



## Ministry of Defence

Ref: FOI 2018/06675&6282

Ministry of Defence  
DBSCIO KI-Records FOI  
PP34 20 Store Bldg 2/003  
HMNB Portsmouth  
PO1 3NH

Telephone [MOD]: +44 (0)23927 25139

Facsimile [MOD]: +44 (0)23927 25257

E-mail [DBSKI-RRFOI@mod.uk](mailto:DBSKI-RRFOI@mod.uk)

Mr J J Evans

E-mail address: request-483230-  
f19ef2de@whatdotheyknow.com

14<sup>th</sup> June 2018

Dear Mr Evans

Thank you for your email of 9<sup>th</sup> and 16<sup>th</sup> May requesting the following information:

*“An inventory list of files you hold which contain any of the following keywords in the title where the content of those files is likely to cover periods between 1974 - 1986:  
HIV, AIDS, HTLV-III, Hepatitis  
Where possible the inventory list should contain the full title of the file, the approximate period covered and the internal reference number for the file.”*

I am treating both your e-mails as requests for information under the Freedom of Information Act 2000 (FOIA) and will answer them together in this response.

A search for the information has now been completed within the Ministry of Defence, and I can confirm that some information in scope of your request is held.

The Ministry of Defence holds a large volume of files which are currently being reviewed with the intention of transferring them to The National Archives (TNA) within the next 18 months and there are several files which fit your criteria within this tranche of records. Once information has been transferred to (TNA), it is available for inspection by members of the public.

Section 22 of the FOIA allows public bodies to exempt the information requested if it is held with a view to publication; the information you request in your email will therefore be withheld under Section 22. Section 22 is a qualified exemption and therefore subject to a Public Interest Test. The Public Interest Test found that the public interest in maintaining the review and transfer programme to ensure that all information is available for transfer outweighed the interest in releasing selected parts, and therefore on balance the information should be withheld.

I should also advise you that the majority of records for the period you are looking at will have already been through the review process and those which have survived will already be available at TNA.

The address of The National Archives is:

The National Archives,  
Kew,  
Richmond,  
Surrey,  
TW9 4DU.  
United Kingdom

Web Address: <http://www.nationalarchives.gov.uk>

Its catalogue (<http://www.nationalarchives.gov.uk/catalogue/search.asp>) is available on the web so you will be able to search for files, although you will not be able to view any documents online.

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, 1st Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail [CIO-FOI-IR@mod.uk](mailto: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,

DBSKI-RRFOI Team