



From: xxxxxxxxxx
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Your Reference:

Our Reference: 20-08-2009-102337-001

Date: 28th August 2009

Dear XXXXXXXXXX

Your request for information under the Freedom of Information Act 2000

Your correspondence dated 19th August 2009 has been considered to be a request for information in accordance with the Freedom of Information Act 2000. You requested the following information:

“...the names of any person who has used the Freedom of Information Act, in the last 3 months, to request any information with regards General Sir Richard Dannatt. Please note that the guidance from the Information Commissioner states quite clearly that the names of people acting in an official capacity should normally be released. In this case, this would particularly apply to any MP, or their research staff.”

The Ministry of Defence does hold the information you have requested, but it falls under the absolute exemption in section 40 of the Act; personal information.

You quote in your request guidance from the Information Commissioner stating that the names of people acting in an official capacity should normally be released. This guidance does not refer to people requesting information but to the people responding to the request in their official capacity. The requester's details are therefore exempt from publication under the Act.

As this exemption is an absolute exemption an assessment of the public interest for and against disclosure is not required under the terms of the Act.

However, I can tell you that the Ministry of Defence has received four requests under the Freedom of Information Act relating to General Dannatt in the last three months. These have all been from people identifying themselves as representing broadcast or print media organisations. The requests

themselves either have been or will shortly be published on the Ministry of Defence's Freedom of Information website at <http://www.mod.uk/DefenceInternet/FreedomOfInformation/>.

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, 6th 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.gov.uk>.

Yours sincerely

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Freedom of Information Operations Manager