



Ministry
of Defence

Ministry of Defence
Main Building
Whitehall
London
SW1A 2HB

Ref: FOI2017/08817

Reply to: [REDACTED]

10 October 2017

Dear [REDACTED]

Thank you for your email of 12 September 2017 requesting the following information:

“Under the Freedom of Information Act, please release the following records for the last four years (and up to the date of this email):

- The number of personnel discharged from the Armed Forces as a result of membership of an illegal organisation.*
- The name of the illegal organisation.”*

I am treating your correspondence as a request for information under the Freedom of Information Act 2000 (FOI Act). I have interpreted ‘illegal organisations’ as those in the Home Office list of Proscribed Terrorist Organisations or those listed under the Terrorism Act 2000.

The MOD is unable to comply with your request. Section 12 of the FOI Act makes provision for public authorities to refuse requests for information where the cost of dealing with them would exceed the appropriate limit. This limit is specified in FOI regulations and for central Government is set at £600. It is estimated that to collect, collate and examine all relevant information including, retrieving archived material, would be in excess of this £600 limit.

The Service Police Forces use the Royal Military Police database, REDCAP, to record and search for investigations. REDCAP is not currently configured to include ‘illegal organisations’ as an option for recording or searching investigations; it is, therefore, not possible to provide any information in regard to your request.

The primary role of REDCAP, is to record investigative information, and was not designed to produce statistical data such as that requested. Whilst REDCAP can be searched in various ways (for example, via crime classification, date of offence or date of birth), the manner of how cases are recorded means that search tools do not enable it to provide accurate answers to questions of this kind. As a result, we can only provide data by making manual checks on investigative records. It is estimated that it would take at least 30 days to search every investigation record to check whether it contains reference to the word ‘illegal organisations’. A refined request (e.g. reducing the number of years) would still involve a manual search of the records and the same cost exemptions would apply.

Extremist ideology is completely at odds with the values and ethos of the Armed Forces. The Armed Forces have robust measures in place to ensure those exhibiting extremist views are neither tolerated nor permitted to serve. All allegations of unacceptable behaviour are investigated and action taken as appropriate.

The MOD is aware that a number of serving members of the Army were recently arrested on suspicion of being concerned in the commission, preparation and instigation of acts of terrorism under Section 41 of the Terrorism Act 2000; namely on suspicion of being a member of a proscribed organisation contrary to Section 11 of the Terrorism Act.

Section 16 of the FOIA sets out the duty on public authorities to provide advice and assistance, as far as it is reasonable to expect the public authority to do so, to anyone who is considering, or has made, a request for information to it. Investigations into alleged acts of terrorism (e.g. Terrorism Act 2000) are normally dealt with by the Home Office Police Forces. In such cases, records held by the MOD are limited to any administrative action taken after the event rather than the investigation itself or the details of alleged links to specific organisations. If you wish to make an FOI request to the Home Office please use the e-mail address: foirequests@homeoffice.gsi.gov.uk

If you have any queries regarding the content of this letter, please contact this office in the first instance.

If you wish to complain about the handling of your request, or the content of this response, you can request an independent internal review by contacting the Information Rights Compliance team, Ground Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail CIO-FOI-IR@mod.uk). Please note that any request for an internal review should be made within 40 working days of the date of this response.

If you remain dissatisfied following an internal review, you may raise your complaint directly to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not normally investigate your case until the MOD internal review process has been completed. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website at <https://ico.org.uk/>.

Yours sincerely,

Defence People Secretariat FOI