



MINISTRY OF DEFENCE
FLOOR 5, ZONE D, MAIN BUILDING
WHITEHALL LONDON SW1A 2HB

Telephone 020 721 89000
Fax: 020 721 87140
E-mail: defencesecretary-group@mod.uk

SECRETARY OF STATE

MSU 4/7/2/1

30 July 2010

Dear Andrew,

In his Decision Notice published on the 15 June 2010, the Information Commissioner decided that MOD had correctly withheld, under a range of exemptions within the Act, the majority of the information in the scope of your Freedom of Information request of 21 April 2008 regarding the detention of individuals in Iraq and Afghanistan.

He also decided that the Department had incorrectly applied the section 38 (health & safety) exemption to some of the information withheld relating to the name and titles of individuals cited in and contributing to the report "Review of Detention Practices in Iraq and Afghanistan". These were redacted from the extract provided at Attachment A to Des Browne's letter dated 7 July 2008. In taking the steps required by the Information Commissioner, I should inform you that the author of the report was "Lieutenant General GCM Lamb CMG DSO OBE, Commander Field Army" and that the full text of the relevant paragraph (with the post titles previously withheld shown in bold italics) reads:

"Extent of Review. As directed, **Commander Field Army (CFA)** conducted a short notice 48hr visit to Iraq (4-7 March), accompanied by **DGLS DOIHL, ADPol2 CT&UK Ops** to carry out a rapid audit of current practice relating to UK forces' detention operations in Iraq followed by a short period of policy and legal audit at PJHQ and Main Building."

Whilst only the acronyms of the post titles are described in the recorded information held, in the interests of transparency, it may also be helpful to explain that the full post titles mentioned above are: Director General Legal Services Directorate Operational and International Humanitarian Law; and Assistant Director 2 Policy Counter Terrorism and United Kingdom Operations.

I hope this is helpful. The Department is currently considering its position in respect of the other IC's Decision published on 15 June, concerning your related request for information about detainees in Iraq and Afghanistan.

Yours ever,
Liam

The Rt Hon Dr Liam Fox MP

Andrew Tyrie MP
House of Commons