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Registered File Disposal Form

MOD Form 262F
(Revised 9/01)

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UFOs - Policy

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 (Prefix and Number): DIDPR(Sec)6411
 Part: E

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LOOSE MINUTE

DG Info/3/2/3/2 & 3/2/11

22 November 2002

PS/USofS

Copy to:

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DCC (News)

PS/2nd PUS

DAS

PS/Personnel Director

D Info(Exp)

Parliamentary Clerk

**LORD CHANCELLOR'S ANNUAL REPORT ON IMPLEMENTATION OF THE
FREEDOM OF INFORMATION ACT 2000**

Reference A: DG Info 3/2/3/2 dated 13 September 2002

Issue

1. The intention to highlight MOD's publication of information on alleged UFO sightings at a Ministerial briefing for the media to publicise the Lord Chancellor's annual report on implementation of the Freedom of Information (FOI) Act.

Recommendation

2. US of S is invited to note that:
 - The MOD information to be highlighted at the LCD press conference is already in the public domain
 - The lines to take at Annex A will be available for use by the MOD Press Office in the event of enquiries.

Timing

3. Priority. The Lord Chancellor's Annual Report is to be printed on 27 November, and Yvette Cooper will hold a briefing for media representatives the following day.

Background

4. On each anniversary of Royal Assent (30 November), the Lord Chancellor is required to report to Parliament on the progress that has been made in implementing the FOI Act. An advance copy of the 2002 report is attached (*please note that this has a public embargo until midnight on 28 November*). We had an opportunity to comment on this in draft and the three references to MOD (on pages

19, 21, and 26) are non-controversial. Printing of the report is due to be announced through arranged PQs on 27 November.

5. To coincide with the Lord Chancellor's report, the Minister with lead responsibility for FOI - Yvette Cooper - intends to hold a media briefing on 28 November. As the main intention is to highlight tangible achievements, the briefing will focus on government department Publication Schemes. Under the timetable announced by the Lord Chancellor last year the requirement was for all such Schemes to be approved by the Information Commissioner and then published by 30 November 2002. I am pleased to report that we have received confirmation that our Scheme (circulated under Reference A) has secured the necessary approval: final arrangements are now in hand to make the Scheme available on MOD's internet site from 30 November.

6. Mrs Cooper was conscious that in promoting the value of Publication Schemes, it would be necessary to show that they would be the vehicles for making available some significant information that had not been available previously. Her staff therefore asked all departments to identify positive examples to demonstrate the value of the initiative. Unfortunately, the response was not as positive as LCD had hoped.

7. MOD's Publication Scheme does include a significant amount of material that has not been generally available in the past but, like other departments, we found it difficult to offer examples that would be eye-catching to a non specialist audience. One subject that continues to attract somewhat wider interest, however, is the alleged sighting of UFOs. It was for this reason that a Class of Information on the subject was included in the Scheme. In light of the disappointing reply from other departments, LCD have seized on this as a positive example to cite in the media briefing. As the information constitutes a class within the Publication Scheme it would be difficult to withhold our agreement to this plan. However, we have stressed that the subject does not form part of core MOD business and that it should not be portrayed as such! Having said this, it is a fair example of the benefit that might flow from having a Publication Scheme: by making such material available proactively it will be possible to reduce the administrative effort involved in handling individual requests.

8. We understand that Mrs Cooper intends to draw attention to the Class of Information in her general brief and that a briefing pack provided to media representatives will then include an extract from one of the information items (The Rendlesham Forest file). This file has been disclosed in the past to individual applicants but it has not been made generally available. Enclosure 1 gives some background about the file and the Class of Information in which it sits.

Presentation

9. Clearly, by holding this media briefing, LCD aim to gain some positive media coverage. While it is certainly true that government departments have had to put a lot of effort into producing their Publication Schemes it is quite possible that some sectors of the media will nonetheless be critical of the initiative and doubtful about claims that there is a genuine move towards greater openness. Indeed, the briefing could be taken as a cue to flag up examples where government has resisted calls

for information to be released. In this context, and as a defensive measure, we have alerted LCD to the fact that an appeal about non-disclosure of MOD information is currently being considered by the Parliamentary Ombudsman. This appeal – which relates to information about nuclear weapon accidents – was instigated by Mr Rob Evans. Two articles written by Mr Evans on the subject were published in The Guardian last year. Annex A provides lines to take by MOD's Press Office in the event of enquiries on this matter or on the subjects which are due to be covered at the LCD Press Conference.

10. The Lord Chancellor Department have assured us that there will be liaison between departmental press offices.

Section 40

Info(Exp) – AD Access

St Giles 830

Section 40

The Rendlesham File



Some time after the reported sighting of UFOs in the vicinity of RAF Woodbridge - then a USAF base - in December 1980, DS8 (a forerunner of the current DAS), compiled a file to bring together papers on the subject. This has become known as the 'Rendlesham File' - a reference to Rendlesham Forest, the area where the unexplained lights were seen.

Within the community of UFO enthusiasts, this is one of the most noteworthy 'sightings'. It has attracted significant interest and speculation over the years, and it is the subject of a recent book. In April 2000, Section 40 a private researcher, sought access to the information held by MOD on the alleged incident. After reviewing the file in light of the Code of Practice on Access to Government Information, DAS concluded that there was no basis for withholding the majority of the contents. Accordingly, Section 40 was provided with all but a few documents. After review, these further papers have also been disclosed.

To date the Rendlesham File - which amounts to over 170 pages - has also been requested and disclosed to around 20 other members of the public. It is included in the following 'Class of Information' within MOD's Publication Scheme:

"Unidentified Flying Objects:

MOD's policy statement on alleged UFO phenomenon, and reports which have been released to the public from November 2002 unless otherwise stated."

Lines to take: Freedom of Information (FOI) Act 2000

MOD Publication Scheme - General

What is the scope of MOD's Publication Scheme?

The Scheme covers the whole of MOD. This includes the department of state, the Armed Forces, Agencies, and Trading Funds. Some of the Non-Departmental Public Bodies affiliated to MOD have also elected to be a part of the MOD Scheme.

Has MOD's Scheme been approved by the Information Commissioner?

Yes, we received confirmation of this in a letter dated 12 November. The Scheme has approval for four years (till November 2006).

How many classes of information are included in MOD's Publication Scheme?

There are 111 Classes of Information and almost 1000 items within the scope of these Classes [N.B. the Rendlesham File is regarded as 1 item although it is made up of over 170 separate documents.]

What subjects do the Classes of Information cover?

A wide range – including recruitment and personnel policy, education of service children, scientific papers, climatological information; military low flying, operational analysis reference documents, and public access to the defence estate. MOD will publish material in accordance with the definition of each Class of Information.

Is this now the main channel for releasing information?

Publication Schemes are the channel through which public authorities commit to releasing defined 'Classes of Information' on a continuous basis. Not all information is suitable for dissemination in this way – dynamic information on current news items will continue to be more appropriate for publication on a website.

Any plans to expand the Publication Scheme?

Under the terms of the FOI Act public authorities have to keep their Publication Schemes under review. As part of this process we intend to look for opportunities to add new Classes of Information to the Scheme.

MOD Publication Scheme – The Rendlesham File

Why hasn't this file been published before?

MOD has released the file to individual members of the public on request, but the Publication Scheme provides an opportunity to make it more generally available.

What makes the file appropriate for inclusion in the Publication Scheme?

The FOI Act requires public authorities to take account of the public interest when deciding the content of Publication Schemes. We know from the number of previous enquiries that this subject is of interest to members of the public.

Cont./

Why does MOD take an interest in UFOs?

The MOD examines reported sightings solely to establish whether they present any evidence that the United Kingdom's airspace might have been compromised by hostile or unauthorised air activity.

Open Government - General

How is MOD embracing the culture of openness?

It is currently MOD policy to comply with the Code of Practice on Access to Government Information. The Code is being supplanted by the Freedom of Information (FOI) Act which will place important new responsibilities on public authorities: MOD understands this and intends to take its statutory obligations very seriously.

[If needed]

Well aware that MOD is seen by many as being a secretive Department. Don't believe this is entirely fair. A determined effort has been made in recent years to make more information public and this effort will be redoubled with implementation of the FOI Act.

Open Government – Investigation by the Parliamentary Ombudsman

Defensive – only if needed:

True that MOD is being investigated for withholding information?

Under the Code of Practice on Access to Government Information, MOD is entitled to withhold information if it is covered by an exemption and we believe that the harm associated with disclosure outweighs the public interest. If the applicant wants this decision to be reviewed he can ask for a review: the Parliamentary Ombudsman is currently conducting a review involving MOD.

What does the information relate to?

Not appropriate or relevant to go into details.

If pressed or asked to confirm the subject: Relates to the circumstances of accidents involving nuclear weapons.

Doesn't this investigation confirm that MOD is not committed to openness?

Not at all. The Code of Practice and the FOI Act both recognise that there will always be some information that it would be inappropriate to make public. The investigation simply shows that the decisions taken by public authorities can be subject to independent review.



Freedom of Information

Annual report on bringing fully into force those provisions of the Freedom of Information Act 2000 which are not yet fully in force

NOVEMBER 2002

Presented to Parliament by the
Lord Chancellor
pursuant to section 87(5) of the
Freedom of Information Act 2000

Ordered by the House of Commons
to be printed 27th November 2002



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Foreword

By Lord Irvine of Lairg, The Lord Chancellor



I am pleased to be able to lay before Parliament the second Report on proposals for implementing the Freedom of Information Act.

While the progress made in the first year since the Act was passed

was both encouraging and necessary, this primarily involved setting up the relevant structures to co-ordinate the implementation of the Act and the making of technical legislative provisions. I am happy to announce that this year has seen the coming into force of the first tangible aspects of the Act, in accordance with the implementation timetable for the Act which I announced on the 13th November 2001. Over the course of the year my Department has been engaged in consulting on and drafting a range of secondary legislation and Codes of Practice which implement significant parts of the Act.

The most important step in the implementation of the Act this year has been the coming into force of the publication scheme provisions of the Act for the first wave of public authorities. This places a statutory duty on those authorities, including all central government departments, to set out the information that they publish and are committed to publishing in the future. Publication schemes should be an important catalyst for changing the cultural attitudes of public authorities and encouraging the proactive dissemination of information. They should serve as a motor for the declassification of previously unavailable information.

Earlier this month I laid before Parliament two Codes of Practice under sections 45 and 46 of the Act. Respectively, these specify the practices which public authorities should follow in dealing with requests for information and with confidentiality clauses in contracts with public authorities; and in records management procedures. In addition an

order has been made which extends the coverage of the Act to include further public authorities. The rules of procedure for the Information Tribunal have also been amended to give it the power to decide on complaints about authorities' publication schemes.

At the same time as this Report is published I have also announced the publication of an updated Report on the review of statutory provisions concerning disclosure of information. This Report identifies 97 pieces of legislation which unnecessarily prevent the disclosure of information which the Government intends to repeal or amend. This evidences the Government's determination to remove unnecessary secrecy.

Together these are important steps in the implementation of the Act, but there is still much to do in those parts of the public sector still preparing for the coming into force of the publication schemes provisions. All public authorities should also be developing a continuing programme of work to ensure the right of access operates smoothly and effectively from January 2005.

There are many elements to ensuring successful implementation. Good records management and administrative procedures need to be in place to ensure that authorities have the capability to deal with requests for information. Staff will need to be trained so that they know what the requirements of the Act are and can process requests for information correctly. But perhaps the most important step to be taken is for there to be a clear acceptance of responsibility at senior level to ensure that these changes take place and that they are co-ordinated in the most effective manner. Freedom of information requires a fundamental re-examination of the ways in which authorities carry out their work and communicate what they do. Without co-ordination at a senior level of the disparate policies to bring this change about, authorities

will not reap the benefits the Act can bring. Details of how central Government is tackling this issue can be found later in this Report.

This Report details the progress that is being made on these fronts, particularly in those public authorities included in the first wave of implementation. I look forward to being able to report in future on the progress made in the successive waves.



The Rt. Hon The Lord Irvine of Lairg
27 November 2002

2 Highlights of the Year

Since the Lord Chancellor's last report to Parliament in November 2001 there has been significant and tangible progress made on bringing into force important provisions of the Freedom of Information Act 2000. This builds on the progress made in the first year of the implementation of the Act which, for the most part, involved ensuring that the relevant structures in Government were in place and that the requisite legal provisions had been made.

As the Lord Chancellor announced on 13 November 2001, the Freedom of Information Act will be implemented in stages, according to a rolling programme. November 2002 sees the first significant provisions of the Act come into force. Achievements this year include:

- Extending the coverage of the Act to include more public authorities (see section 4.1).
- The coming into force of the publication scheme provisions of the Act for the first wave of public authorities, including all central government departments and many non-departmental public bodies (NDPBs). By 30 November this year, all these public authorities will have adopted a publication scheme, approved by the Information Commissioner, which details the classes of information that they will make available to the public.
- The issuing of the code of practice under section 45 of the Act. This sets out the practices which public authorities should follow when dealing with requests for information and other matters including how they should provide for openness in contracts they sign (see section 4.2).
- The issuing of the code of practice under section 46 of the Act. This sets out the practices which public authorities should follow in managing their records (see section 4.3).
- The publication of an updated report on legislation prohibiting the disclosure of information. This identifies 97 items of legislation prohibiting the disclosure of information which the Government intends to repeal or amend (see section 5).

A full list of the provisions of the Act which are already in force, and the timetable for the implementation of the rest of the provisions of the Act are included at Annex A of this report.

In addition, work is being undertaken throughout the public sector to prepare for the implementation of the Act. This report provides an update on the preparations being made in each wave of implementation with a particular focus on the progress made by authorities included in the first wave. Much of this progress has been driven by the need for these authorities to produce a publication scheme under the Act. Following consultation with other government departments the Lord Chancellor's Department issued guidance on publication schemes for central government departments and non-departmental public bodies in July this year to supplement that produced by the Information Commissioner. This guidance is reproduced in Annex C. The report also looks at the progress that has been made across a range of areas including training and awareness raising, administrative and organisational structures, and records management. Good practice examples are included in section 3 and section 6.1 below.

Existing Schemes for Access to Information

There is still a great deal of work to be done until the full right of access comes into force in January 2005. Although the publication scheme requirements of the Act will come into force from November 2002 onwards, members of the public should be aware that they do not need to wait until the access right comes into force before they can make requests for information held by public

authorities. A range of schemes already exist, some administrative, others statutory, which govern how authorities should respond to requests for information. Public authorities will also benefit from considering how well they are operating the existing regimes and the lessons which these provide for implementing the mechanisms and procedures for compliance with the Freedom of Information Act. The existing schemes include:

- * The Code of Practice on Access to Government Information remains in force and sets the standard for responses to individual requests for government departments and other public bodies within the remit of the Parliamentary Commissioner for Administration (the Parliamentary Ombudsman).
- * The Code of Practice on Openness in the NHS sets out similar standards for requests for information to NHS bodies.
- * The Data Protection Act 1998 gives an access right to personal information held by public and private bodies.
- * The Environmental Information Regulations have been in place since 1992 and apply to public authorities with responsibilities for the environment, giving a legal right of access to information relating to the environment.
- * There are also long standing rights to certain local authority papers which were extended by the regulations made under the Local Government Act 2000.

More detailed information on these access regimes is included in Annex D of this report.

3. Examples of Good Practice in Public Authorities

The Government believes that for public authorities to be fully prepared to comply with the Freedom of Information Act particular attention must be paid to certain aspects of how they function. The important themes which public authorities need to consider include; the need for responsibility for implementation to reside with senior management; the need for a coherent organisational structure to deal with freedom of information (FOI) and related issues; the development of clear administrative procedures to record and process requests for information; good records management, including undertaking information audits and making the necessary links to programmes introducing electronic record management; consulting publicly on the content of publication schemes; and training programmes for staff.

One of the best ways of assisting authorities in their preparations for the implementation of the Act is to highlight and disseminate examples of good practice. The returns that authorities in the first wave of implementation were asked to submit for this report contained examples where authorities have been particularly innovative, or well organised in preparing for the Act. A summary of the good practice examples which illustrate some of these themes are listed below. These examples are explained in more detail and can be found, along with further examples of good practice, in section 6.1 of this report.

- **Department for International Development:** A new Director of Information will shortly be appointed who will have strategic responsibility for all IT and Open Government issues. Strategy and performance in these areas are set by the Knowledge and Communications Committee, a sub-committee of the management board on which a cross section of senior management sit.
- **National Assembly for Wales:** An information audit was carried out as preparation for the draft publication scheme, and the draft scheme was put out to full public consultation. The scheme will be available both electronically and paper copies will be distributed to a number of public institutions including all libraries and Citizens' Advice Bureaux.
- **National Assembly for Wales:** A new scheme is being piloted that will enable the facts upon which Ministers make decisions to be published openly on a routine basis. The Welsh Assembly Government will make the results of the project available once it is completed.
- **Office of the Deputy Prime Minister (ODPM)/Department for Transport (DfT):** A single records catalogue of all ODPM and DfT records is being completed, and both departments plan to introduce an electronic document and record management system from 2003.
- **Lord Chancellor's Department:** A preliminary pilot of a proposed record management system called TRIM was undertaken which will inform implementation plans for full rollout in 2003.
- **Foreign and Commonwealth Office:** A formal training scheme for staff has been developed in conjunction with external consultants. Freedom of information issues are also included in separate records management training courses.
- **Department for Education and Skills:** A specific intranet site has been developed which provides procedural guidance for staff on freedom of information and related issues, as well as links to relevant external sites.

