attach a copy of Part 1 of the BOI report – those parts of BOI investigations that are published, including the Convening Order for the BOI, its findings, conclusions and recommendations, as well as comments by the Convening Authority on the findings.

Some minor redactions have had to be made to the papers released to comply with the FOI and Data Protection Acts under the following FOI exemptions which apply:

Section 40 - Personal Information

Personal information identifying individuals has been withheld under section 40(2) of the FOI Act (personal data). Section 40(2) applies to personal data relating to third parties. The release of personal information relating to other individuals without their express permission would contravene the principles of the Data Protection Act 1998

Section 38 – Health & Safety

Under s38(1), information is exempt if its disclosure would, or would be likely to, (a) endanger the physical or mental health of any individual or (b) endanger the safety of any individual. Some of the information may contain details of a sensitive nature that could, if disclosed, endanger an individual's physical or mental health or safety.

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, 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.gov.uk>.

Yours sincerely

Navy Command Secretariat – FOI Section