



Ministry
of Defence

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Ref: [REDACTED]

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21 August 2015

E-mail address:
[REDACTED]

Dear [REDACTED],

Thank you for your email of 27 July 2015 requesting the following information:

"A copy of the Board of Inquiry held on Sergeant Lyden killed on Mjolfjel Range and the Army Training 2 letter sent to all Commands in 1985?"

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

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 Board of Inquiry (BOI) for Sergeant Lyden which can be released is enclosed on the password protected CD, instructions are provided below.

Some of the information held by the Department falling within scope of your request is exempt from release under sections 32 (Court Records) and 40 (Personal Information) of the Freedom of Information Act and is therefore withheld. The information contained in the Pathology report (Annex E to Special Investigation Branch Report 06022/6 dated 21 Oct 86 – 4 pages) was commissioned by HM Coroner for proceedings in relation to the deceased and is only held by MOD as a result of those proceedings and for no other purpose, therefore it is exempt under section 32. This is an absolute exemption and there is no requirement to consider the public interest in making a decision to withhold the information. The personal information of individuals within the report, excluding the deceased and personnel above the rank of Brigadier have been withheld under section 40. This is because the Data Protection Act only covers persons alive and personnel above the rank of Brigadier as they are considered to be in the public domain.

Unfortunately the Army Training 2 letter is not held by the Ministry of Defence. Any paper files pre-dating would have had destruction dates of 7 years, so therefore would have been destroyed.

Please note: The information held on the enclosed CD is password protected; once you have received this correspondence please send an email to ArmySec-group@mod.uk requesting the password and quoting the reference number at the top of this document.

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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, <https://ico.org.uk>.

Yours sincerely,
Army Sec