- **Department for Health:** A major correspondence management system is being developed which will allow staff to log information requests and monitor their progress. The system will help to enforce the time limits on providing responses and allow complex cases to be referred quickly to the freedom of information unit, and if necessary to lawyers.
- **Health and Safety Executive:** An audit of staffs attitudes to openness issues was conducted by an external consultant. This will be put forward to the HSE board together with recommendations for improvement.
- **Northern Ireland Office:** Awareness raising seminars have already been given to two thirds of staff.

4 Secondary Legislation

During the year a large amount of the work on implementing the Act has concerned the drafting of various orders and codes of practice. The list of public authorities to which the Act applies has been extended. The codes of practice under sections 45 and 46 of the Act, which set out important procedural guidelines for public authorities when dealing with requests for information and when managing their records have been consulted upon and issued. The rules of procedure for the Information Tribunal have also been amended to give it the power to decide on complaints in respect of public authorities' publication schemes.

The Lord Chancellor's Department has been the lead department involved in drafting these items of secondary legislation, although it has consulted extensively with other government departments, the Information Commissioner and the Advisory Group on the Implementation of Freedom of Information (see Annex B). The Department has also liaised with other government departments in order to identify those items of legislation which prohibit the disclosure of information, with a view to determining whether to repeal, amend or retain each item. (see section 5)

4.1 Section 4 Order

The Freedom of Information Act 2000 applies to all bodies and office holders who are identified as public authorities in one of three ways:

- either they are listed in Schedule 1 to the Act (which can be amended by order made under section 4); or
 - they are designated as a public authority by an order made under section 5 of the Act; or
 - they are a publicly-owned company as defined by section 6.
- The Government announced last November that the provisions in the Freedom of Information Act 2000 relating to publication schemes will come into effect this November for the first wave of public authorities. This wave comprises those bodies presently covered by the Code of Practice on Access to Government Information: that is, all government departments and those non-departmental public bodies within the jurisdiction of the Parliamentary Commissioner for Administration (the Parliamentary Ombudsman). Schedule 1 to the Freedom of Information Act 2000 already identifies as public authorities all government departments and a significant proportion of the relevant non-departmental public bodies. But it does not include all of the latter.
- Over the last year the Lord Chancellor's Department has been engaged in identifying public authorities which are currently not covered by Schedule 1 of the Act but meet the criteria below.
- That the body or office in question was established by Her Majesty's prerogative or by legislation; or
 - by a minister or government department or by the National Assembly for Wales; and
 - that in the case of a body, that it is wholly or partly constituted by appointment made by the Crown, by a minister or government department or the National Assembly for Wales; or
 - in the case of an office, that appointments are made by the Crown, by a minister or government department or the National Assembly for Wales.

A section 4 order was laid on 21 October to add some of these authorities to Schedule 1, thereby requiring them to comply with the provisions of the Act at the appropriate time. Further bodies will be added in future orders. This will be an annual 'housekeeping' exercise to keep the scope of the Act up to date.

4.2 Section 45 Code of Practice

Section 45 of the Freedom of Information Act 2000 requires the Lord Chancellor to issue, and from time to time revise, a code of practice setting out practices which he considers public authorities should follow in the discharge of their duties under Part 1 of the Act dealing with requests for information, and openness in contracts they sign. The same section sets out what the code must cover.

Working drafts of the code were circulated to government departments and other public sector organisations for comments. The Act requires that prior to laying before Parliament a code or revised code under section 45, the Lord Chancellor shall consult the Information Commissioner. Consultation with the Commissioner has taken place and the First Minister and Deputy First Minister in Northern Ireland, and the First Minister of the National Assembly for Wales have also been asked for their comments. The comments received have been taken into account in finalising the code.

The code was laid before Parliament on 20 November 2002. Much of it deals with the way public authorities should handle requests for information under the general right of access, so will not be applicable until 1 January 2005. However, the section concerning the handling of complaints by public authorities also covers complaints that a public authority is perceived as not complying with its publication scheme, and so will be applicable to many public authorities, including central government departments, from 30 November. In addition, the early issue of the code enables public authorities to have a clearer idea of what is expected of them in terms of good practice in handling requests for information.

The code will be reviewed in the light of secondary legislation and guidance, and amended/augmented as necessary.

4.3 Section 46 Code of Practice

Section 46 of the Act requires the Lord Chancellor to issue, and from time to time revise, a code of practice setting out:

- The practices which public authorities, and other bodies subject to the Public Records Act 1958 and the Public Records Act (Northern Ireland) 1923, should follow in managing their records; and
- The arrangements which public bodies should follow in the review and transfer of public records to the Public Record Office, places of deposit or the Public Record Office of Northern Ireland.

Working drafts of the code were prepared by the Public Record Office in consultation with other government departments. The final version reflects comments received from the wider public sector during a consultation exercise in 2000. It was also laid before Parliament on 20 November 2002.

Section 46 of the Freedom of Information Act requires that before issuing or revising any code under that section, the Lord Chancellor shall consult with the Information Commissioner and, in relation to Northern Ireland, the appropriate Northern Ireland Minister. This consultation took place, and in addition, the First Minister for the National Assembly for Wales was asked for his comments. All comments were taken into account in finalising the code.

Although the Commissioner will not be able to issue a practice recommendation until the general right of access provisions come into force, there was felt to be value in issuing the code early, enabling public authorities to have a clearer idea of what is expected of them in terms of good practice in records management and the review and transfer of public records.

4.4 Fees Regulations

There are order making powers in sections 9, 12(3), (4) and (5), and 13 which enable the Lord Chancellor to make fees regulations under the Act. These regulations apply to fees which authorities may charge for dealing with a request for information under the individual right of access, and

therefore must be in force by 1 January 2005. However, early availability of a final draft will be valuable to authorities in helping them to prepare for implementation of the Act.

Draft fees regulations have been circulated to government departments and other public sector organisations for both general comment and comments on specific issues, for example the precise definition of prescribed costs, in order to give more substance to the policy. The second draft of the fees regulations can be found on the LCD website at: www.lcd.gov.uk/foi/secleg.htm. Comments received are being considered and will result in a revised draft.

Work on the further development of policy in this area, a third draft of the fees regulations and development on associated guidance, will continue once the priority tasks associated with implementing the publication scheme provisions of the Act are achieved.

4.5 Information Tribunal

Amended rules of procedure have been prepared which will enable the Information Tribunal to consider appeals by public authorities against decisions of the Information Commissioner about their publication scheme. These make technical changes to the existing Data Protection Tribunal (Enforcement Appeals) Rules 2000 but do not provide for any substantial change to how the Tribunal will consider appeals.

Preparation of the rules of procedure follows a public consultation earlier in the year. The Council on Tribunals has also been consulted about the amended rules. A Statutory Instrument has been prepared and was laid before Parliament on 1 November.

A new chairman has been appointed to the Tribunal following the retirement of the previous chair. New members are being recruited to consider appeals under the freedom of information legislation.

Further amended rules of procedure will be produced in due course to enable the Tribunal to consider appeals under the Environmental Information Regulations and appeals under the full access rights provisions of the Freedom of Information Act. The Government will take account of comments received during the public consultation exercise in preparing further amended rules.

4.6 Environmental Information Regulations

There has been a right of access to environmental information since the current Environmental Information Regulations (EIRs) were issued in 1992 in accordance with the European Community Directive on Public Access to Environmental Information (90/313/EEC). In July 2000 the European Commission proposed a new Directive on Public Access to Environmental Information. The draft Directive aims to implement the requirements of the United Nations Economic Commission for Europe (UNECE) Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (the Aarhus Convention) to which the UK is a signatory.

The Department for the Environment, Food and Rural Affairs (DEFRA) consulted on the EIR proposals and the draft Directive in October 2000. They have subsequently drafted new Regulations in accordance with the proposed Directive and consulted publicly on them. The consultation exercise ended in October this year.

Section 74 of the Freedom of Information Act contains an order making power to allow EIRs to be made, which implement the provisions of the Aarhus Convention. However the draft Regulations are designed to give effect to a similar right of access to information, and specify similar procedures for public authorities supplying the information, for example:

- The duty to provide advice and assistance under section 16 of the Freedom of Information Act is provided for in the Regulations.
- If the applicant is unsatisfied after an internal reconsideration procedure, they will be able to apply for review by the Office of the Information Commissioner.
- Appeals from the decision of the Information Commissioner may then be made to the information Tribunal.
- There will be an EIR code similar to the code under section 45 of the Freedom of Information Act.
- Destroying information is an offence under both the Freedom of Information and Data Protection Acts. This offence will apply equally with respect to environmental information.

- Those public authorities covered by the EIRs that will need to abide by a publication scheme under the Freedom of Information Act might include proactive dissemination requirements of the EIR in their scheme.

There will however be some differences between the two regimes when they both come into force and their respective requirements will not overlap exactly. It is likely that some public bodies which will be subject to the Environmental Information Regulations will not be within the scope of the Freedom of Information Act because of a difference of definition in the Aarhus Convention. There are also differences in the exemptions that are to apply to requests for information. This means that wherever a refusal to supply information which relates to the environment is contemplated, the public authority will need to consider the exemptions under the appropriate regime. Also, unlike the Freedom of Information Act, the Environmental Information Regulations apply to oral requests.

Other details of the Regulations are subject to continuing European negotiations and need to await the adoption of the Directive.

For details of existing rights under the Environmental Information Regulations 1992 see Annex D.

5 Review of Legislation Prohibiting the Disclosure of Information

The Government is committed to reducing the amount of legislation which prohibits the disclosure of information.

To this end, it has initiated an ongoing review to repeal or amend as many items as possible either under the order making power in section 75 of the Freedom of Information Act 2000 or by other legislation.

An interim report was published in May 2002 listing how many such items have been identified. This has been updated and as of November 2002 a total of 381 separate items have been identified. Of these:

- 97 will be repealed or amended;
- 79 will be retained;
- 4 will be the subject of further consultation with affected parties; and
- 201 continue to be under review.

No timetable has as yet been agreed for the repeal or amendment of individual items but it is likely that most will occur following full implementation of the Freedom of Information Act 2000 in 2005.

Of the items identified for retention:

- 57 fulfil international obligations;
- 7 protect information which has been gathered under compulsion;
- 12 protect information which may be held by bodies and individuals not covered by the Freedom of Information Act 2000, and

- 3 protect information as part of a limited and specific access regime.

A detailed account of the review up to November 2002 is published separately at the same time as this report and can be found on the LCD website at: www.lcd.gov.uk/foi/foidoirpt2.htm

There is considerable public interest in some of the items identified, in particular:

- section 28 of the Health and Safety at Work Act 1974;
- section 118 of the Medicines Act 1968; and
- section 24 of the Animals (Scientific Procedures) Act 1986.

It has been agreed that section 28 of the 1974 Act will be amended to bring it in line with the Freedom of Information Act 2000. Repeal or amendment of the other two items will impact on a significant number of bodies and individuals. The Government will therefore consult with those likely to be affected before announcing a decision.

The review includes a number of items which provide discretion to disclose. The Freedom of Information Act 2000 will overlay these existing discretionary powers with an access right but will otherwise leave them unchanged. The Government will seek to amend or repeal as many of these items as possible.

The Government is aware that the effect of many of the items identified is to prohibit disclosure of information in perpetuity. The Government does not consider this to be desirable and will seek to introduce time limits into those items that are identified for retention.

Most of the items identified in the review so far are currently in use. The next stage of the review will include checking databases and other sources in order to identify obscure and dated items.

Legislation solely affecting Scotland, Wales and Northern Ireland has, with some small exceptions, not formed part of this stage of the review but will be included in the next stage.

This exercise is the first time in history that any Government has attempted in this way to list, and indeed to justify, provisions in its legislation which prohibit the disclosure of information. It fulfils part of the Government's commitment given in the White Paper *Your Right to Know*¹ to reduce the complexities and duplication in existing statutory and non-statutory access rights as far as possible.

¹ paragraph 1.5 *Your Right to Know: The Government's Proposals for a Freedom of Information Act* Cm 3818 December 1997.

6 Progress Towards Implementation

6.1 Report on the progress made by public authorities covered in the first wave of the implementation of the Act.

In November this year the first stage of the publication scheme provisions of the Act will come into force. This section reports on the progress that has been made by those public authorities which are included in the first wave of the Act's implementation, specifically all central government departments (with the exception of the Crown Prosecution Service and the Serious Fraud Office), both Houses of Parliament, the National Assembly for Wales and Assembly sponsored public bodies, and those non-departmental public bodies covered by the Code of Practice on Access to Government Information. All these organisations will be required to have publication schemes in place which list the classes of information that they will make publicly available.

6.1.1 Central Government and NDPBs subject to the Code of Practice on Access to Government Information

STRUCTURES IN GOVERNMENT

Overall responsibility for implementation of the Freedom of Information Act rests with the Lord Chancellor as head of the department with lead responsibility for the legislation. The Lord Chancellor chairs the cabinet sub-committee on freedom of information and data protection, which has representatives from all central government departments. Two interdepartmental groups of officials continue to support the work of the ministerial committee. The Senior Group on Information Policy consists of those senior officials from across Whitehall, and the devolved administrations, who have responsibility for implementing freedom of information and data protection (DP) legislation in their organisation. The remit of the group has been expanded over the last year to include overseeing policy on privacy and data sharing issues, as well as proposed national records and archives legislation.

This continuing involvement at senior level helps not only to ensure that implementation is taken seriously within departments, but also ensures a strategic and co-ordinated approach to related issues across government.

The Senior Group is supported by the Practitioner's Group on Freedom of Information. It consists of officials with knowledge and practical experience of dealing with open government issues and implementing freedom of information within their own departments. The Practitioners' Group deals with common issues relating to the implementation of the legislation and is a useful forum for sharing good practice and ensuring consistency in approach across central government. This has been of particular value in the preparation of department's publication schemes.

The Practitioners' Group also serves as the vehicle through which the Lord Chancellor's Department asks for reports on the progress made by departments in implementing freedom of information within their organisations. For this report departments were asked to comment on the progress made across a range of areas, as can be seen in the section below. Departments were also asked to provide an assurance that the NDPBs which they sponsor are aware of their responsibilities and are on track to meet their publication scheme commitments.

In addition to the two groups of officials the Lord Chancellor is also assisted by the Advisory Group on Implementation. This group, the formation of which was announced in last year's report, is made up of public sector representatives and independent experts. It advises the Lord Chancellor on the best practice to adopt and disseminate to public authorities in implementing the Act. Full details of the work of the Advisory Group over the last year appear in Annex B of this report.

PROGRESS REPORT

Cultural Change, Training and Awareness

Initiating the cultural change that is required to reverse the traditional premise in many public authorities that everything is secret unless otherwise stated to a position where everything is public unless it falls under a specified class of exemption is a process that will inevitably take time.

At this stage of the Act's implementation the main focus of departments and non-departmental public bodies has been on raising general awareness. This has been achieved through a variety of media such as bulletins in news letters and staff magazines, departmental intranets, as well as through more active means such as workshops and seminars.

While most departments are already embarked on a general programme of awareness raising, the majority of departments are still in the process of producing detailed training plans for their staff. Training plans need to be based on an accurate assessment of the needs of the organisation and timed to ensure maximum effectiveness. The majority of departments are planning to roll out training programmes in stages, starting with senior management (who can then cascade information to staff) and staff involved in record management. The combination of a targeted, incremental training scheme, together with

general awareness raising programmes should ensure that all staff have the skills they need to deal with the requirements of the Act.

Some departments have made substantial progress in preparing their training schemes and have already started running more formal training programmes for staff. Awareness of freedom of information issues is also being built into related training programmes, including data protection and record management which is an effective way of ensuring that staff make the necessary link between these issues and that they become integral to working practices, not simply seen as an additional requirement. Several departments, including the Home Office, the Department for the Environment Food and Rural Affairs, and the Public Guardianship Office have also incorporated freedom of information issues into induction training for new staff.

It is not just through awareness raising programmes and staff training that departments are trying to initiate cultural change. Some departments have thought of creative ways to change attitudes and challenge the usual ways of doing things. Bold approaches to change such as these are a real driver for changing people's attitudes and the working practices of organisations.

Department for Education and Skills: Training and Awareness

In the Department for Education and Skills (DFES) information including procedural guidance, frequently asked questions, and links to relevant external sites for freedom of information and related issues such as data protection and records management have been brought together on an intranet site called IOTA (Information Openness, Transparency and Access). There is also a 'what's new' section which enables staff to stay abreast of new guidance or changes. Guidance on IOTA is now available via an extranet facility to NDPBs.

Northern Ireland Office: Training

From March 2001 to 2002, the record management and review team ran a series of FOI awareness seminars aimed at staff at all levels across the Northern Ireland Office and its agencies. Approximately two thirds of staff attended the seminars. The presentation given at these seminars is now available on the department's public folders for all staff to access.

