



Ministry
of Defence



LLB(Hons)
DE&S Land Equipment & ISTAR

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DE&S SECRETARIAT

9-May-16

Our Ref: FOI2016/03209

Dear [REDACTED],

Thank you for your email of 14th March 2016 requesting the following information:

I would like to request a copy of all the current engineering support manuals, which I believe are referred to as EMERs, for the .22 No8 rifle issued to the cadet forces.

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 (MOD), and I can confirm that information in scope of your request is held.

Some of the information falls entirely within the scope of the absolute exemption provided for at section 40 (Personal Data), and qualified exemption provided for at section 26 (Defence) of the FOIA and has been redacted.

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

Section 26 is a qualified exemption and 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 26(1)(b) has been applied to some of the information because it covers information such as defence locations that would prejudice or would be likely to prejudice the capability, effectiveness or security of any relevant force. The balance of public interest was found to be in favour of withholding the information given that, overall, the public interest is best served in not releasing information that could put the physical safety of UK troops at risk. It is for these reasons I have set the level of prejudice against release of the exempted information at the higher level of "would" rather than "would be likely to".

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, 2nd 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,

A solid black rectangular redaction box covering the signature area.

DE&S Secretariat (Land Equipment & ISTAR)