



Ministry
of Defence

Ministry of Defence
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Ref: FOI2017/04422 (02-01-41)

Bart Joseph
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7 March 2017

Dear Mr Joseph,

Thank you for your clarification email, dated 14 March, following on from your original request on 17 February:

- 1. Is it true that the MOD has opted out of the Common Law System?*
- 2. If so provide all records to do with this (documentation, details of how this is actually possible to do etc.).*

When I refer to the common law system, I mean the law of this land which is common law. We live in a common law jurisdiction. Not to be confused with statute law.

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 that no information in scope of your request is held.

Under section 16 advice and assistance however I can confirm the Ministry of Defence has not opted out of the Common Law System.

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 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 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,
<https://ico.org.uk/>.

Yours sincerely,

CENTRAL LEGAL SERVICES