There will be a number of training initiatives in the next 18 months to help prepare for FOI access rights. All staff will attend a one-day training session on information management. The course, which has been designed by the record management and review team in consultation with the training department, will be delivered by external specialists. It will include freedom of information and data protection requirements. The importance of accurate titling and version control will also be covered.

Next year the Northern Ireland Office will run a series of seminars on exemptions under the Freedom of Information Act. All staff will be encouraged to attend and the presentation and any accompanying notes will be placed in the public folder.

In 2004 the department plan to deliver training on FOI access rights for those staff who will be dealing with the requests.

Foreign and Commonwealth Office: Training

The Foreign and Commonwealth Office (FCO) have already started running formal training on openness issues including data protection and freedom of information. The length of the course has recently been increased from half a day to a whole day in order to give more time to freedom of information and Environmental Information Regulations. The training scheme is being delivered in conjunction with external consultants. So far 239 members of staff have received formal training with 15 further courses are scheduled for this financial year (another 200 plus staff) and more planned for following years.

Separate registry training courses and general records awareness presentations, both run by Records and Historical Department, also include data protection and freedom of information messages. It is intended to build a freedom of information and data protection element into all relevant FCO training and develop a distance learning package for use by FCO staff overseas. The eventual aim is for all UK based FCO staff to have received some training in these areas.

Health and Safety Executive: Cultural Change

The Health and Safety Executive (HSE) commissioned an audit of staff's attitude to openness and transparency which was carried out by an external consultant. Interviews were conducted with representatives from all HSE directorates and the results of their findings have been put to the chair of the freedom of information project board. It will also be presented to the HSE board with recommendations on how to take forward measures for improvement. The audit report will subsequently be published on the HSE website.

The HSE have also issued general administrative procedural guidance on how to write documents for publication on their website including how to mark material exempt from disclosure. All key policy documents are therefore written and assessed for openness and given a status marking by the author, including explanation and justification for any exempted material.

Organisational Responsibilities, Structures and Planning

There is a need for departments to have the requisite organisational structures in place, both for them to be able to co-ordinate implementation of the Act, and for them to deal with requests for information when the full right of access comes into force in January 2005. While some departments are already well placed to deal with these changes others have undergone significant internal restructuring. In many instances departments have decided to bring together responsibility for implementation of freedom of information with related issues such as data protection and records management. These changes are often also reflected at senior management level with a senior official taking ownership of all related information management issues. This raises the profile of such issues within departments and ensures strategic oversight of the relevant schemes of work.

As well as having organised, well placed structures within departments with clear responsibility at senior level, the size of departments, particularly those who sponsor large non-departmental public bodies means that they must also have the networks in place to ensure a co-ordinated approach across the organisation. Most departments have established links with staff at an operational level which has helped to widen the ownership of Act within the organisation, act as a route for the dissemination of good practice, and help with the development of policy. These networks will also ensure that requests for information are dealt with as efficiently as possible.

Department for Education and Skills: Organisational responsibilities

Since May 2002 activities at the DFES which share the common themes of openness, accountability, protection and disclosure of information have been brought together in a new team dealing with records and information openness (RIO). The RIO team is led by the departmental records officer and provides opportunities for a more coherent approach as well as a more efficient use of resources. Specifically the RIO team are responsible for policy, advice and implementation on freedom of information, data protection, and records management – including electronic records and document management.

RIO forms part of the department's Information Services Division which comes under the Corporate Services and Development Directorate (CSDD). At senior level responsibility for all information issues lies with the Director-General for CSDD who is the department's e-government champion, chair of the FOI publication scheme project board, and chair of the electronic documents and records management project board.

Department for International Development: Organisational Responsibilities

At the Department for International Development (DFID) the implementation of freedom of information at operational level sits with the Open Government Unit within the Information and Civil Society Department. The Open Government Unit lead on freedom of information, data protection issues and records management. DFID is in the process of appointing a new Director of Information to which Information and Civil Society will report. Her/his new directorate will draw together oversight of knowledge sharing, information management, IT systems, IT records management and open government issues. Strategy and performance in these areas are set by DFID's Knowledge and Communications Committee, one of four sub-committees of the management board, on which a cross section of senior management sit.

In the current structure and division of responsibilities the Open Government Unit is well placed within Information and Civil Society Department to contribute to the development of DFID's electronic documents and records management (EDRM) system. The Unit's reporting officer is also responsible for developing DFID's knowledge sharing strategy.

Department for Work and Pensions: Structures

At the Department for Work and Pension (DWP) all activity required to implement the Act is undertaken by the Adjudication and Constitutional Issues Division, in consultation with representatives from the department's agencies and NDPBs (focal points), ensuring robust administrative processes are in place to facilitate the smooth handling and monitoring of freedom of information requests. A network of such focal points already exists, building upon structures in place for giving advice to field staff and handling requests under the code of practice. Adjudication and Constitutional Issues are supported by the Departmental Data Protection Unit (DDPU) who will become the first point of contact once fully trained. Following major re-organisation within DWP, including taking responsibility for Employment Services offices, they are currently identifying additional focal points from Jobcentre plus. In addition to the focal points they are setting up a network of information officers at local level by expanding the responsibilities of existing local data protection officers.

Health and Safety Executive: Structures (Networks)

The freedom of information implementation programme in the Health and Safety Executive includes the programme board, a project team, and a user group with representatives from all Directorates in the organisation. They have also set up a network of freedom of information and data protection contacts within each Directorate, and Nominated Open Government Inspectors (NOGIs), based in their regional offices. These officials are the experts for their respective Directorate and are monitored centrally by the External Engagement Branch. They ensure co-ordination, forwarding external requests for information as appropriate, and consulting others such as EEB and legal advisers, where necessary. The organisation has also appointed disclosure officers in all their regional offices to deal with regional requests for disclosure of information under the code, FOI, DP, EIR and Health and Safety at Work Act.

Administrative Procedures

Closely related to the need for departments to have efficient organisational structures is the need for them to have suitable administrative procedures in place, both to ensure that publication scheme commitments are met, and that departments meet the requirement of dealing with all requests within 20 working days of receipt.

Because of the amount of information which departments regularly produce they need to have the mechanisms in place to make sure that if information falls within one of the classes specified in their publication scheme they publish it in the requisite format and in a timely fashion. Where this material was previously unpublished departments may think about putting in place new procedures in order to 'trigger' publication. Many departments are still in the process of developing procedural guidance on how to ensure their publication scheme commitments are met.

Some however are looking at putting in place new content management systems for managing databases and electronically published material.

For the majority of departments procedures for handling freedom of information requests are still to be determined, although there are a variety of proposed approaches reflecting the different needs and size of departments. Some departments are planning to adapt the existing arrangements for dealing with requests under the Code of Practice on Access to Government Information and will initially at least have some central co-ordination of requests for information in order to assess the level and type of demand. Other departments, notably the Ministry of Defence and the Home Office are planning for requests for information to be dealt with at a local level by the relevant policy official because of the wide range of departmental responsibility.

Whichever way departments choose to deal with requests it is important that they have a system for recording and monitoring requests for information. This will not only ensure that requests are dealt with promptly and efficiently,

but will also enable departments to see the kinds of requests that are made. This may in turn prompt them to publish material pro-actively, both serving the needs of the public, and reducing their own workload.

Department for International Development: Monitoring

DFID are creating a publications database to ensure that all their published material enters the publication scheme. In order to trigger publication of previously unpublished material, they have (i) briefed the secretaries of DFID's top committees on their role and responsibilities and (ii) designated a publication scheme officer in Open Government Unit to ensure that the publication scheme is kept up to date with material available on DFID's intranet. In addition, the specification for their forthcoming EDRM system will require users to mark documents entering the system with an open government status and possibly trigger a 'workflow' to have the document posted on the FOI scheme.

Department of Health: Monitoring

Since FOI requests could be received at any point within the department a major infrastructural correspondence management system is being developed that will allow all staff to log information requests on receipt and record progress in responding to them. The system will help to enforce the time limits on providing responses, and will provide a fast track channel for referring complex cases to the FOI unit and, if necessary, to lawyers.

HM Treasury: Monitoring

In accordance with their current monitoring system for open government requests HM Treasury plan to keep a log of requests to obtain information on the people who have an interest in the information they hold, what subjects people are most interested in, and how much it costs to respond to requests. The log will also enable them to track cases to see when replies are due and whether target dates have been met.

Publication Schemes

The requirement for departments to adopt publication schemes has the potential to act as a real catalyst in promoting openness across Government. Most public authorities in the first wave have submitted their publication schemes to the Information Commissioner for approval. It is likely therefore that the majority of schemes will be approved by the Commissioner by 30 November.

Some departments already make a large amount of information publicly available. While the publication schemes should serve to categorise material that is already available, the challenge is for departments to make public information that was previously unavailable. Some departments have taken a thorough approach to the preparation of their publication schemes and carried out information audits and public consultation exercises to ensure that they make public as much material as possible.

Crown Estate: Publication Schemes

The Crown Estate carried out an audit of information resources in June 2002 to help in devising their publication scheme. There was also an assessment of information requests currently being received and a review of whether the public interest would be served by pro-actively providing each class of information within the publication scheme. A Working Group was set up to help with this work comprising a range of staff from within the organisation as well as an external consultant.

Many previously unpublished classes of information have been made available by the Crown Estate including the inventory of works of art and antiques owned by the Crown Estate, current terms of reference and structure of the committees and the board, current corporate membership, business planning and control cycles, human resources policies and procedures, internal audit policies and procedures, declaration of interest, Windsor estate policies and procedures, organisational chart and departmental structures and functions.

Case study: Learning the lessons from a pilot publication scheme

The Advisory Group on Implementation has also heard presentations on experience gained with pilot publication schemes under the Act. A speaker from the Ministry of Defence (MOD), which had drawn up a pilot publication scheme in the autumn of 2001, addressed the July meeting of the Group. The MOD had wished to participate in a pilot precisely because the challenges for it, in both organisational and cultural terms, were recognised to be significant. It had been a valuable exercise for the department and the lessons it had learnt in developing a publication scheme and could pass on to other authorities included: the need to recognise that the work preparing a scheme is labour intensive; the importance of promoting an understanding of the Act – in particular the statutory commitment to publish the material described in the scheme – at a senior level within the organisation, that compliance with this obligation would require awareness throughout the rest of the organisation; and recognition that culture change would take time. The MOD felt that producing the pilot had shown that a publication scheme would improve internal working practices, and it was therefore important for this potential business benefit to be recognised.

Case study: Meeting users' needs and building a culture of openness

The Advisory Group has been the stimulus for a joint initiative of the Newspaper Society and the Lord Chancellor. This built on the suggestion in the Information Commissioner's guidance that authorities should consult the public when considering what classes of information to include in their publication scheme. The Newspaper Society contacted regional newspaper companies, recommending to their editors of regional and local newspapers that they should conduct an analysis of information their publication had previously unsuccessfully sought from different authorities in their area which they thought should normally be freely available. Supported by an open letter to public authorities from the Lord Chancellor, endorsing the suggestion in the Commissioner's guidance, the Society urged editors to write to chief executives of public authorities, asking them when they would be likely to begin consultation on the contents of their publication scheme, enclosing the results of their analysis where appropriate and their own suggestions. The Lord Chancellor's letter made clear the results of the Newspaper Society's initiative would be fed back to him via the Advisory Group. There has been substantial interest from newspapers in taking the initiative forward. One regional newspaper group organised a day long seminar for its editors on the initiative, addressed by speakers from the Commissioner's office, the police and members of the Advisory Group. Other regional newspaper groups included dedicated sections on freedom of information, given by members of the Advisory Group, in their group conferences for their editors. It is hoped that the initiative will, by stimulating an open dialogue and consultation on the contents of publication schemes not only encourage authorities to address the needs of users of the Act, but also be a small step towards achieving one of the broader aims of the FOI Act: to increase public trust in the authorities which govern and provide services to them.

Records Management

The Modernising Government White Paper sets a target of 2004 for all government departments and agencies to manage their records electronically⁷. Many departments are consequently reviewing their records management procedures both to meet this requirement and ensure that procedures meet the requirements laid down in the section 46 code of practice (see section 4.3 of this report).

Good records management is an integral part of the infrastructure which will assist departments to carry out their duties under the Act. While a few departments were rated as 'amber' or 'flashing amber' in the latest assessment of the 2004 ERM target by the Public Record Office many more have been given a 'green' light which indicates that they are on course to meet the target.

Lord Chancellor's Department: Records Management

The Lord Chancellor's Department (LCD) is making good progress towards providing electronic records management (ERM) facilities for staff in LCD headquarters, the associated offices and the Court Service headquarters. These will bring significant improvements in efficiency and working practices, including responding to FOI requests. The Public Record Office regularly reviews the performance of all departments and, in its latest assessment, has awarded LCD a 'green traffic light'. In February and March this year LCD ran a pre-pilot of a proposed record management system called TRIM with a sister product called Topdraw. The project team and the other participants in the pilot gained a significant insight into the proposed product which will assist the Department in meeting its obligations under the Freedom of Information Act by making better use of the information contained in official records, e.g. allowing users to access files for research, and to build on previous experience. A pilot involving a policy decision will commence in November, lessons learnt from the pilot will be built into implementation plans for full rollout, which is planned for 2003.

⁷ Prior to its suspension this target did not apply to the Northern Ireland Executive.

Office of the Deputy Prime Minister/ Department for Transport/ Records Management

The Office of the Deputy Prime Minister (ODPM) and the Department for Transport (DfT) already have established records management procedures using hierarchical file series based on organisational units. These procedures have been checked against the code of practice to ensure consistency. A single records catalogue of all ODPM and DfT records is being completed.

The former Department for Transport, London and the Regions (DfLR) had green light status against the 2004 milestones achieved through the introduction of accredited shared drives (ASDS). The programme of rolling out ASDS is continuing in both ODPM and DfT. The departments are planning to begin the introduction of a full EDM system from 2003 onwards. The statement of requirement covers compliance with freedom of information. The focus is on the centre of the departments with the position of the Government Offices and agencies currently under consideration.

6.1.2 Houses of Parliament

The Lord Chancellor is responsible for making sure that government departments and those NDPBs subject to the Code of Practice on Access to Government Information make the necessary preparations for the implementation of the Act. The Houses of Parliament are not covered by the code of practice but are listed as separate bodies under the Act who must bear their own responsibility for implementation.

HOUSE OF LORDS

The House of Lords publication scheme has been approved by the Information Commissioner. Awareness raising training sessions have been held for freedom of information and data protection co-ordinators and heads of offices. Freedom of information, data protection and records management issues have also been incorporated into the induction programme for House of Lords' staff.

The House of Lords Record Office (the Parliamentary Archives) has continued to make progress in implementing the Parliamentary records management strategy which will play an important role in supporting successful implementation of freedom of information.

Key areas for the House of Lords working group in 2003 will be issues relating to the interaction with data protection and supporting the continuing implementation of the Parliamentary records management strategy in the House of Lords.

HOUSE OF COMMONS

The House of Commons publication scheme was approved by the Information Commissioner early in July 2002, and is available on the parliament website www.parliament.uk. Some further classes of information will be added to the scheme in 2003. It is expected that most enquiries about the publication scheme will be handled by the House of Commons Information Office. A series of training seminars

will be held in autumn 2002, primarily for staff in the Information Office, to ensure that they are aware of the publication scheme and their responsibilities to the public under the Act.

The House of Commons appointed a freedom of information officer in 2001. The preparation of the publication scheme was managed by the House of Commons freedom of information working group, a group of senior Commons officials that includes the freedom of information officer and is chaired by the Clerk of the Journals. This group will continue to meet at regular intervals over the coming year. Key objectives will include overseeing the implementation of records management procedures in all House departments, identifying additional material for the publication scheme and beginning the development of policy for compliance with the individual rights of access.

6.1.3 Devolved Administrations

The UK Freedom of Information Act does not apply to Scottish public authorities – the Scottish Parliament has recently enacted their own freedom of information legislation – although the Act applies in Scotland to UK wide bodies, or bodies which have no devolved functions. The Act does however apply to Wales and Northern Ireland. Both these devolved administrations were asked to provide details of the progress made in the same way as UK government departments. It should be noted that this report covers a period when the Northern Ireland Executive was in operation.

Both the devolved administrations have been involved in a range of activities to prepare for the implementation of the Act, from preparing publication schemes to restructuring records management procedures. The National Assembly for Wales in particular has demonstrated its commitment to increasing openness and transparency in government by launching a pilot scheme to enable publication of the facts on which ministers base their decisions.

Department for Regional Development (NI): Records Management

The Department for Regional Development in Northern Ireland have two projects specifically aimed at addressing record management. The first is an information audit project and the second is an electronic document and record management (EDRM) project. The information audit will use advice provided by the Public Record Office (NI) and central guidance being developed within the Northern Ireland Civil Service. The EDRM project will address both the 2004 RBM target and freedom of information requirements. This project will link to a separate project, running in parallel, aimed at establishing effective and robust file/record management procedures.

