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Our Reference: Army/Sec/03/12

Date: 11 December 2012

Dear Mr Deacon,

Thank you for your correspondence dated 19 November, 23 November and 3 December. Your questions have been considered to be requests for information in accordance with the Freedom of Information Act 2000. You requested the following information:

19-11-2012-123903-007 dated 19 November 2012

- 1) How Many Foreign and Commonwealth soldiers have been or are facing deportation due to criminal records?
- 2) Of all the foreign and commonwealth soldiers deported or facing deportation in 1) How many have sustained injuries in the course of fighting for our country?
- 3) Of those in 1) how many received a trial that would be deemed article 6 of the ECoHR compliant?
- 4) Of those in 1) How many faced prank arrests or were ordered to decline their right to legal representation and the police interview tapes subsequently edited to hide that?
- 5) Of all the foreign and commonwealth soldiers now classed as illegal immigrants in the country that they fought for, (exempt of any NHS health care they may need, unable to pay income tax and therefore find employment). How much longer will they have to wait for the MoD to stop protecting its top officers and suppressing an enquiry to gain residency in the country they fought for?

23-11-2012-153322-010 dated 23 November 2012

Below is a Report from the SCC to the defence select committee:-

<http://www.publications.parliament.uk/pa/cm201213/cmselect/cmdfence/writev/service/service.pdf>

Subject to the freedom of information act 2000 can I request:- 1) Any minutes of meetings resulting from the recommendation of human rights training? 2) Any Minutes of meetings resulting from the recommendation of independent oversight of RMP and Army Legal Services.

03-12-2012-102823-005 dated 3 December 2012

Can I request under the freedom of information act 2000, the final copy of the full report submitted to the Defence Select Committee by Major McLeod entitled Army abuses of power echoes of Deepcut.

I am also aware that on 9 and 14 November 2012 you also made three separate requests for information relating to the Service Justice System; the Ministry of Defence responded to these on 6 December. Under the Appropriate Limit and Fees Regulations public authorities are able to aggregate two or more requests if they "relate, to any extent, to the same or similar information".

These rules have been previously explained to you, not least by the Ministry of Defence's Chief Information Office at internal review.

In this case, all your requests are for information pertaining to the Service Justice System, and they were all received within a period of sixty working days. Your requests have therefore been aggregated and, in line with the regulations, the estimated cost of complying with any of the requests is taken to be the total costs of complying with all of them. I can confirm that we may hold information on the subjects you have requested. However, it has been assessed that the costs which we will incur in providing this information will exceed the appropriate limit. This appropriate limit is specified in regulations and for central government is set at £600. This represents the estimated cost of one person spending three and a half working days in determining whether the Department holds the information, and locating, retrieving and extracting the information. Under the terms of Section 12(4) of the FOI Act, this means that we are not obliged to comply with your request.

The MOD may be able to provide information requested if you reduce or refine your request to bring the cost of compliance under the limit. Please contact me if you would like to refine your request or require advice on doing so.

Finally, you are advised that to avoid future requests being aggregated you should allow 60 working days from the date of this letter before submitting a further request relating to the Service Justice 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 Head of Corporate Information, 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,

Army Secretariat