



Fleet Headquarters

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Our Reference: 14-06-2007-102207-003
14-06-2007-100540-002
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20 June 2007

Dear Mr XXXXXXX,

Request for Information

Further to my previous letter dated 1 June 2007, I am now in a position to provide a substantive response to your requests about the GPS track data for the UK vessels captured by Iran and the orders issued to indicate that the crews should surrender without a fight.

I can confirm that the Department holds information of the description specified in your request. However, it is believed that the information falls within the scope of the exemption in the FOI Act at Section 26 (Defence). After careful consideration, and for the reasons set out below, it is concluded that there is no obligation under the Act to disclose this information.

Section 26(1)(b) of the Act states that information is exempt if its disclosure would, or would be likely to, prejudice the capability, effectiveness or security of any relevant forces. As this is a qualified exemption, we have considered the balance of the public interest in disclosing and withholding the information by maintaining the exemption. The disclosure of the current methods of approach and tactics used in boarding operations and the rules of engagement which govern the conduct of boarding parties could, if released, compromise the effectiveness of this type of operation in future and prejudice the operational capability and effectiveness of our Armed Forces. On balance, therefore, the conclusion has been reached that the public interest in withholding the information outweighs the public interest in its release, in other words that Section 2(2)(b) of the Act applies.

This letter constitutes the notice required to be given under section 17(1), (3) and (7) of the Act.

If you are unhappy 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 Director of Information Exploitation, 6th Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail Info-XD@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 unhappy 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 the case until the 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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