



# Ministry of Defence

Secretariat  
Defence Infrastructure Organisation  
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Simon Brown

Email: request-806153-85c0ecd8@whatdotheyknow.com

Ref. FOI 2021/13847

13 Dec 2021

Dear Mr Brown,

Thank you for your email of 12 November 2021 requesting the following information:

Dear Defence Infrastructure Organisation,

I am interested in finding out the following information regarding arrest, prosecution and conviction of individuals for offences committed in the scope of the following Byelaws:

Aldershot and District Military Lands Byelaws (1976) Ash Ranges Byelaws (1983) Longmoor Ranges and Demolition Training Area (1982)

Within the following scope:

Records held from 1st Jan 2015 to date of this FOI Records held from 1st Jan 2010 to 31st Dec 2015 Records held from 1st Jan 2000 to 31st Dec 2010

Should the above scope see the cost of response rise above accepted limits then later data/information is of higher priority than older records and the scope may be limited accordingly.

I am treating your correspondence as a request for information under the Freedom of Information Act 2000 (FOIA).

The Ministry of Defence (MOD) neither confirms nor denies (NCND) whether it holds any information in scope of your request.

We are not obliged to confirm or deny whether we hold the information you have requested as if held its release could jeopardise ongoing legal matters under Section (30(1) Criminal Investigations and Proceedings and Section (40) Personal Data of the FOI Act.

Whilst there is a public interest in noting details of those who have been prosecuted under the byelaws it does not outweigh the very strong public interest in protecting the identity of those individuals and details of ongoing investigations. If the MOD confirmed that information was held in relation matter this would provide public confirmation of previous and ongoing prosecutions. Providing such confirmation could prejudice any ongoing investigations and also lead to accusations of breaches of the data protection act.

I am satisfied in this case that the balance of the public interest lies in the application of the NCND position.

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.gov.uk](mailto:CIO-FOI-IR@mod.gov.uk)). Please note that any request for an internal review should be made in writing 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,

DIO Secretariat