The department has already conducted an EDRM pilot scheme within one of their business units and are planning a second more extensive pilot within one of the agencies.

National Assembly for Wales: Civil and Change

In line with the provisions contained within the Freedom of Information Act 2000 and with the First Minister's open government commitments, the Welsh Assembly Government is currently piloting a new process that will enable the facts upon which ministers make decisions to be published openly on a routine basis.

The pilot will provide ministers with information about the effectiveness of the proposed process and identify areas where further work needs to take place to ensure the aims of the project are met. Following completion of the initial pilot phase of this project, the information will be used as the basis for developing a training and support package that will be implemented across the Assembly.

The Welsh Assembly Government will make the results of the project available for information once the project is completed.

National Assembly for Wales: Publication of Schemes

The National Assembly for Wales carried out an information audit as a first step on which to base an initial draft of the scheme. The draft was refined and put out to full public consultation. Key groups were written to directly asking them to comment. An external copywriter was employed to draft user-friendly explanations and to make sure that the scheme was written in plain English. The scheme was then revised and re-drafted incorporating all feedback and then put around policy groups for final checking. Consultation responses were addressed and information incorporated into the scheme.

The scheme will be delivered in two main ways. Firstly, via the internet where a copy of the scheme will be found on the new 'publications' page of the Assembly website. The scheme will be fully hyperlinked to enable the quick location of electronic documents and supported by a publications catalogue to search hard-copy documents. People will be able to access the scheme electronically from local libraries via the information link, and also from all Assembly regional offices. Secondly, the scheme will be published in hard copy. Copies will be sent to all libraries, citizens advice bureaux, further education and higher education institutions and all the organisations that were involved in the consultation exercise (these organisations being representative of over 3000 bodies). Copies will also be available from the Assembly's publications centre where people will also be able to visit, telephone, fax or e-mail to request publications. The scheme is available in both English and Welsh.

6.2 Report on the progress made by public authorities in the remaining waves

6.2.1 Local Government

Those public authorities classified as local government for the purposes of the Act are listed in Part II of Schedule 1 of the Act. This includes all local authorities within the meaning of the Local Government Act 1972 as well as other bodies such as fire authorities and magistrate court committees. All authorities covered by Part II of Schedule 1 are required to have their publication schemes in place by February 2003.

Much of the preparatory work in this sector has been done by the Office of the Information Commissioner in conjunction with the Local Government Association (LGA) and the

National Association of Local Councils (NALC). These are the umbrella organisations for principal councils (large local authorities) and local councils (parish, town, and community councils) respectively.

In order to prepare local authorities for the need to issue publication schemes the Office of the Information Commissioner and the Local Government Association have been supporting and monitoring seven pilot schemes during the course of this year (see also section 5.1). The pilot schemes have been set up across the range of different types of local authority – county, district, metropolitan district, and London borough. A paper providing feedback and observations on the pilots was published by the Local Government Association and Office of the Information

Commissioner in July, and the authorities involved are sharing their work with others as they develop their draft schemes.

The Local Government Association plays an active role in disseminating information to local authorities through features in the weekly newspaper for all councillors in England and Wales, as well as through updates on their website. The corporate implications of freedom of information have been raised in personal letters from the LGA's Chairman and Chief Executive to local authority leaders and chief executives respectively. A briefing paper, prepared for the LGA by the Associating of Council Secretaries and Solicitors, on the corporate implications of the Act was published by the LGA in August this year.

The Local Government Association has also encouraged authorities and government to identify the links between freedom of information and the e-government agenda, both to enhance their delivery of information services, and improve their openness and democratic processes. A number of authorities are explicitly making that link, and tying in publication scheme preparation to wider programmes of work on implementing e-government. The LGA hope to show the connection in the forthcoming publication in conjunction with the Office of the Deputy Prime Minister on a national strategy for local e-government.

In September this year the Office of the Deputy Prime Minister published a consultation paper *Access to Information in Local Government* which will serve to raise the profile of the Act and draw attention to issues of importance to local authorities. The Office of the Deputy Prime Minister plans to set up a review group in autumn 2002 which will analyse responses to the consultation paper and look at any issues which are raised.

A range of awareness raising conferences, workshops and training courses for local authority staff have taken place across the country. Professional bodies in local government, amongst them the national conference of local authority communications officers and the national liaison group of local authority lawyers have organised events and set up training and information sharing initiatives. There have also been sessions at various conferences for chief executives, monitoring officers and senior managers.

Because of the diversity of local government bodies each individual authority will adopt a training and awareness strategy appropriate to the size and needs of their organisation. The work that has so far been done across the sector illustrates the range of different approaches. Authorities in Cheshire have worked together to prepare training materials for use locally, tailored to their local circumstances. Some authorities have prepared briefing notes disseminated via the intranet for staff while others have working groups and information audit exercises involving staff from across the authority.

A substantial piece of work has been undertaken by the local government group of the Records Management Society of Great Britain, developing draft retention schedules for local authority records. The Public Record Office is working with records managers in local authorities, raising awareness and advising on implementing the model action plan.

The Office of the Information Commissioner has also worked closely with the National Association of Local Councils (NALC) to produce a model publication scheme for local councils (see section 6.3). The model scheme was approved by the Information Commissioner at the end of August 2002 and disseminated to local councils at the beginning of September. NALC are now working with member councils to encourage adoption of the model scheme or are alternatively providing guidance to those councils who have decided to produce their own bespoke schemes.

Prior to the Freedom of Information Act the various local government acts gave electors the right to inspect orders for payment, financial statement or abstract of accounts, any auditors reports, council minutes and committee minutes laid before the council for approval (see Annex D section 5). These were the only documents which a local council could be required to produce on demand. The model publication scheme includes a significant amount of other information which was not previously routinely available.

NALC has already sent out specific guidance/briefings on the implications of the Act. Further step by step guidance on how to seek approval of a publication scheme will be sent out very shortly.

6.2.2 Police, Prosecuting Bodies, and the Armed Forces

The third wave of the publication scheme requirements of the Act covers the police, police authorities, the Crown Prosecution Service, the Serious Fraud Office and the Armed Forces.

The police have been a good example of an organisation which takes its duties under the Freedom of Information Act seriously and the Information Commissioner has commended them for the amount of preparatory work that they have done. Responsibility for implementation lies at senior level with the Association of Chief Police Officers, and the importance they have attached to the Act has been a key factor in driving forward the necessary preparations.

In order to oversee the implementation of the Act the Association of Chief Police Officers (ACPO) have set up a freedom of information project board. The project is being managed in accordance with PRINCE Version II methodology and a project team based in Winchester is co-ordinating the implementation of the Act of a national level. The national team are in regular contact with nominated liaison officers in every force and have firmly established themselves as the single point of reference for the police service.

In conjunction with Office for the Information Commissioner the ACPO Project Team developed a draft model publication scheme which they launched in April 2002. They sought feedback on this scheme both by placing it on a nationally secure police network for viewing purposes, and by holding two consultation forums. In total seventeen forces provided formal feedback. The ACPO project board ratified the proposed model at their meeting on 19 September 2002 and have submitted the model scheme for the Information Commissioner's approval. The Hampshire Constabulary will pilot the model publication scheme as soon as it is approved.

In addition to preparing the model publication scheme the ACPO Project Team organised a series of four awareness seminars across the country. Representatives from all 43 forces in England and Wales attended, as well as staff from a number of police authorities, the Crown Prosecution Service, and representatives from a number of Scottish police forces. The seminars were well received by attendees and provided an opportunity for the launch of the model publication scheme, as well as emphasising the need to prepare for compliance with the Act.

All attendees at the seminars were issued with a 'freedom of information compliance toolkit' to assist and guide individual forces with their implementation. It contains, amongst other things, a model action plan to achieve compliance in respect of records management. This recommended that each force should identify someone to have specific responsibility for the introduction, development and maintenance of freedom of information obligations and associated information management. It also suggested that forces consider appointing an information manager to co-ordinate these activities.

CROWN PROSECUTION SERVICE

In the Crown Prosecution Service awareness-raising presentations have already been given to all senior managers. They are in the process of giving further presentations across England and Wales to cross-sections of staff. The records management manual has also been updated to provide guidance for compliance with the Freedom of Information Act.

The Crown Prosecution Service is in the process of deciding what material to include in their publication scheme and have undertaken an information audit. A range of guidance to prosecutors concerning prosecution policy is to be made open for the first time as well as various documents governing internal CPS business and human resources policies, future plans, protocols and agreements, performance management information and minutes of meetings. The content of the publication scheme will be reviewed annually post publication.

SERIOUS FRAUD OFFICE

Preparations for the implementation of the Freedom of Information Act are also underway at the Serious Fraud Office. Senior management board officials are regularly updated on freedom of information issues by way of written and verbal reports. Staff in the Knowledge Management and Information Systems Unit have attended conferences and courses, and all staff have received a memorandum raising awareness of freedom of information.

The Serious Fraud Office has improved and updated its records management policy for live and archived information. The office is working to meet the government's directive for electronic records management and is running a number of pilots on handling material. Initial preparations are also underway to select the material which will form the contents of the publication scheme.

ARMED FORCES

In practice, the Armed Forces and the MOD Police operate as part of the Ministry of Defence, and this has been reflected by their full involvement in MOD's Freedom of Information Act implementation programme. They will publish information through MOD's publication scheme, thereby providing the public with a single point of call for information on defence related issues, and they are also actively involved in the work being carried out to prepare MOD for the introduction of the general right of access in January 2005.

6.2.3 Health Service

The National Health Service (NHS) makes up the fourth wave of implementation of the publication scheme requirements of the Act. All NHS bodies will have to have a scheme in place by October 2003. NHS bodies currently respond to requests for access to information within the terms of the Code of Practice on Openness in the NHS, which will continue to apply until January 2005 (see Annex D, Section 2). As NHS bodies are used to responding to requests for information the structures and mechanisms they already have in place means they are well placed to meet the needs of the Freedom of Information Act.

In the National Health Service, the South East London Strategic Health Authority is taking the lead nationally in implementing freedom of information. It will be involved in the development of a pilot publication scheme which will serve as a template for use by other Strategic and Special Health Authorities. Work has also begun to develop model publication schemes for use by Primary Care Trusts, Acute Trusts and Mental Health Trusts. Both model schemes are expected to be available for use in March 2003.

Discussions are under way to determine the best approach to supporting the large numbers of independent contractors, including GPs, community pharmacists, dentists and opticians, who will need to comply with the Act. In the meantime, communications are planned to alert NHS Trusts and Health Authorities to their responsibilities under the Act, and to advise them on preparatory work they should be undertaking now.

In terms of the requirements that the Act will have on records management the NHS is also relatively well prepared, due to ongoing work to improve records

management procedures. HSC 1999/053 made recommendations for a records management strategy identifying the resources needed to ensure that the records of all types (administrative as well as medical) are properly controlled; readily accessible and available for use; and eventually archived or otherwise disposed of. This work has been supported further by the controls assurance standard on records management.

The implementation of freedom of information in the NHS is being overseen by a project board, comprising chief executives who are prepared to pilot the model publication schemes in their trusts, together with representatives of the Office of the Information Commissioner, the NHS Confederation and the Department of Health.

6.2.4 Education Sector

There are three parts to the education sector – schools, further education and higher education. Work on developing a model publication scheme in the areas of further and higher education is being undertaken by a working group set up by the Joint Information Systems Committee (JISC). This is a strategic advisory committee which works on behalf of the funding bodies for further and higher education in England, Scotland, Wales and Northern Ireland.

The Commissioner began advising on the work of this group during July 2002. Work has only recently begun because of the priority given to the earlier waves of public authorities that are subject to the Act. The deadline for approval by the Information Commissioner for the education sector publication schemes is 29 February 2004, although the Office of the Information Commissioner intend to have the model publication schemes complete by autumn 2003. A member of this group has set up four 'regional workshops' to take place during October and November in Cardiff, London, Manchester and Belfast. The Commissioner has committed a speaker to each of these events to give a presentation on publication schemes and moderate a workshop.

Work has also begun to produce a model publication scheme for primary and secondary schools in accordance with sections 19 and 20 of the Act. The Office of the Information Commissioner and the Department for Education and Skills and have begun discussions to outline the implications of this process for schools in England.

After this meeting the Office of the Information Commissioner will endeavour to undertake the same work for schools in Northern Ireland.

6.3 Activities of the Information Commissioner

Following the announcement of the timetable for the implementation of the Freedom of Information Act by the Lord Chancellor in November 2001 the main focus of the work of the Information Commissioner has been on helping authorities develop their publication schemes. Another key strand of the Commissioner's work over the last year has been to help raise awareness of the Freedom of Information Act among public authorities.

The staffing establishment of the Office of the Information Commissioner has grown by approximately 50 people over the last 12 months in line with the projected increase for the period to 2005. Not all these staff are working on freedom of information, but many are, including expanded public sector compliance teams, a senior policy manager, in-house lawyers and a team (initially comprising six staff but to grow over the coming year) to handle the approval of publication schemes.

DEVELOPING PUBLICATION SCHEMES

Specific guidance on publication schemes was issued by the Information Commissioner in February 2002. This included initial guidance for authorities on fulfilling the legal obligation to adopt and maintain a scheme, and demonstrated the Commissioner's approach to the content of scheme and classes of information. The guidance was supported by a methodology document which offered public authorities a range of practical suggestions on how to devise a scheme. Amongst other things it highlighted the importance of identifying the key personnel to be involved, and the need for careful consideration in constructing the classes of information to be published.

Over the course of the year the Commissioner has worked closely with the pilot authorities who have each developed their own approach to a publication scheme for their organisations. At central government level five departments or agencies produced schemes which were all published by early 2002. The Commissioner also has worked closely with the Local Government Association and the seven local authorities who have developed publication schemes

(see section 6.2.1) The diversity of the authorities in terms of size, community and functional responsibility has again led to a variety of approaches.

Some authorities have commented on the lack of a unified model scheme for local authorities. However, the work of the pilots has shown that a 'one size fits all' approach is not appropriate for principal councils and the Commissioner has stressed the importance of each authority ensuring that the scheme it adopts is appropriate to its own local needs and is deliverable in practice.

The Commissioner has adopted a different approach with regards to Parish Councils in recognition of their more limited remit. A model scheme suitable for all Parish Councils has been developed in conjunction with the National Association of Local Councils and has subsequently been approved (see section 6.2.1).

Elsewhere model schemes for Fire Authorities, Drainage Boards and Port Health Authorities have also been approved and other model schemes for smaller sectors within local government are also being developed. The Commissioner has taken a consistent approach in requiring clear expression of interest from the particular sector for the development of a model scheme, supported by representatives who can provide the necessary knowledge and experience.

The work of the Association of Chief Police Officers' project team on FOI has been exemplary in this regard (see section 6.2.2), and the Commissioner has been pleased to be involved in the development of a model scheme, particularly through participation in a national conference programme and through membership of the project's quality assurance board.

Initiatives are also underway within the National Health Service (see section 6.2.3). The Commissioner is involved with various training events and is represented on the Department of Health project board.

All this work will develop across the public sector over the coming year.

RAISING AWARENESS

Raising awareness of the Freedom of Information Act among public authorities has been a key activity of the Commissioner throughout the year, and will continue to be so during the implementation period.

Around 200 speaking engagements have been undertaken by the Commissioner and her staff on freedom of information issues in the 12 months covered by this report. These have included major national public sector conferences, all the Lord Chancellor's ministerial roadshows (see section 6.5 of this report) and a range of formal seminars arranged by public authorities, professional associations or private sector consultants. They have also included practical workshops taking public sector officials through case studies.

In September 2002 the Office of the Information Commissioner designed and delivered a 2-day conference on freedom of information that was organised and hosted by the Chief Executives' Forum in Northern Ireland. This was attended by 70 delegates from the full range of public authorities in Northern Ireland. The initial responses were favourable and detailed feedback is being analysed to inform the content and style of future events.

6.4 Public Record Office

6.4.1 Support to the records/archives community

The Public Record Office (PRO) has focused on supporting records managers and archivists in their work on preparing for implementation of freedom of information.

MODEL ACTION PLANS FOR REACHING COMPLIANCE WITH THE RECORDS MANAGEMENT CODE

The PRO has worked with the university sector to produce a model action plan for higher education institutions and with the Association of Chief Police Officers to produce one for police forces. Both plans can be accessed from the PRO website, as can the plans for central and local government produced in 2001. A model action plan for NHS health authorities should be released by the end of the year and one for schools will follow next year.

TRAINING AND AWARENESS

The PRO has provided speakers on records management to a number of major conferences on freedom of information. It has also been represented on the panel at the FOI roadshows around the country organised by the Lord Chancellor's Department (see section 6.5), where clarification of the records management code and guidance on records management generally was offered in answering questions from the floor.

The PRO has continued its partnership with the Society of Archivists to provide training days on FOI around the country. These events are designed specifically for records managers and archivists in the public sector and are intended to explain the implications of the Act for them and provide an opportunity for issues of concern to be raised and discussed. It was decided right from the start that the events should visit as many parts of the UK as possible, partly to reduce the cost of attendance for those based outside London and partly to foster local networking. In the last year events have taken place in London, Liverpool, Bristol and Newcastle, and more are planned for next year.

