



Ministry
of Defence



Ref. [REDACTED]

Email: [REDACTED]

4 November 2015

Dear [REDACTED],

Thank you for your email dated 15 October 2015 requesting the following information:

I am writing to request information under the Freedom of Information Act 2000. In order to assist you with this request, I am outlining my query as specifically as possible.

I am requesting notes, power point slides and other teaching or guidance materials received by UK fighter jet pilots regarding the ethics and decision-making processes the UK military recommends to pilots for firing on or committing to an air-strike on another party, persons, soldiers or enemy combatants.

I request you include anecdotal accounts, notes and PowerPoint slides that regard to pilots' erroneous experiences, when firing upon or committing to an airstrike on another party, that are used as case studies for the education other fighter jet pilots. I know that these should be easily retrievable. As a former RAF reservist, I am aware that case studies of these nature are an integral component of training military service people.

I would be interested in any information held by your organisation regarding my request. I understand that I do not have to specify particular files or documents and that it is the department's responsibility to provide the information I require. If you need further clarification, please contact me by email.

I would like to receive the information in electronic form.

If my request is denied in whole or in part, I ask that you justify all deletions by reference to specific exemptions of the act. I also expect you to release all non-exempt material. I reserve the right to appeal your decision to withhold any information or to charge excessive fees.

I would be grateful if you could confirm in writing that you have received this request. I look forward to your response within 20 working days, as outlined by the statute.

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 (MOD) and I can confirm that information in scope of your request is held. However, we are unable to answer your request without exceeding the appropriate cost limit. This is because to locate, retrieve and extract information in scope of your request would take at least 8 working days.

Section 12 of the Act makes provision for public authorities to refuse requests for information where the cost of dealing with them would exceed the appropriate limit, which for central government is set at £600. This represents the estimated cost of one person spending 3.5 working days in determining whether the department holds the information, and locating, retrieving and extracting it.

The MOD may be able to provide some information in scope of your request if you reduce or refine your request to bring the cost of compliance under the limit. However, please be aware that even with refinement, the information requested may also be subject to further exemptions and may therefore be withheld from release.

Under Section 16 of the FOI Act (the duty to provide advice and assistance) some of the information you have requested is contained within The Joint Service Manual of the Law of Armed Conflict and is available to view at the following link.

www.gov.uk/government/uploads/system/uploads/attachment_data/file/27874/JSP3832004Edition.pdf

If you are not satisfied with this response or 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.org.uk>.

Yours sincerely,

[Original Signed]

