



Ministry of Defence

Ministry of Defence
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Ref: Pers Trg-Sec/FOI: 2015/04203

[REDACTED]

[REDACTED]

1 June 2015

Dear [REDACTED]

Thank you for your email dated 6 May in which you requested the following information:

Under the FOI Act, I would like to know how many members of the armed services are currently being held in custody in foreign countries and awaiting trial or are on bail in foreign countries awaiting trial. I would like details of their alleged offences, their names and rank and unit.

I would also like the same information for any members of the armed forces currently serving custodial sentences in foreign jails, details of their crimes, names and unit in which they were serving when the offence was committed for the last three years.

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

I can confirm that the Ministry of Defence holds information within the scope of your request. In the case of Armed Forces personnel remanded in custody, on bail in a foreign country, or custodial sentences in foreign jails, in each case the number is fewer than 5. We will not provide exact numbers in accordance with the Data Protection Act and our obligations in relation to the protection of confidentiality when handling personal data.

We are withholding their names, ranks and units, including their alleged or convicted offences, under S.40 of the FOI Act. This is 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.

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 Head of Corporate Information, 1st Floor, Zone N, 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.gov.uk>.

Yours sincerely

Defence People Secretariat