Separate half-day workshops have been organised for records managers in central government. They focus on achieving compliance with the records management code and have been attended by nearly 300 records staff in central government. A further series of these workshops will be held in 2003. The PRO is planning a conference about records management in local government in Spring 2003 and the FOI implications for records management will feature in the programme.

A number of working parties have been set up by different parts of the public sector to collaborate on implementation work and the PRO is represented on some of them. An example is the working party set up by the National Museum Directors Conference which has developed a model publication scheme for museums and galleries.

The PRO intends to publish a guide to the Act aimed at records managers and archivists. A similar guide to the Data Protection Act was published in 2000 and proved popular with the records/archivists community; it is hoped that the FOI guide will achieve similar success.

6.4.2 Electronic Record Management

The Modernising Government White Paper sets out a target for government departments and agencies³ to have established the capabilities necessary for managing their electronic records by 2004. The implementation of electronic records management (ERM) will put in place the necessary infrastructure not only to encourage the more efficient management and exploitation of electronic information and underpin the delivery of electronic services, but also to support compliance with the requirements of freedom of information and other information policy legislation. Departments will be able to quickly identify records which they hold across the organisation, and to locate and retrieve them with speed. Importantly, ERM will manage the full lifecycle of records from creation to disposal, to ensure that records are kept for as long as needed, and are disposed of according to established business rules when they no longer have any continuing business or historical value.

The PRO has the responsibility for overseeing achievement of the cross-government 2004 target, and has set out a framework timetable and milestones, which tie in well with those set out in the code of practice on records management. These include development of corporate records policies and an inventory listing existing collections of electronic records and documents, as well as the design and implementation of new ERM technologies. The PRO supports achievement of each milestone with practical toolkits, and has established an evaluations scheme for commercial software products against UK government requirements. The aim is that on completion, government organisations possess an integrated set of policies, procedures and technologies to support effective corporate-wide electronic records management. In practice, the management of existing paper-based records will often also benefit from this modernisation process.

Significant progress has been made in this area over the last year, and many departments have come a long way in strengthening their position on ERM. A number of central departments are well advanced in implementation of ERM systems, most have well developed plans and strategies, and have specified their requirements and embarked on pilot projects. Often this is being done as part of an integrated programme of work in information management, aiming to support effective delivery of departmental business objectives.

The PRO monitors progress across government and reports separately to the Lord Chancellor. The PRO will continue to provide support and guidance for departments, and to develop the general infrastructure for records management. In particular, work will continue to improve standards for compatibility in the exchange of government records, and to tackle the implications of greater data sharing between departments.

6.5 Lord Chancellor's Department – Roadshows

As part of a programme to raise awareness about the Freedom of Information Act across the public sector, officials at the Lord Chancellor's Department organised a series of regional roadshows at ten locations across the country. The seminars were free of charge and were aimed at those chief executives and senior managers in regional public authorities who will be responsible for implementing the Act in their organisations.

The seminars were led by Michael Wilks MP, a former Parliamentary Secretary at the Lord Chancellor's Department, in conjunction with senior officials. Although designed to raise the profile of the Act and the general issues surrounding freedom of information the emphasis of the seminars was essentially practical. It was stressed that compliance with the Act will require significant changes to the working practices of public authorities and should be integrated into normal business practice and systems at an early stage in the implementation process. Successful implementation of the Act complements and reinforces good business practices and will help in providing good customer service.

As well as being a forum for disseminating information these events also gave people the opportunity to ask questions about what the Act would mean for them. Each seminar featured a question and answer session with a panel of experts including representatives from the Lord Chancellor's Department, DEFRA, the Office of the Information Commissioner, the Public Record Office, and the Advisory Group on Implementation of the Freedom of Information Act.

³ Prior to its suspension this target did not apply to the Northern Ireland Executive.

Around 700 people attended these seminars, from a range of different organisations including local authorities, NHS trusts, various agencies, and other public bodies such as universities. Over half of those who attended the events completed feedback forms. Of those, over 90% said that the seminars were valuable events with an effective format, providing ample opportunity for them to ask questions. They, or other members of their staff, would also attend similar events in the future. The question and answer sessions were a particular success.

These events have fulfilled an important role in opening a dialogue between government and senior leaders from across the public sector. They have also played a part in demonstrating the government's commitment to ensuring effective implementation of the Act.

ANNEX A

Commencement Timetable

1 Implementation timetable for the Act

The Lord Chancellor announced to the House of Lords on 13 November 2001 that the Freedom of Information Act would be implemented in stages. The publication scheme provisions of the Act will be implemented first, on a rolling programme, as described in section 3 below. The individual right of access to information will be brought into force for all public authorities in January 2005, eleven months before the deadline set out in section 87(3) of the Act.

The following section sets out the provisions of the Act that are already in force, while section 3 gives a more detailed timetable for bringing into force the remaining provisions of the Act.

2 Provisions of the Act already in force

The Freedom of Information Act received Royal assent on 30 November 2000. The Act provides that all of its provisions must be in force by 30 November 2005. Those provisions of the Act already in force are, by and large, those which are necessary to have in place in advance of implementation of the Act's main provisions. The provisions in force include those which:

- Allow secondary legislation and codes of practice to be made under the Act;

- Establish the office of the Information Commissioner and relate to the appointment and period of office of the Information Commissioner;
- Allow the Information Commissioner to approve publication schemes and to prepare and approve model publication schemes;
- Allow the Commissioner to give advice and to arrange for the dissemination of information about the operation of the Act, about good practice, and any other matters within the scope of his functions under the Act;
- Rename the Data Protection Tribunal as the Information Tribunal and enable appointments to be made to it and allow designation of persons to hear appeals against national security certificates under section 60 of the Act;
- Are needed as a consequence of the renaming of the Data Protection Commissioner as Information Commissioner and the renaming of the Data Protection Tribunal; and
- Require the Information Commissioner to lay an annual report before Parliament on the exercise of his functions under the Act.

Under section 87(1) certain provisions of the Act came into force on Royal Assent, i.e. 30 November 2000. These are listed in the table opposite:

Provisions	Effect
Sections 3 to 7, and Schedule 1	Defines meaning of a public authority; defines a publicly owned company for the purposes of the Act; and confers upon the Lord Chancellor certain order making powers, for example, to amend by order the list of public authorities in Schedule 1; and to designate as a public authority for the purposes of the Act bodies (or persons) exercising functions of a public nature or providing under contract with a public authority a service whose provision is a function of that authority.
Section 8	Defines what 'a request for information' means for the purposes of the Act.
Schedule 2, paragraphs 2 and 17 to 22 (and section 18(4) so far as relating to the provisions of Schedule 2 brought into force)	Provisions consequential on the renaming of the Data Protection Commissioner and Tribunal.
Sections 19 (in so far as relating to approval of publication schemes) and 20 (in so far as relating to approval and preparation by the Commissioner of model publication schemes)	Confers powers on the Commissioner to approve publication schemes and approve and prepare model schemes, but these two sections are not yet commenced in so far as to place the obligation on public authorities to adopt and maintain schemes.
Section 47 (2) to (5)	Places certain duties on and gives certain functions to the Commissioner, including the giving of advice and the dissemination of information about the operation of the Act, about good practice (a term which is defined in subsection (6)), and other matters within his scope.
Section 49	Requires the Commissioner to lay an annual general report before Parliament on the exercise of his functions under the Act and allows him to lay before Parliament any other reports in respect of his functions as he sees fit.
Schedule 5, paragraph 4 (and section 67 so far as relating to paragraph 4 of Schedule 5)	Inserts a new paragraph 3A in Schedule 1 to the Public Records Act 1958 which confers a power to extend the meaning of 'public records'.
Schedule 6, paragraph 8 (and section 73 so far as relating to that provision)	Extends a transitional exemption in paragraph 2(1) of Schedule 14 to the Data Protection Act 1998.
Section 74	Confers power on the Secretary of State to make provision relating to environmental information to implement the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (the Aarhus Convention).
Section 75	Confers power on the Lord Chancellor to amend or repeal enactments prohibiting disclosure of information.
Sections 78 to 85	Various miscellaneous and supplemental provisions.
Part I of Schedule 8 (and section 86 so far as relating to that part of Schedule 8)	Repeal coming into force.
Section 87	Commencement.
and so much of any other provision of the Act as confers power to make any order, regulations or code of practice.	

Certain other provisions came into force on 30 January 2001 (see section 87(2) of the Act). They are:

Provisions	Effect
Section 18 (1)	Renames the Data Protection Commissioner as Information Commissioner.
Schedule 2, paragraphs 1(1), 3(1), 4, 6, 7, 8(2), 9(2), 10(a), 13(1) and (2), 14(a), 15(1) and (2) (and section 18(4) as far as relating to those provisions of Schedule 2)	Provisions consequential on renaming the Data Protection Commissioner as Information Commissioner.
Section 76 and Schedule 7	Provides for the exchange of information between the Commissioner and specified public sector ombudsmen.
Part II of Schedule 8 (and section 86 so far as relating to that Part)	Lists repeals coming into force.

Section 87(3) and (4) of the Act provides that the remaining provisions of the Act shall come into force five years after the date of Royal Assent (i.e. would come into force on 30 November 2005) unless they have already been brought into force by commencement order(s). There is flexibility to allow different commencement dates for different purposes within the five year period and allowance for

savings and transitional provisions to be made. The first commencement order, the Freedom of Information Act 2000 (Commencement No. 1) Order 2001 (SI 2001 No. 1637 (C56)) was made, and came into force on 14 May 2001. It brought into force certain, for the most part, technical provisions which are needed in advance of implementation of the Act's main provisions. They are:

Provisions	Effect
Section 18(5), (6) and (7)	Provisions relating to the appointment and period of office of the Information Commissioner.
Section 18(2) and (3), Schedule 2, paragraphs 1(2), 3(2), 5, 8(1), 9(1), 11, 12, 13(3), 14(b) and (15)3; and section 18(4) as far as relating to those provisions	Provisions renaming the Data Protection Tribunal as the Information Tribunal and making consequential provision.
Schedule 2 Paragraph 16 and section 18(4) as far as relating to that provision; Schedule 4, paragraphs 1 and 4, and section 61 as far as relating to those provisions	Provisions enabling appointments to be made to the Information Tribunal of lay members to represent the interests of individuals and public authorities under the Act, and provisions enabling the designation of persons who are capable of hearing appeals under section 60(1) or (4) of the Act and provisions enabling the Secretary of State to make rules for regulating the exercise of the rights of appeal conferred by section 57(1) and (2) and section 60(1) and (4) of the Act
Schedule 6, paragraph 1 amends section 7(3) of the DPA to make its wording consistent with section 1(3) of FOIA, Schedule 6, paragraph 6 amends the exemption in paragraph 3(b) of Schedule 7 to the DPA to include a reference to 'dignity' as well as honour; Schedule 6, paragraph 7 amends paragraph 10 of Schedule 7 to the DPA to correct the reference to the Scottish equivalent of legal professional privilege; and section 73 as far as relating to these provisions in Schedule 6	Provisions making minor amendments to the Data Protection Act 1998.

3 Timetable for bringing the rest of the provisions into force

The timetable for the implementation of the Freedom of Information Act was announced by the Lord Chancellor to the House of Lords on 13 November 2001. (Copies of the timetable were placed in the libraries of both Houses). The publication scheme provision of the Act will be implemented first, on a rolling programme, starting this month and finishing in June 2004 (see table opposite). Subsequently, agreement was reached with the devolved

administration in Northern Ireland that implementation of the publication scheme provisions of the Act for devolved bodies in Northern Ireland will follow a similar pattern. It has been agreed with the National Assembly for Wales that implementation of these provisions for the majority of Assembly-Sponsored Public bodies will take place this month.

The individual right of access will be brought into force for all public authorities in January 2005.

November 2002	Central Government (except the Crown Prosecution Service and the Serious Fraud Office), Parliament, National Assembly for Wales and Assembly sponsored public bodies, non-departmental public bodies currently subject to the Code of Practice on Access to Government Information. (Part I sections (1), (2), (3), and (5) and some of Part VI of Schedule 1)
February 2003	Local Government (except police authorities). (Part II)
June 2003	Police, police authorities, Crown Prosecution Service, Serious Fraud Office, Armed Forces. (Part V not relating to Northern Ireland and Part I (5))
October 2003	Health Service. (Part III relating to England and Wales)
February 2004	Schools, Universities, remaining NDPBs. (Part IV relating to England and Wales and some of Part VI)
June 2004	Remaining public authorities.

3.1 The Freedom of Information Act 2000 (Commencement No. 2) Order 2002

A second commencement order has been made which will bring further provisions of the Act into force on 30 November.

This order implements the first three stages of the timetable and is an important step in implementing the substantive provisions of the Act. The provisions that have come into force will:

- place a duty on those bodies listed to comply with the publication scheme provisions of the Act (from 30 November, 28 February 2003 and 30 June 2003 respectively for the bodies indicated); and
- ensure that the publication scheme provisions can be enforced, insofar as they apply to any authority at any time.

Various other provisions have been brought into force, including those which:

- place a duty on the Information Commissioner to promote the following of good practice;
- allow the codes of practice under sections 45 and 46 to be issued, and allow the Information Commissioner to issue practice recommendations relating to provisions in the code of practice under section 45 where they concern publication schemes; and
- allow the functions of the Advisory Council on Public Records to be extended to include matters relating to the application of the Freedom of Information Act to public records which are also historical records.

The provisions are listed in detail on the next page:

COMMENCEMENT ON 30 NOVEMBER 2002

Provisions	Effect
Sections 19(5) to (7), and 20 insofar as they are not already in force	Provisions concerning any of the Commissioner's powers and duties relating to publication schemes and model publication schemes not already in force.
Sections 45 and 46 insofar as they are not already in force	The requirement on the Lord Chancellor to issue codes of practice relating to the discharge of public authorities' functions under Part I of the Act and records management.
Section 47(1)	Duty on the Information Commissioner to promote the following of good practice by public authorities.
Sections 48(1) and (2), 54, 55 and Schedule 3, so far as they relate to: <ul style="list-style-type: none"> the issue of practice recommendations, and the issue and enforcement of information notices, relating to the conformity with the code of practice under section 45 of the practice of public authorities in relation to the exercise of their functions under the publication scheme provisions. 	Allows the Commissioner to issue practice recommendations if an authority does not appear to be conforming with provisions relating to publication schemes in the section 45 code. Also allows the Commissioner to issue an information notice to determine whether an authority is conforming with publication scheme provisions in the s45 code.
Sections 51, 52 and 54, 55 and Schedule, so far as they relate to the enforcement of the requirements on public authorities under the publication scheme provisions and section 56.	Allows the Commissioner to issue information and enforcement notices and other enforcement provisions as far as is necessary to allow the Commissioner to enforce authorities' compliance with obligations in respect of publication schemes.
Sections 57(2), 58, 59 and 61(2), Paragraph 10(b) of Schedule 2 (and section 18(4) insofar as it is not already in force), Paragraph 3 of Schedule 4 (and section 61(1) so far as relating to that provision)	Provisions to enable appeals to be heard by the Information Tribunal and related provisions.
Paragraph 1 of Schedule 5 (and section 67 so far as relating to that provision)	Makes minor amendment to the Public Records Act 1958 by extending the functions of the Advisory Council on Public Records to include matters relating to the application of freedom of information to public records which are historical records.
Section 72	Makes minor amendment to the Data Protection Act necessary as a consequence of the Freedom of Information Act.
Section 88	Short title and extent.
Sections 19 (1) to (4) and 20 (2)	Publication scheme provisions of the Act <i>(See below)</i>

PUBLICATION SCHEME PROVISIONS

The publication scheme provisions place a duty on public authorities to adopt and maintain a scheme which relates to the publication of information by the authority, which has been approved by the Commissioner; to publish information in accordance with the scheme, and to review the scheme from time to time

The publication scheme provisions of the Act are contained in sections 19 (1) to (4). The second commencement order will bring the publication scheme provisions into force on 30 November 2002 for the public authorities listed in:

Paragraph 1 of Part 1 of Schedule 1 to the Act (government departments), except for the Crown Prosecution Service and the Serious Fraud Office. Paragraphs 2, 3 and 5 of Part 1 of Schedule 1 to the Act (The House of Commons, the House of Lords and the National Assembly for Wales).

Part 1 of Schedule 1 to the second commencement order (some of the bodies and offices listed in Part VI of Schedule 1 and bodies added to Part VI by order under section 4 of the Act, being either bodies and offices subject to the Code of Practice on Access to Government Information or Assembly-sponsored public bodies as agreed with the National Assembly for Wales).

Part II of Schedule 1 to the second commencement order (some of the bodies and offices listed in Part VII of Schedule 1 and bodies added to Part VII by order under section 4, as agreed with the devolved administration in Northern Ireland).

COMMENCEMENT ON 28 FEBRUARY 2003

The second commencement order will bring the publication scheme provisions into force on 28 February for the public authorities listed in:

- Part II of Schedule 1 to the Act (Local Government).
- Schedule 2 to the second commencement order (small number of NDPBs/ASPBs/public bodies in Northern Ireland).

