



Ministry
of Defence

Navy Command FOI Section
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[REDACTED]

30 March 2015

Dear [REDACTED]

Release of Information

Thank you for your correspondence dated 3 March 2015 requesting information on the death of a Fleet Air Arm pilot Lt Cdr SS THOMAS following the crash of a Sea Vixen aircraft on 17 March 1966. Your enquiry has been considered to be a request for information in accordance with the Freedom of Information Act 2000.

I can confirm that the Department holds the information that you have requested. Attached to this e-mail is a copy of the narrative of the Board of Inquiry (BOI) into the accident that caused the death of Lt Cdr SS THOMAS on 17 March 1966.

As you will see, some of the information within this document has been redacted, withheld, as it is considered to fall within the scope of exemption section 40(2) (personal data) of the FOI Act. After careful consideration and for the reasons set out below, it has been decided that the MOD has no obligation under the Act to disclose this information.

The personal information of the individuals involved has been withheld under section 40(2) of the FOI Act (personal data). Section 40(2) applies to personal data relating to third parties. The release of personal information relating to these individuals would contravene the principles of the Data Protection Act 1998, namely Principle 1 – personal data shall be processed fairly and lawfully and not unless certain specified conditions are met, and Principle 2 – personal data shall be obtained and processed only for specified and lawful purposes and not further processed in a manner incompatible with the purposes. In this instance, the data was provided for the purposes of the Board of Inquiry and with the expectation that it would not be made public. Although the BOI report predates the advent of Data Protection (original Act in 1984) the legislation is fully retrospective in its application to older information being considered for release.

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.org.uk>.

Yours sincerely

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