



Department for Transport

Andrew Tyrie MP
All Party Parliamentary Group on
Extraordinary Rendition
House of Commons
London
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Our Ref: F0011695

22 September 2014

Dear Mr Tyrie,

Request for Information regarding flights into Diego Garcia between 1 September 2001 and 31 December 2008

Thank you for your request of 20 August for all records held by the Department for Transport of any aircraft landing in the British Indian Ocean Territory between 1 September 2001 and 31 December 2008. Your request was received on 22 August and I am dealing with it under the terms of the Freedom of Information Act 2000.

I can confirm that the Department does hold information that you are seeking.

The FOI Act obliges us to respond to requests promptly, in any case no later than 20 working days after receiving your request. However, when a qualified exemption applies to the information, the public interest test needs to be considered. We are not required to comply with your request until such time as is reasonable in the circumstances. We do, of course, aim to make all decisions within 20 working days, including in cases where we need to consider where the public interest lies in respect of a request for exempt information. Your request, however, raises complex public interest considerations which must be analyzed before we can come to a decision on releasing the information.

The exemption that applies to the information you have requested is Section 27(1) Disclosure of Information which would, or would be likely to, prejudice relations between the United Kingdom and any other State, as the information held includes details of aircraft owned or operated by a third country or countries.

In your case we need to extend our response time limit by 20 working days in order to assess whether the public interest is in withholding the information or disclosing it. Therefore, we plan to let you have a response by 20 October. If there is a need for any further delay we will keep you informed.

If you have any queries about this letter, please contact me. Please remember to quote the reference number above in any future communications.

If you are unhappy with the way the Department has handled your request or with the decisions made in relation to your request you may complain within two calendar months of the date of this letter by writing to the Department's Information Rights Unit at:

Zone D/04
Ashdown House
Sedlescombe Road North
Hastings
East Sussex TN37 7GA
E-mail: FOI-Advice-Team-DFT@dft.gsi.gov.uk

Please see attached details of DfT's complaints procedure and your right to complain to the Information Commissioner.

Yours sincerely,



David Shephard

Your right to complain to DfT and the Information Commissioner

You have the right to complain within two calendar months of the date of this letter about the way in which your request for information was handled and/or about the decision not to disclose all or part of the information requested. In addition a complaint can be made that DfT has not complied with its FOI publication scheme.

Your complaint will be acknowledged and you will be advised of a target date by which to expect a response. Initially your complaint will be re-considered by the official who dealt with your request for information. If, after careful consideration, that official decides that his/her decision was correct, your complaint will automatically be referred to a senior independent official who will conduct a further review. You will be advised of the outcome of your complaint and if a decision is taken to disclose information originally withheld this will be done as soon as possible.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF