



## Ministry of Defence Police

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Our Ref: eCase: FOI2015/07131 RFI 169/15

Email – [REDACTED]

Date: 8<sup>th</sup> October 2015

Dear [REDACTED],

**FREEDOM OF INFORMATION ACT 2000: MINISTRY OF DEFENCE POLICE: 'IF ASKED' STATEMENTS PREPARED BY THE MDP MEDIA OFFICE DURING 2014 – JULY 2015.**

I refer to your e-mail request of 12<sup>th</sup> August 2015.

In your email dated 12<sup>th</sup> August 2015 you requested:

**“Please send me all your 'if asked' media statements that were prepared for publication between January the 1st 2014 and July 31st of 2015. ‘ If asked' statements are those which are prepared for publication but then withheld unless someone in the press asks.**

**Please send all statements whether they were actually released to the press or not”.**

You will recall that I wrote to you on 7<sup>th</sup> September 2015, to advise that we would be completing a public interest test to determine whether the information should be released or withheld.

I can confirm that the public interest test concluded that the balance favoured maintaining the exemptions and withholding some of the information and redacted material.

Section 30 (2) (investigations) applies because some of the information forming part of a police investigation must be kept secure and therefore to disclose this information could prejudice any ongoing investigation and proceedings which may arise.

Section 40 (2) (personal information) is absolute if disclosure would breach any of the Data Protection Principles. The information requested includes third party personal data.

Personal data is defined under Section 1(1)(e) of the DPA98 as “data which relate to a living individual who can be identified – (a) from those data.

I attach copies of 'if asked' statements prepared by the force's media office January the 1st 2014 and July 31st of 2015 that are considered disclosable at this time

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, 1<sup>st</sup> Floor, MOD Main Building, Whitehall, London SW1A 2HB (email [CIO-FOI-IR@mod.uk](mailto: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 the 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

**MDP Sec Data Protection and Freedom of Information Office**