COMMENCEMENT ON 30 JUNE 2003

The second commencement order will bring the publication scheme provisions into force on 30 June 2003 for:

- The Crown Prosecution Service and the Serious Fraud Office.
- Public authorities listed in
 - (i) Paragraph 6 of Part I of Schedule 1 to the Act (Armed Forces),
 - (ii) Paragraphs 57-64 of Schedule 1 to the Act (Police),
- Other bodies listed in Schedule 3 to the second commencement order: (the Central Police Training and Development Authority, the National Crime Squad, the Police Information and Technology Organisation, and the Service Authority for the National Crime Squad).

3.2 Further Commencement Orders

Further commencement orders are planned in order to bring the publication scheme provisions of the Act into force as follows (in line with the announced programme).

For commencement on 30 October 2003 – Part III of Schedule 1 to the Act (Health Service):

For commencement on 29 February 2004 – Part IV and some of Parts VI and VII of Schedule 1 to the Act (schools, universities etc, remaining NDPBs and other public bodies and offices including publicly-owned companies as defined in section 6 of the Act).

For commencement on 30 June 2004 – all remaining authorities, predominantly bodies designated under section 5 of the Act.

As stated above, provisions relating to the individual right of access (which effectively means all provisions not already commenced or commenced in full) will come into force on 1 January 2005.

The Freedom of Information Act will thus be fully implemented by January 2005, eleven months before the date set out in section 87(3) of the Act.

ANNEX B

Work of the Advisory Group on Implementation of the Act

Introduction

The formation of the Advisory Group on Implementation of the Freedom of Information Act was announced in last year's report on progress with implementing the Act. Jointly chaired by the Parliamentary Secretary in the Lord Chancellor's Department and the Information Commissioner, the Group has met four times in the last year, contributing to training of public authorities, the development of guidance and acting as a catalyst for the drafting and approval of model publication schemes. Its terms of reference and membership are at the end of this chapter and agendas, papers and minutes of the Group's meetings can be found on the Department's website at: www.lcd.gov.uk/foi/agimpfoia.htm

Work of the Advisory Group in the last year**Monitoring progress on implementation**

The Group has received regular updates at its meetings on the progress being made with implementing the Act in the different parts of the public sector. These have informed its discussions and knowledge of which types of authority are in need of encouragement and assistance from sectoral organisations, the Information Commissioner, or in some cases from the Whitehall department which has the national policy lead for their work. These discussions have also spread ideas on how best to take forward the work on implementation from one sector to another. The work undertaken by the Association of Chief Police Officers in setting up a project team to develop a model publication scheme and compliance toolkit for all police forces has been a specific example from which members of the Group have found useful to learn and to consider adapting for their own sector.

The Advisory Group has contributed to the development of the codes of practice under sections 45 and 46 of the Act, which guide public authorities on the discharge of their functions under the Act and on records management. Its input was also valuable when considering the details of the timetable for implementing those parts of the Act which are not yet in force.

The Group has also acted as a catalyst for the development of model publication schemes, by bringing together different parts of the public sector with the Information Commissioner. The first outcome of this has been the approval by the Commissioner, in August 2002, of a model publication scheme for parish, town and community councils, developed in conjunction with the National Association of Local Councils.

Receiving reports on preparations being made by the Information Commissioner

At each meeting the Information Commissioner has updated the Group on the progress being made by her office with implementing the Act. So far, this has largely concentrated on developing procedures for considering publication schemes submitted to the Commissioner's office for approval under section 19 of the Act. The Group has responded to these updates, commenting on a draft of guidance produced by the Commissioner for local authorities which set out the lessons learned from the operation of pilot publication schemes.

Promoting a culture of transparency by assisting in development of training and education programmes

Members of the Advisory Group attended and spoke at the 'roadshow' seminars around the country organised by the Lord Chancellor's Department in the spring (see section 5.3). Members of the Group were able to pass on their own experience and expertise to those implementing the Act in public authorities, as well as hearing the concerns of those attending (and relaying these to the

rest of the Group at its next meeting). This exercise also raised awareness of the existence of the Group and its role in assisting public authorities by identifying best practice and promoting culture change.

Arising from its participation in the first series of seminars in the spring, the Group has considered what should succeed them. Whereas the first series of seminars were aimed at chief executives and other senior managers in public authorities, to try and impress upon them the need for a senior officer in each authority to take responsibility for implementation of the Act in each authority, a second series of seminars is likely to be aimed at 'practitioners' – those public servants who will be managing the day to day work of implementation.

Advising on the needs of users of the Act and how authorities might meet those needs

The experience of members of the Group has been valuable in considering how authorities might best meet the needs of those who will be using the Act. In particular, the Group has been keen to emphasise that authorities should draw on the experience they have gained from responding to requests under the Data Protection Act from individuals seeking information about themselves. The Group has advised though that authorities should not simply be expecting their data protection officers to handle implementation of the FOI Act as if it were merely an extension of that Act's rights of access. Implementing the Act successfully is a project which will need to draw upon the skills of records managers, lawyers, customer and public relations officers, information technology staff and training departments. To ensure that the constituent parts of authorities work together when implementing the Act, the Group has felt it important to stress that ownership of freedom of information needs to be taken at a senior level of management in each authority.

The Group has made suggestions on the research which it believes should be commissioned by the Government and/or Commissioner to ensure that implementation of the Act proceeds as smoothly as possible and that it will be possible to measure the impact of the Act once it is fully in force. These have included how authorities and the Commissioner could or should monitor authorities' performance in handling requests; whether software used in other jurisdictions for logging and tracking requests should be evaluated; the creation and use of disclosure

logs (which let the public see what information has been previously disclosed); longitudinal surveys to establish the extent of greater openness brought about by the Act, and surveys of both civil servants and public attitudes to the Act and how it is operated by public authorities and the Commissioner. The Lord Chancellor's Department is presently considering how best to take forward the proposals, with the issue of how to monitor the handling of requests a high priority.

Issues the Group may be examining in the coming year

In the coming year the Group is likely to give further attention to those areas in which it can best add value to the implementation of the Act, including the preparation and training needing to be undertaken by authorities in advance of the right of access coming into force. It is also likely to devote some time to examining information management issues for public authorities and how implementation of the Act can be linked to other initiatives (for example 'e-government') which also affect this aspect of authorities' work. The Group may also consider the lessons learned from the first phase of publication schemes to be adopted formally and how these can best be disseminated to those authorities still preparing their schemes for submission to the Commissioner in later phases.

Terms of Reference

The Terms of Reference of the Advisory Group on Implementation are as follows:

'To provide advice to the Lord Chancellor to assist him in preparing his annual report to Parliament in accordance with section 87(5) of the Freedom of Information Act 2000 by:

- * Monitoring progress on implementation;
- * Identifying best practice in information management and recommending approaches to its dissemination in and between types of public authorities;

- Advising on the needs of users of the Freedom of Information Act, how authorities might best meet those needs, and proposing ways of raising the public's awareness of their rights;
- Receiving reports on, and advising on, the preparations being made by the Information Commissioner to ensure procedures are established and guidance produced in a timely manner;
- Promoting a new culture of transparency in public authorities by assisting in the development of training and education programmes.

To undertake other tasks related to the implementation of the Freedom of Information Act as may be agreed by the Lord Chancellor and the Information Commissioner.

The group will meet at least three times a year until the Act is fully implemented.

Membership

JOINT CHAIRMEN

Yvette Cooper MP

Parliamentary Secretary, Lord Chancellor's Department

Elizabeth France CBE

The Information Commissioner (until September 2002, to be succeeded by Richard Thomas in December 2002)

REPRESENTATIVES OF PUBLIC AUTHORITIES

James Leslie MLA and Denis Haughey MLA

Junior Ministers in the *Office of the First Minister and Deputy First Minister, Northern Ireland Assembly*

Jim Duval

Head of Information Services, *The Local Government Association*

Ian Mark

Senior Legal Executive, *The National Association of Local Councils*

Ian Readhead

Deputy Chief Constable, Hampshire Constabulary, *The Association of Chief Police Officers*

Christine Miles

Chief Executive, The Royal Orthopaedic Hospital NHS Trust, *The Health Service Confederation*

Dr Michael Wilks

Chairman of the Ethics Committee, *The British Medical Association*

Michael Malone-Lee

Vice-Chancellor, Anglia Polytechnic University, *Universities UK*

Jane Phillips

Chair, *The National Association of Governors and Managers*

STAKEHOLDERS AND INDEPENDENT EXPERT MEMBERS

Jonathan Baume

General Secretary, *The First Division Association*

Santha Rasaiah

Political, Editorial and Regulatory Affairs Director, *The Newspaper Society*

Maurice Frankel

Director, *The Campaign for Freedom of Information*

Christine Gifford

former Metropolitan Police civil servant

Professor Robert Hazell

Director, *The Constitution Unit, University College London*

David Hencke

The Guardian

Dr Dilys Jones

former Department of Health and Home Office civil servant

EXPERT PUBLIC AUTHORITY ADVISERS

Nick Jordan

Director of Investigations, *The Parliamentary Commissioner for Administration*

Sarah Tyacke

The Keeper of Public Records

EX OFFICIO**Graham Smith**

Deputy Information Commissioner

Alan Cogbill

Director of Civil Justice and Legal Services,
Lord Chancellor's Department

Lee Hughes

Head of Freedom of Information and Data Protection
Division, Lord Chancellor's Department

Andrew Ecclestone

Secretary to the Advisory Group and Head of Freedom
of Information Implementation Branch,
Lord Chancellor's Department

ANNEX C

Guidance for Central Government and Non-Departmental Public Bodies on Publication Schemes under the Freedom of Information Act 2000

Introduction

- 1 The Freedom of Information Act 2000 requires all public authorities to make information available proactively by virtue of the publication scheme provisions set out in section 19 of the Act. Publication schemes give details of the classes of information that an authority makes available proactively and how they are accessible. The plans indicate a commitment to publish proactively as much information as possible and will look at how best to transmit the information to those who need to know more.
- 2 This paper sets out guidance for government departments and non-departmental public bodies (NDPBs) as to the issues that they should consider when deciding what information they will commit to make publicly available in their publication schemes. This is guidance not instructions; neither is it intended to be a model publication scheme. How the commitments in their schemes are delivered is a matter for individual departments and NDPBs. But where departments or NDPBs depart from the guidance in this paper, they should know why they are doing so and be prepared to justify their approach if asked by the Information Commissioner or other interested parties. Executive agencies are not required to have their own publication schemes, but should be included within the scope of the scheme applied by their parent department.
- 3 Given the different nature of the business of departments and NDPBs it is impossible to have prescribed rules on what each one will include in the publication scheme. The aim of this guidance is to achieve as much common ground as possible.
- 4 All central government departments and those non-departmental public bodies covered by the Code of Practice on Access to Government Information are required to have their publication scheme approved and in place by 30 November 2002. The scheme will have to be submitted to the Information Commissioner for approval between 1 July and 30 September 2002.

THE LEGAL REQUIREMENT

Section 19 of the Act places a duty on every public authority to:

- a) adopt and maintain a scheme which relates to the publication of information by the authority and to have that scheme approved by the Commissioner;
- b) publish information in accordance with that scheme; and
- c) review the scheme from time to time.

Each authority's publication scheme must specify:

- a) the classes of information which the public authority publishes or intends to publish;
- b) the manner in which information of each class is, or is intended to be, published; and
- c) whether the material is, or is intended to be, available free of charge or on payment.

In adopting or reviewing a publication scheme, the Act requires that a public authority should have regard to the public interest in:

- a) allowing public access to information held by the authority; and
- b) the publication of reasons for decisions made by the authority.

Content

- 5** In deciding the content of their publication scheme, departments and NDPBs should have regard to the public interest in the information that they hold. Some information held by an organisation will be of particular interest to the public and departments and NDPBs should consider what information they hold that they could make available proactively to meet this demand. The information included in an organisation's publication scheme should focus on the key areas of accountability of the organisation.
- 6** Departments and NDPBs will also need to consider when the information included in their publication scheme will be made available. For example, facts and analysis of the facts relating to policy decisions will normally be made available when policies and decisions are announced. Papers relating to meetings may need to be made available a number of weeks or months before or after the event. Allowance should be made for the time taken to approve minutes or to obtain transcripts. Items will then be held in accordance with the department's or NDPB's record disposal policy as normal in light of their business needs. The scheme should specify the usual retention period for each class of information.
- 7** There are some kinds of information which all departments and NDPBs should consider for inclusion within their publication schemes. These are detailed in paragraphs 7.1 to 7.12 below. The headings are not intended as specific 'classes of information' although departments and NDPBs may choose to use them as such.

7.1 Guidance to Staff

It is expected that publication schemes will provide access to explanatory material on departments' and NDPBs' dealings with the public and other organisations. This includes such rules, procedures, internal guidance to officials, and similar administrative manuals as will assist better understanding of the organisation's interaction in dealing with the public. It will also include internal guidance to officials on implementing/operating the Code of Practice on Access to Government Information (before 2005), the Freedom of Information Act (after 2005), the Environmental Information Regulations and the Data Protection Act 1998.

7.2 Background to Policy

The Code of Practice on Access to Government Information already commits departments and NDPBs to publishing the facts and analysis of the facts which Government considers relevant and important in framing major policy proposals and decisions. This commitment should be carried forward to the publication scheme.

7.3 Management Information

7.3.1 The Code of Practice on Access to Government Information requires Departments and NDPBs to publish:

- i. full information about how public services are run, how much they cost, who is in charge, and what complaints and redress procedures are available; and
- ii. full and, where possible, comparable information about what services are being provided, what targets are set, what standards of service are expected and the results achieved.

These commitments should be carried forward to the publication scheme.

7.3.2 In addition, publication scheme commitments are also likely to provide access to the following in relation to the role, function and management of the public authority:

- i. mission, objectives and functions of the authority;
- ii. organisation of the authority, including information about who is responsible for which function and how to contact him or her;
- iii. information about board meetings. This may include the agendas and minutes of the meetings and associated papers or summaries where appropriate;
- iv. targets, including those set for standards of service and financial performance, together with results achieved and comparative information; and
- v. sources of income, and how effectively money is raised and spent, for example, on different aspects of administration.

7.3.3 The information described above often appears in departmental reports, management statements, financial memoranda etc. Agency framework documents are also useful as they encapsulate the essential management operating arrangements for each agency with regard to its organisation of a department. For the purpose of this guidance it is the information itself and not the form in which it is presented that is important.

7.3.4 On (ii) above, departments and NDPBs will want to consider the appropriate level of seniority of the staff about which this kind of information is to be published. It is important that the public can identify a person who can provide the information they require. How this is achieved may well vary between departments and NDPBs and in some instances requests for information may be channelled through call centres.

7.3.5 Departments and NDPBs should also consider for which formal meetings it is appropriate to publish the agenda, papers and minutes or summaries of these documents. It is likely that departments and NDPBs will want to specify what information will be made available proactively for which meetings, or type of meetings. Regular formal committees or advisory groups are more likely to be included in the publication scheme than ad-hoc or impromptu discussions.

7.4 Public Consultation

The Cabinet Office guidelines on consultation should be followed. Responses submitted in confidence should have that confidence respected if the information submitted is properly confidential. The number of confidential responses should be published.

7.5 Departmental Circulars

There are many different types of circular and they are used to communicate a variety of information. It is probable that some of these circulars will be relevant for inclusion on a publication scheme. Many departments and NDPBs already have this sort of information on their websites and for some circulars it may be helpful to provide an index to improve accessibility. The scale of this task will therefore vary and departments and NDPBs may find that some of this information will be subsumed within other commitments within their scheme.

7.6 Information placed in the Libraries of the Houses of Parliament

Departments and NDPBs should consider whether documents placed in the library of either Houses of Parliament should be included within the publication scheme.

7.7 Decisions

7.7.1 Decisions of the Information Commissioner in relation to the Freedom of Information Act and Data Protection Act 1998, and the Parliamentary Ombudsman in relation to the Code of Practice on Access to Government information, relating to the organisation, are also items to which a publication scheme is likely to provide access. Some of these decisions are published by the Ombudsman and if so it may be appropriate simply to provide a link to that information. However, not all of the decisions are published and this information should be considered for inclusion. The public availability of details of departmental infractions under the Environmental Information Regulations should also be considered.

7.7.2 Decisions of other bodies relating to the department should be accessible where appropriate.

7.7.3 Reasons should be published for decisions made by the department where the decision affects a significant number of interested parties. An example is the Charity Commission, which is making more information available in relation to its decisions, particularly when there is considerable public interest. The decisions, and reasons, most likely to be appropriate to include in a publication scheme are those which affect a significant number of people. This may sometimes include a decision in relation to an individual, but which sets a precedent or has ramifications for the future handling of similar cases. Personal data relating to individuals should be handled in accordance with the Data Protection principles.

7.8 Speeches

Keynote speeches by Ministers and senior officials are likely to be made available proactively. In practice these are often already made available through a department's press office.

