



Ministry of Defence

Air Command Secretariat
Spitfire Block
Headquarters Air Command
Royal Air Force
High Wycombe
Buckinghamshire
HP14 4UE

Our Ref: 2016-05286

Mr Richard Morris-Prewitt

Email: request-329786-3198de07@whatdotheyknow.com

13 June 2016

Dear Mr Morris-Prewitt

Thank you for your email of 18 May 2016 requesting the following information:

I would like to request a copy of the initial submission removing all officials details. If this falls outside of the FOI request under Section 35/36 I would like to know who the submission was submitted to within Government and what section within Air Command submitted the Ministerial Submission.

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 information in scope of your request is held. I have assumed that you are referring to the May 2012 submission.

As you are aware all previous requests for release of Ministerial Submissions relating to the RAF Accelerated Incremental Progression have been withheld under Section 36. The Department's position remains unchanged and the information that you have requested is being withheld under Section 36 of the FOI act - Information which, if disclosed and not exempt under Section 35, would prejudice the effective conduct of public affairs.

Section 36 is a qualified exemption and, as such, it is necessary to decide whether, in all the circumstances of the case, the public interest in maintaining the exemption outweighed the public interest in disclosure. Whilst there is public interest in the operation of Government being as open and transparent as possible and in understanding how Government reaches decisions and discharges its public functions.

It was assessed likely that disclosure of the information would inhibit public officials from providing free and frank advice. The impartiality of the Civil Service could be undermined if advice was made public as there is a risk that officials could come under political or public pressure not to explore all options. It is for these reasons that we do not believe it would be in the public interest to release this information.

However, I can inform you that the May 2012 Ministerial Submission was submitted to a Defence Minister by the Air Command Secretariat.

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, 2nd 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, <http://www.ico.gov.uk>.

Yours sincerely,

[Original signed]

Air Director Resources Secretariat
Air Command