



Ministry of Defence

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[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

email: [REDACTED]

25 March 2015

Dear [REDACTED]

I am writing to update you following my letter of 5 February 2015 which was in response to your email of 13 January 2015, addressed to [REDACTED] Treasury Solicitor's Department which

"I am writing to remind you that on 5th December 2014 I responded to your threatening letter relating to the document AWRE 024-086 Vixen B Isotopic.pdf with an agreement to carry out the various directions you made in your letter. However, the true Official Secrets Act status of this document continues to be in question, as it seems to have been in the Public Domain, and was in any case part of earlier legal hearings in the UK and also Australia. In my response I included a formal request under the Freedom of Information Act for this document to be released to me. I have not received an acknowledgement of this request and I am sure I do not need to remind you that you are permitted six weeks to respond. This period will finish this Friday. This is serious matter for the appellants whom I represent, and therefore if I do not hear from you regarding this Fol request I will take further action as appropriate".

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 all the information in scope of your request is held.

The information you have requested can be found at annex A, but some of the information falls entirely within the scope of the absolute qualified exemptions provided for at section 24 (National Security) and also within the absolute exemption provided for at section 40 (Personal Data) of the FOIA and has been redacted accordingly.

Section 24 qualified exemptions and are 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 24(1) has been applied to some of the information because it contains sensitive details necessary to safeguard national security. The balance of the public interest was found to be in favour of withholding the information given that, overall, the public interest is best served in not releasing any details that would, or would be likely to be proliferative.

Section 40 (2) has been applied to some of the information 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.

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,
DST-Strategy Secretariat FOI Focal Point