7.9 Legislation and Related Information

- 7.9.1 It is helpful to the public to know more about the legal framework within which departments and other public authorities operate. Collating a list in a single place and giving a brief description of the relationship between the legislation and the department's structure and functions should be considered, as should providing details of legislation or codes of practice that give rights of access to information.
- 7.9.2 Her Majesty's Stationery Office in the Cabinet Office have responsibility for the publication of UK legislation including Acts of Parliament, Statutory Instruments (including those made by the National Assembly for Wales), Acts of the Northern Ireland Assembly, Statutory Rules of Northern Ireland, Church of England Measures and Explanatory Notes to Acts of Parliament and Explanatory Notes to Acts of the Northern Ireland Assembly. Details of these categories of publications will be featured on HMSO's publication scheme with details of where users can view or purchase the documents. It follows that there is no need for organisations to provide full details of legislation which they have policy responsibility for in their own publication schemes. They may, however, wish to feature a reference in their publication scheme to the HMSO website where all newly enacted legislation can be viewed. The address is www.legislation.hmso.gov.uk
- 7.9.3 Parliament is responsible for the publication of Bills before Parliament and Explanatory Notes to Bills. This material can be viewed on the Parliamentary website. Again, there is no necessity for departments to feature details in their own publication schemes although they may wish to provide a link to the Parliamentary website at www.parliament.uk
- 7.9.4 HMSO also arranges for the publication of the London, Edinburgh and Belfast Gazettes. Details of these will be featured on HMSO's publication scheme. Organisations should, however, refer in their publication schemes to the categories of individual notices which are submitted for publication in the Gazettes.
- 7.9.5 Departments should provide details of Command Papers, White Papers and Green Papers which they have responsibility for publishing. For reference, a list of all Command Papers is published on HMSO's website.

- 7.9.6 Texts of international treaties, conventions and agreements should be accessible if not provided elsewhere. Departments may wish to provide cross-references to relevant documents of European Community legislation. It is suggested that details could be supplied of websites where the material can be viewed or from where the information can be obtained.

7.10 Procurement, grants, loans and guarantees

- 7.10.1 Departments and NDPBs are encouraged to be as open as possible when considering making available information in relation to procurement, grants, loans and guarantees.
- 7.10.2 In particular, the publication of procurement and supplier policies should be considered for publication as should the details of contracts awarded. Departments and NDPBs should also consider the provision of information on specific projects including notification of bidding opportunities, decision criteria, contract performance standards, results of regular performance reviews, and results achieved where appropriate. Good examples of the type of information that can be provided can be found on the websites of Southampton Council at www.southampton.gov.uk and the National Assembly for Wales at www.winningourbusiness.wales.gov.uk. The Office of Government Commerce can provide further advice about the provision of information on Government procurement.
- 7.10.3 Departments and NDPBs should consider including their policies on the awarding of grants, loans and the provision of guarantees in their publication scheme as well as background information on schemes administered by the organisation. Publishing an account of how grants have been dispensed under a particular scheme, including overall funds dispensed and an assessment of the benefit of the scheme in terms of its objectives should be considered. The publication of details of guarantees such as the guarantee recipient, purpose and amount should be considered for inclusion in departmental publication schemes whilst respecting legitimate personal and commercial confidentiality
- 7.10.4 Information relating to the items above need not include all such information but could be covered in a generic fashion or include information on projects above a particular cost threshold as decided by the department or NDPB.

7.10.5 The Lord Chancellor's code of practice on the discharge of the functions of public authorities under Part 1 of the Freedom of Information Act requires that departments and NDPBs ensure that they consider the implications for freedom of information before agreeing to confidentiality provisions in contracts and accepting information in confidence from a third party more generally. In particular, departments and NDPBs should only accept information from third parties in confidence if it is necessary to obtain that information in connection with the exercise of any of their functions. They should not agree to hold information received from third parties 'in confidence' which is not confidential in nature. Acceptance of any confidentiality provisions must be for good reasons and capable of being justified to the Information Commissioner.

7.11 Information required to be published under other legislation

This includes a wide range of information, some of which will be specific to individual organisations. In particular, information relating to the environment that would be accessible under the Environmental Information Regulations such as estate management information and greening government reports as well as environmental impact assessments and departmental sustainable development strategies should be made available where appropriate.

7.12 Research Reports; Risk & Impact Assessments etc

Appropriate guidance on the publication of scientific research from the Office of Science and Technology and on risk assessment should be followed when considering the content of a publication scheme. Regulatory Impact Assessments are also likely to be accessible.

7.13 Information disclosed under the Code of Practice on Access to Government Information

Where information is disclosed to an individual in response to a request under the Code of Practice or Access to Government Information, or, from 1 January 2005, in response to a request under the Act, departments and NDPBs should consider whether the information disclosed is of general interest and include released information in the publication scheme where appropriate.

Presentation and Delivery

8 Publication schemes are intended to increase access to government information. Therefore the accessibility of the scheme and the information in it is very important. It is best practice to include:

8.1 Copyright

A general copyright statement should be included at the head of the publication scheme. Documents accessible under the scheme should feature an appropriate copyright notice whether published in print or on official websites in accordance with guidance issued by HMSO.

8.2 Formats

8.2.1 Details of the formats that the scheme itself and the information accessible under it are available in e.g. Braille, Welsh, other languages, electronic, paper etc should be given. The decision to publish information in alternative formats is a result of normal business deliberations and should be considered when a document is produced and is not a matter for a publication scheme.

8.2.2 The scheme itself should be provided on paper and electronically. Consideration of other formats should be in line with the relevant accessibility criteria for publications including the organisation's Welsh language scheme.

8.2.3 Departments and NDPBs may not be able to rely wholly on the internet as a means of making information available proactively. There are many ways by which information can be made available proactively.

8.3 Access to the Information

Departments and NDPBs should make clear how information can be obtained by the public under the scheme. They should publish a guide for users on **applying for information** and exercising associated rights under the Code of Practice on Access to Government Information (before 2005), under the Freedom of Information Act (after 2005), under the Data Protection Act 1998 and under the Environmental Information Regulations. Links to information that is part of the organisation's commitment to publish but is provided elsewhere should be provided, including an indication of any **on-line resources**, such as databases, which can be interrogated directly by requesters where this is reasonable and practicable to do so.

8.4 Relationship with Information Asset Register

8.4.1 The Information Asset Register (IAR) details Government information assets that can be reused under licence. The IAR focuses primarily on unpublished data holdings and thus provides a guide to the unpublished information resources held by departments. The IAR can help identify what information a department holds, how useful that information is and how to access it. For further information about the Information Asset Register and their links with publication schemes, see HMSO's Guidance note 18 which can be viewed on HMSO's website at: www.hmso.gov.uk/guides.htm

8.4.2 The department's information asset register should be directly referred to in its publication scheme and should form an important part of their preparations for freedom of information. Each department is responsible for creating its records within its own departmental asset register.

8.5 Archiving

Archiving of the publication scheme for records management purposes should be considered whenever the scheme is updated or otherwise amended. It is suggested that departments and NDPBs should keep their initial scheme, and subsequent versions of the scheme that contain significant changes.

8.6 UK Official Publications

Departments and NDPBs are reminded of their responsibilities for providing information relation to maintaining the complete bibliographic record of all United Kingdom Official Publications. For details please see HMSO's Guidance Note 17. This can be viewed on HMSO's website at: www.hmso.gov.uk/guides.htm

8.7 Plain Language

Publication schemes should be in plain language. The Cabinet Office Plain Language guide should be followed: www.cabinet-office.gov.uk/servicefirst/2000/plainlanguage/guide.htm

Public Interest and Consultation

9 When having regard to the public interest in the information held by the organisation, it is best practice to consider all the different stakeholders who might be interested in the

information and to consult with these groups where possible – this may have to be after the publication scheme is in place with initial assessment of the public interest based on information the organisation already holds e.g. Minister's Cases, website hits etc.

10 Consultation can take a variety of forms. These include traditional written consultation, listening events, seminars with, and visits to, representative groups. Having an e-mail address for comments or an online feedback form can encourage user feedback. Internet discussions are also a valid way of consulting with your 'public' as is both quantitative and qualitative research including surveys and focus groups.

Charging

11 A publication scheme must state whether documents in the scheme will be available free of charge or for a charge.

11.1 Interpreting the law

11.1.1 The Environmental Information Regulations permit charges in respect of costs reasonably attributable to the supply of information, provided a schedule of the charges that may be levied is made available to all persons requesting environmental information. The EI Regulations apply to both published and unpublished information, including EI supplied under other enactments. (Treasury and DEFRA will let departments have further advice on charges for Environmental Information when the negotiations on the revised EI Regulations have reached a firmer point). Some organisations may also have legislation on non-environmental matters under which they publish certain information.

11.1.2 The FOI Act does not require that a schedule of charges is included within the publication scheme, but only that the publication scheme specify whether the material is, or is intended to be, available free of charge or on payment. This is important as the Information Commissioner proposes to approve a publication scheme for three to five years. Organisations will therefore be seeking in their classes of information to anticipate the document types or subject areas which the department will be publishing during that period, but it is unlikely to be either practical nor possible to anticipate every future title or charge.

11.1.3 It is suggested that in their publication schemes, organisations should therefore set out their charging policy, but indicate that, where charges are made, the charge for each publication will be listed by the title of the publication on the up to date publications list. A link to the up to date list or a note of where it can be obtained is recommended. For information published under another enactment, this may in some cases take the form of a link to the relevant fees order.

11.1.4 For the purposes of defining the potential coverage of a publication scheme, we must have regard to both section 19 and section 21 of the FOI Act. The latter indicates that where information is available from the public authority on request, it can be regarded as reasonably accessible to the applicant where it is made available in accordance with the authority's publication scheme, and any payment required is specified in, or determined in accordance with, the scheme.

11.2 Definition of charging

11.2.1 For the purposes of charges, HM Treasury is assuming that a publication is material which:

- has appeared on a public website;
- has been advertised on a public website, or in a commercial publisher's list, as available, and which is already held by, or immediately available in store to, the department's public enquiry unit in its final format for supply to the public, or similarly by the department's commercial publisher; or
- is available from book shops, public libraries, etc supplied by the department or the commercial publisher.

Information which is held by an organisation, but which it has not been intended to publish, and has to be extracted specifically for the requestor, is not covered by a publication scheme.

11.3 Form of words for use in publication schemes

11.3.1 A possible approach is to describe some broad pricing categories which could be applied either to an organisation's publication scheme as a whole or to individual classes. A single pricing category may apply to a particular class, but two or more pricing categories to other classes.

11.3.2 The appendix to this guidance contains a suggested form of words which assumes that any payment can be requested in advance before a publication is supplied, but this is not yet certain for information supplied under the revised EI Regulations. Square brackets indicate where departments or NDPBs are most likely to need to adapt the wording to their own circumstances.

Review

12 The Information Commissioner has said in her publication scheme Guidance that she will want to review publication schemes every three years although this might be extended slightly for the very first approvals (Central and Local Government) but in any event that period will not exceed five years. The Information Commissioner will require notification of any additions to a Scheme during that period and will require departments and NDPBs to seek approval of the removal of any commitment made in the publication scheme over the same period.

Conclusion

13 When developing their publication scheme, departments and NDPBs should keep in mind that publication schemes are intended as a tool for openness, to increase transparency and accountability and improve decision-making. All schemes should have the public interest as their driver and should help to promote trust between the Government and the electorate. In developing their publication schemes, departments are encouraged to look at the experience of their counterparts in other countries with freedom of information legislation and keep in mind that other openness regimes frequently over-estimated perceived risks associated with openness.

APPENDIX TO PUBLICATION SCHEME GUIDANCE

Suggested Form of Words for Charging on Publication Schemes

'Is information free of charge or on payment?'

We indicate [for each class of information] in our publication scheme which of the following categories could apply to information you intend to use for your private research/study:

- a. free of charge on website (i.e. there is no charge by us, although the user would of course have to meet any charges by their Internet service provider, personal printing costs, etc). For those without Internet access, a single print-out as on the website would be available by post from [...] [or by personal application at ...]. However, requests for multiple print-outs, or for archived copies of documents which are no longer available on the web, may attract a charge for the cost of retrieval, photocopy, postage, etc. We would let you know this at the time of your request [the charge would be payable in advance];
- b. free of charge leaflets or booklets on, e.g. services we offer to the public. List available from [...], material itself from [...];
- c. free of charge to view at [local office or wherever but charge for [certified] photocopy [a schedule of charges for [...] is available from [...]] [For other items, we would let you know the relevant charge at the time of your request [the charge would be payable in advance];
- d. information available via a website, but a charge would have to be paid before the main part of the information could be accessed. [This is the exception.] This may arise, e.g. where the website is used to deliver a value-added customised service, particularly where the basic data is also available to private sector users who may provide their own value-added service. Where this applies, the reason for the charge and the level of charges would be advertised [where?].

(Note: some 'information' accessible on our website is not published for the information of the general public, but is part of our electronic delivery of services, for example where applications for licences can be made on-line or where tax returns can be filed on-line. In that case, access to records bearing details about a named individual or company is limited to the individual or company concerned and other authorised persons. We explain the conditions applying on our website so that you can read them before you begin to use the relevant on-line service);

- e. 'glossy' or other bound paper copies, or in some cases a CD Rom, video or other media, are for charge as in our publication lists available at [...] [or those of our publisher available at [...]].

If you want to re-use or reproduce our publications, e.g. commercially or for circulation for education, etc, purposes, you will in most cases need to apply for a copyright licence for this. This [Department] [is a Crown body and our information is subject to Crown copyright administered by Her Majesty's Stationery Office]. For HMSO Guidance Notes on a range of copyright issues, see the HMSO website www.hmso.gov.uk/guides.htm or write to [...].

[We own the copyright in our information. Our charging policy for re-use and reproduction is [...]]
 [Note: this applies only to NDPBs which are non-Crown and other non-Crown public sector bodies].

More details of the Government's policy on where charges are made and on determining the level of charges is available in 'Charges for Information: When and How – Guidance for Government Departments and other Crown Bodies at: www.hm-treasury.gov.uk/about/open_government/opengov_charging.cfm

ANNEX D

Existing Schemes for Providing Access to Information

This Annex sets out the main access regimes currently in operation which govern how authorities should make information available to the public.

- Part 1 reproduces the Code of Practice on Access to Government Information which applies to all central government departments, as well as those non-departmental public bodies who fall within the remit of the Parliamentary Commissioner for Administration (the Parliamentary Ombudsman). A list of the bodies covered by this code of practice can be found on the Ombudsman's website at: www.ombudsman.org.uk. The code of practice has been in force since 1994 and was revised in 1997. Although it does not provide a statutory right to information it is regulated by the Parliamentary Ombudsman who has the power to investigate breaches of the Code brought to his attention by a Member of Parliament.
- Part 2 reproduces the Code of Practice on Openness in the NHS which sets out the basic principles underlying public access to information about the NHS. Like the Code of Practice on Access to Government Information it does not confer a statutory right to information, although complaints can be investigated by the Health Service Ombudsman. More information about the Health Service Ombudsman can be found on the Ombudsman's website at: www.ombudsman.org.uk
- Part 3 summarises people's legal rights to obtain personal information held about them by both public and private sector organisations under the Data Protection Act 1998. It also explains how to make a subject access request under the Data Protection Act. The list of data controllers can be found online at www.dpr.gov.uk. Further information and guidance about the Data Protection Act can be found either on the LCD website at www.lcd.gov.uk/foi/dataprot.htm or on the website of the Information Commissioner at: www.informationcommissioner.gov.uk
- Part 4 summarises the legal rights that govern access to environmental information held by public authorities under the 1992 Environmental Information Regulations. More information about these can be found on the website of the Department for the Environment, Food and Rural Affairs at: www.defra.gov.uk/environment/pubaccess/guidance/index.htm
- Part 5 summarises the rights that exist to local government information. The Local Government Act 1972 and The Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 set out the public's rights of access to the agendas, minutes and papers of meetings of principle councils (district, borough, and county councils) when these met in public, and to the background papers officers rely on when drawing up their reports. There are also rights of access to papers used in decision taking by some individuals. The public can also inspect the bills, receipts, and invoices issues and received by the council at the time of the annual audit under the Accounts and Audit Regulations 1996.

Section 1

Open Government Code of Practice on Access to Government Information Second Edition (1997)

Part 1

Purpose

- 1 This code of practice supports the Government's policy under the Citizen's Charter of extending access to official information, and responding to reasonable requests for information. The approach to release of information should in all cases be based on the assumption that information should be released except where disclosure would not be in the public interest, as specified in Part II of this Code.
- 2 The aims of the Code are:
 - to improve policy-making and the democratic process by extending access to the facts and analyses which provide the basis for the consideration of proposed policy;
 - to protect the interests of individuals and companies by ensuring that reasons are given for administrative decisions, except where there is statutory authority or established convention to the contrary; and
 - to support and extend the principles of public service established under the Citizen's Charter.

These aims are balanced by the need:

- to maintain high standards of care in ensuring the privacy of personal and commercially confidential information; and
- to preserve confidentiality where disclosure would not be in the public interest or would breach personal privacy or the confidences of a third party, in accordance with statutory requirements and Part II of the Code.

