



Ministry of Defence

Service Prosecuting Authority
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Ref: FOI2018/10821

Ms Carla Ferstman
request-512184-2b2d6771
@whatdotheyknow.com

18 Oct 18

Dear Ms Ferstman,

Thank you for your email dated 21st August 2018 requesting the following information:

"Could you share with me the list and status of cases currently under DSP review? In particular, the status of IHAT 87 (Saeed Shabram / Saeed Radhi Shabram Wawi Al-Bazooni); and IHAT 153 (Baha Mousa)?"

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

For the purposes of this response to your request concerning cases currently under DSP review as at 21 Aug 18, and in the context of the request for information, where you have referred to cases "under DSP review" we have deemed this to mean "IHAT" cases that have been referred to the SPA for review under section 116(2) of the Armed Forces Act 2006, or where charges have been brought by the SPA and the case has not yet been concluded.

A search for the information has now been completed within the Service Prosecuting Authority, and I can confirm that as at the date of your request, no cases were under DSP/SPA review.

Concerning your request as to the status of IHAT 87, this case has previously been subject of a referral to the SPA, and a decision was made not to prosecute. It is currently with the Iraq Fatality Investigations enquiry under Sir George Newman. Information can be found on it's website at: <https://www.gov.uk/government/collections/iraq-fatality-investigations>. The request for information as to its status as at 21 Aug 18 is therefore exempted under section 21 FOIA (Information Reasonably Accessible to the Applicant).

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). Please note that any request for an internal review should be made 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,

A handwritten signature in blue ink, appearing to be 'S+PA', is written above the printed name.

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