



Ministry
of Defence

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

FOI2019/07708

E-mail: Navysec-foimailbox@mod.gov.uk

[REDACTED]
[REDACTED]

2 September 2019

Dear [REDACTED],

Release of Information

Further to our correspondence of 1 August 2019, I am now in a position to provide you with a substantive response to your request for a copy of the minutes from the meeting held between the British Defence Attaché, representatives from the UK and Dutch Ministries of Defence and the Dutch Cultural Heritage Agency at the British Embassy on 2 July 2019.

Your enquiry has been considered to be a request for information in accordance with the Freedom of Information (FOI) Act 2000.

As explained in our interim response, a search for the information was completed within the Ministry of Defence (MOD) and it was confirmed that information in scope of your request was held. However, it was also explained that it was determined that some of the information you require could fall within the scope of the qualified exemption under section 31 (Law Enforcement) of the FOI Act.

Under Section 31(1)(a) and (b), information is exempt if its disclosure would, or would be likely to, prejudice the prevention and detection of crime, the apprehension or prosecution of offenders and/or the administration of justice.

Section 31 is a qualified exemption and, as such, is subject to a Public Interest Test (PIT). The PIT has now been conducted and has concluded that, while there is long-standing public interest in the management and preservation of our underwater heritage, it is considered that releasing all the information you require has the potential to make the wreck sites vulnerable to criminal activities. As such, some of the information contained within the document has been withheld.

The information that the MOD can provide relating to your request can be found enclosed with this letter. I should advise, however, that, as some of the information was designed for internal purposes only and not intended for public distribution, the documentation has

been redacted to remove any personal information in accordance with Section 40(2) of the FOI Act.

Section 40(2) applies to personal data relating to third parties. The release of personal information relating to other individuals would contravene the principles of the Data Protection Act 2018.

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

Navy Command Secretariat – FOI Section