



Ministry of Defence

Ministry of Defence
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E-mail: DSA-Enquiries@mod.gov.uk

Ref: FOI2019/12429

26 November 2019

Dear [REDACTED]

Thank you for your email of 29 October 2019 requesting the following information:

“please will you provide me with a copy of section 2.5 (List of exhibits) of the report.”

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, and I can confirm all the information in scope of your request is held.

However, it was believed that the information you have requested falls within the scope of qualified exemption 31 (Law Enforcement) and as such it was necessary for us to decide whether, in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosure.

Section 31(1) (Law Enforcement) has been applied to all of the information because it contains information which its disclosure could prejudice (2)(g) the purpose of ascertaining the cause of an accident. The Inquest related to the Hawk XX204 accident has not yet taken place and the information requested forms an integral part of that legal process. For these reasons I have set the level of prejudice against the release of the exempted information at the higher level of “would”, rather than “would be likely to” and the information will not be disclosed at this time.

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

DSA Secretariat