Information the Government will release

- 3 Subject to the exemptions in Part II, the Code commits departments and public bodies under the jurisdiction of the Parliamentary Commissioner for Administration (the Ombudsman):¹
 - i. to publish the facts and analysis of the facts which the Government considers relevant and important in framing major policy proposals and decisions; such information will normally be made available when policies and decisions are announced;
 - ii. to publish or otherwise make available, as soon as practicable after the Code becomes operational, explanatory material on departments' dealings with the public (including such rules, procedures, internal guidance to officials, and similar administrative manuals as will assist better understanding of departmental action in dealing with the public) except where publication could prejudice any matter which should properly be kept confidential under Part II of the Code;
 - iii. to give reasons for administrative decisions to those affected;²
 - iv. to publish in accordance with the Citizen's Charter:
 - full information about how public services are run, how much they cost, who is in charge, and what complaints and redress procedures are available; and
 - full and, where possible, comparable information about what services are being provided, what targets are set, what standards of service are expected and the results achieved.

¹ In Northern Ireland, the Parliamentary Commissioner for Administration and the Commissioner for Complaints.

² There will be a few areas where well-established convention or legal authority limits the commitment to give reasons, for example certain decisions on merger and monopoly cases or on whether to take enforcement action.

- iv. to release, in response to specific requests, information relating to their policies, actions and decisions and other matters related to their areas of responsibility.

- 4 There is no commitment that pre-existing documents, as distinct from information, will be made available in response to requests. The Code does not require departments to acquire information they do not possess, to provide information which is already published, or to provide information which is provided as part of an existing charged service other than through that service.

Responses to requests for information

- 5 Information will be provided as soon as practicable. The target for response to simple requests for information is 20 working days from the date of receipt. This target may need to be extended when significant search or collation of material is required. Where information cannot be provided under the terms of the Code, an explanation will normally be given.

Scope

- 6 The Code applies to those government departments and other bodies within the jurisdiction of the Ombudsman (as listed in Schedule 2 to the Parliamentary Commissioner Act 1967).³ The Code applies to agencies within departments and to functions carried out on behalf of a department or public body by contractors. The Security and Intelligence Services are not within the scope of the Code, nor is information obtained from or relating to them.

Charges

- 7 Departments, agencies and public bodies will make their own arrangements for charging. Details of charges are available from departments on request. Schemes may include a standard charge for processing simple requests for information. Where a request is complex and would require extensive searches of records or processing or collation of information, an additional charge, reflecting reasonable costs may be notified.

Relationship to statutory access rights

- 8 This Code is non-statutory and cannot override provisions contained in statutory rights of access to information or records (nor can it override statutory prohibitions on disclosure). Where the information could be sought under an existing statutory right, the terms of the right of access takes precedence over the Code. There are already certain access rights to health, medical and educational records, to personal files held by local authority housing and social services departments, and to personal data held on computer. There is also a right of access to environmental information. It is not envisaged that the Ombudsman will become involved in supervising these statutory rights.

The White Paper on Open Government (Cm 2290) proposed two new statutory rights to information:

- * an access right to personal records, proposed in Chapter 5; and
- * an access right to health and safety information, proposed in Chapter 6.

Where a statutory right is proposed but has yet to be implemented, access to relevant information may be sought under the Code, but the Code should not be regarded as a means of access to original documents or personal files.

Public records

- 9 The Code is not intended to override statutory provisions on access to public records, whether over or under thirty years old. Under s12(3) of the Parliamentary Commissioner Act 1967, the Ombudsman is not required to question the merits of a decision if it is taken without maladministration by a government department or other body in the exercise of a discretion vested in it. Decisions on public records made in England and Wales by the Lord Chancellor, or in Scotland and Northern Ireland by the Secretary of State, are such discretionary decisions.

³ In Northern Ireland the Code applies to public bodies under the jurisdiction of the Northern Ireland Parliamentary Commissioner for Administration and the Commissioner for Complaints, with the exception of local government and health and personal social services bodies, for which separate arrangements are being developed as in Great Britain. Some Northern Ireland departments and bodies are expressly subject to the jurisdiction of the Parliamentary Commissioner under the 1967 Act.

Jurisdiction of courts, tribunals or inquiries

- 10 The Code only applies to Government-held information. It does not apply to or affect information held by courts or contained in court documents. ('Court' includes tribunals, inquiries and the Northern Ireland Enforcement of Judgements Office). The present practice covering disclosure of information before courts, tribunals and inquiries will continue to apply.

Investigation of complaints

- 11 Complaints that information which should have been provided under the Code has not been provided, or that unreasonable charges have been demanded, should be made first to the department or body concerned. If the applicant remains dissatisfied, complaints may be made through a Member of Parliament to the Ombudsman. Complaints will be investigated at the Ombudsman's discretion in accordance with the procedures provided in the 1967 Act.⁴

Part 2**Reasons for confidentiality**

The following categories of information are exempt from the commitments to provide information in this Code. In those categories which refer to harm or prejudice, the presumption remains that information should be disclosed unless the harm likely to arise from disclosure would outweigh the public interest in making the information available.

References to harm or prejudice include both actual harm or prejudice and risk or reasonable expectation of harm or prejudice. In such cases it should be considered whether any harm or prejudice arising from disclosure is outweighed by the public interest in making information available.

The exemptions will not be interpreted in a way which causes injustice to individuals.

1 Defence, security and international relations

- a. Information whose disclosure would harm national security or defence.
- b. Information whose disclosure would harm the conduct of international relations or affairs.
- c. Information received in confidence from foreign governments, foreign courts or international organisations.

2 Internal discussion and advice

Information whose disclosure would harm the frankness and candour of internal discussion, including:

- proceedings of Cabinet and Cabinet committees;
- internal opinion, advice, recommendation, consultation and deliberation;
- projections and assumptions relating to internal policy analysis; analysis of alternative policy options and information relating to rejected policy options; and
- confidential communications between departments, public bodies and regulatory bodies.

3 Communications with the Royal Household

Information relating to confidential communications between Ministers and Her Majesty the Queen or other Members of the Royal Household, or relating to confidential proceedings of the Privy Council.

4 Law enforcement and legal proceedings

- a. Information whose disclosure could prejudice the administration of justice (including fair trial), legal proceedings or the proceedings of any tribunal, public inquiry or other formal investigations (whether actual or likely) or whose disclosure is, has been, or is likely to be addressed in the context of such proceedings.

⁴ Separate arrangements will apply in Northern Ireland.

- b. Information whose disclosure could prejudice the enforcement or proper administration of the law, including the prevention, investigation or detection of crime, or the apprehension or prosecution of offenders.
- c. Information relating to legal proceedings or the proceedings of any tribunal, public inquiry or other formal investigation which have been completed or terminated, or relating to investigations which have or might have resulted in proceedings.
- d. Information covered by legal professional privilege.
- e. Information whose disclosure would harm public safety or public order, or would prejudice the security of any building or penal institution.
- f. Information whose disclosure could endanger the life or physical safety of any person, or identify the source of information or assistance given in confidence for law enforcement or security purposes.
- g. Information whose disclosure would increase the likelihood of damage to the environment, or rare or endangered species and their habitats.

5 Immigration and nationality

Information relating to immigration, nationality, consular and entry clearance cases. However, information will be provided, though not through access to personal records, where there is no risk that disclosure would prejudice the effective administration of immigration controls or other statutory provisions.

6 Effective management of the economy and collection of tax

- a. Information whose disclosure would harm the ability of the Government to manage the economy, prejudice the conduct of official market operations, or could lead to improper gain or advantage.
- b. Information whose disclosure would prejudice the assessment or collection of tax, duties or National Insurance contributions, or assist tax avoidance or evasion.

7 Effective management and operations of the public service

- a. Information whose disclosure could lead to improper gain or advantage or would prejudice:
 - the competitive position of a department or other public body or authority;
 - negotiations or the effective conduct of personnel management, or commercial or contractual activities; and
 - the awarding of discretionary grants.
- b. Information whose disclosure would harm the proper and efficient conduct of the operations of a department or other public body or authority, including NHS organisations, or of any regulatory body.

8 Public employment, public appointments and honours

- a. Personnel records (relating to public appointments as well as employees of public authorities) including those relating to recruitment, promotion and security vetting.
- b. Information, opinions and assessments given in confidence in relation to public employment and public appointments made by Ministers of the Crown, by the Crown on the advice of Ministers or by statutory office holders.
- c. Information, opinions and assessments given in relation to recommendations for honours.

9 Voluminous or vexatious requests

Requests for information which are vexatious or manifestly unreasonable or are formulated in too general a manner, or which (because of the amount of information to be processed or the need to retrieve information from files not in current use) would require unreasonable diversion of resources.

10 Publication and prematurity in relation to publication

Information which is or will soon be published, or whose disclosure where the material relates to a planned or potential announcement or publication, could cause harm (for example, of a physical or financial nature).

b. Information whose disclosure without the consent of the supplier would prejudice the future supply of such information.

c. Medical information provided in confidence if disclosure to the subject would harm their physical or mental health, or should only be made by a medical practitioner.

11 Research, statistics and analysis

a. Information relating to incomplete analysis, research or statistics, where disclosure could be misleading or deprive the holder of priority of publication or commercial value.

b. Information held only for preparing statistics or carrying out research, or for surveillance for health and safety purposes (including food safety), and which relates to individuals, companies or products which will not be identified in reports of that research or surveillance, or in published statistics.

15 Statutory and other restriction

a. Information whose disclosure is prohibited by or under any enactment, regulation, European Community law or international agreement.

b. Information whose release would constitute a breach of Parliamentary Privilege.

12 Privacy of an individual

Unwarranted disclosure to a third party of personal information about any person (including a deceased person) or any other disclosure which would constitute or could facilitate an unwarranted invasion of privacy.

13 Third party's commercial confidences

Information including commercial confidences, trade secrets or intellectual property whose unwarranted disclosure would harm the competitive position of a third party.

14 Information given in confidence

a. Information held in consequence of having been supplied in confidence by a person who:

- gave the information under a statutory guarantee that its confidentiality would be protected; or
- was not under any legal obligation, whether actual or implied, to supply it, and has not consented to its disclosure.

Section 2

Code of Practice on Openness in the NHS (1995)

Part I: Basic Principles

1 Introduction

This code of practice sets out the basic principles underlying public access to information about the NHS. It reflects the Government's intention to ensure greater access by the public to information about public services and complements the Code of Access to Information which applies to the Department of Health, including the NHS Executive. It also builds on the progress already made by the Patient's Charter which sets out the rights of people to a range of information about the NHS.

Because the NHS is a public service, it should be open about its activities and plans. So, information about how it is run, who is in charge and how it performs should be widely available. Greater sharing of information will also help to foster mutual confidence between the NHS and the public. The basic principle of this Code is that the NHS should respond positively to requests for information, except in certain circumstances identified in the Code. For example, patients' records must be kept safe and confidential.

2 Scope

The code of practice covers the following NHS organisations in England: Regional Health Authorities, Family Health Services Authorities, District Health Authorities, Special Health Authorities, NHS Trusts, the Mental Health Act Commission and Community Health Councils. It also covers family doctors, dentists, optometrists (opticians) and community pharmacists. Specific requirements for most of these organisations are detailed in parts 2-5 below. Organisations not covered in these sections must apply the general principles of the Code in their dealings with the public.

3 Aims

The aims of the Code are to ensure that people:

- have access to available information about the services provided by the NHS, the cost of those services, quality standards and performance against targets;
- are provided with explanations about proposed service changes and have an opportunity to influence decisions on such changes;
- are aware of the reasons for decisions and actions affecting their own treatment; and
- know what information is available and where they can get it.

4 General Principles

In implementing the Code, the NHS must:

- respond positively to requests for information (except in the circumstances identified in paragraph 9);
- answer requests for information quickly and helpfully, and give reasons for not providing information where this is not possible;
- help the public to know what information is available, so that they can decide what they wish to see, and whom they should ask; and
- ensure that there are clear and effective arrangements to deal with complaints and concerns about local services and access to information, and that these arrangements are widely publicised and effectively monitored.

5 Information Which Must be Provided

Apart from the exemptions set out in paragraph 9 below, NHS trusts and authorities must publish or otherwise make available the following information:

- information about what services are provided, the targets and standards set and results achieved, and the costs and effectiveness of the service;
- details about important proposals on health policies or proposed changes in the way services are delivered, including the reasons for those proposals. This information will normally be made available when proposals are announced and before decisions are made;
- details about important decisions on health policies and decisions on changes to the delivery of services. This information, and the reasons for the decisions, will normally be made when the decisions are announced;
- information about the way in which health services are managed and provided and who is responsible;
- information about how the NHS communicates with the public, such as details of public meetings, consultation procedures, suggestion and complaints systems;
- information about how to contact Community Health Councils and the Health Service Commissioner (Ombudsman); and
- information about how people can have access to their own personal health records.

6 Response to Requests for Information

Requests for information, whether made in person or in writing, must be answered promptly. An acknowledgement must be sent within 4 working days and, where possible, the information should follow within 20 working days. NHS organisations are not required to make available:

- i. copies of the documents or records containing the information (although in some cases it may be simpler to do so if they contain nothing but the information requested);
- ii. information which the organisation does not possess (e.g. comparable data with other organisations); and
- iii. individual copies of documents or other forms of information which are already widely publicly available.

If the information is not to be provided under the terms of the Code, an explanation must be provided within 20 working days of receipt of the request. Each NHS organisation must publish the name of an individual who has responsibility for the operation of this code of practice. This should be a senior officer directly accountable to the Chief Executive of the organisation. Details of how to request information through this individual must also be publicised locally.

7 Charging for Information

NHS Trusts and Authorities may make a charge for providing information but are not required to do so. It is recommended that charging should be exceptional but that where charges are made the following ground rules should be observed:

- a. no charge for individuals enquiring about services or treatment available to them; press and other media; Community Health Councils; MPs; Local Authorities; Citizen's Advice Bureaux; and
- b. for requests from people not listed above, no charge for the first hour and a charge not exceeding £20 per hour for each hour thereafter.

8 Personal Health Records

The NHS must keep patients' personal details confidential but people normally have a right to see their own health records. Depending on who made the records, patients can obtain access through the relevant Trust, Health Authority, family doctor or dentist. Access must be given within the timetable in the Access to Health Records Act 1990 (or, for records held on computer, the Data Protection Act 1984). Under these Acts, patients may be charged for access to their records.

9 Information Which May be Withheld

NHS Trusts and Authorities must provide the information requested unless it falls within one of the following exempt categories:

- i. Personal information. People have a right of access to their own health records but not normally to information about other people.
- ii. Requests for information which are manifestly unreasonable, far too general, or would require unreasonable resources to answer.
- iii. Information about internal discussion and advice, where disclosure would harm frank internal debate, except where this disclosure would be outweighed by the public interest.
- iv. Management information, where disclosure would harm the proper and effective operation of the NHS organisation.
- v. Information about legal matters and proceedings, where disclosure would prejudice the administration of justice and the law.
- vi. Information which could prejudice negotiations or the effective conduct of personnel management or commercial or contractual activities. This does not cover information about internal NHS contracts.
- vii. Information given in confidence. The NHS has a common law duty to respect confidences except when it is clearly outweighed by the public interest.
- viii. Information which will soon be published or where disclosure would be premature in relation to a planned announcement or publication.
- ix. Information relating to incomplete analysis, research or statistics where disclosure could be misleading or prevent the holder from publishing it first.

10 Complaining About the Provision of Information

People may wish to complain about a decision to refuse to provide information, a delay in providing information or levels of charges. In the first instance, complaints should be made within 3 months to the local individual responsible for the operation of the Code (see paragraph 6 above). If the complainant remains dissatisfied, a complaint should be made to the Chief Executive of the organisation, or the Chief Executive of the Family Health Services Authority in the case of family doctors, dentists, pharmacists and optometrists (opticians). Community Health Councils may be able to help people to pursue their complaint. NHS Trusts and Authorities must acknowledge complaints within 4 working days and reply within 20 working days.

The NHS Trust or Authority will provide people with information about how to take their complaint further to the Health Service Ombudsman if they remain dissatisfied.

11 Implementation of the Code of Practice

The NHS organisations described in paragraph 2 above must implement the code of practice from 1 June 1995. Detailed guidance notes, to help them respond to requests for information in accordance with the code, will be available by the implementation date.

Part 2: NHS Trusts

1 Introduction

This section describes the information which NHS Trusts must publish or make available. It also lists examples of information which it is recommended should be made available as a matter of good practice, either through publication or on request.

2 Information Which Must be Published

The following are the documents which Trusts must publish by given dates:

- an annual report describing the Trust's performance over the previous financial year, and including details of board members' remuneration; the report should be written and presented in a way that can be readily understood by the general public;
- an annual summary of the Trust's business plan, describing the Trust's planned activity for the coming year;
- a summary strategic direction document (not published annually), setting out the Trust's longer term plans for the delivery of health care services over a five year period; and
- audited accounts published annually.

In addition to the documents described above, NHS Trusts must also make available, on request:

- the register of board members' private interests required under the Code of Accountability for NHS boards; and
- such information as is required by the Patient's Charter and NHS performance tables.

2.1 Public Meetings

NHS Trusts must hold at least one public meeting a year. An agenda, papers, the accounts and the annual report must be publicly available at least 7 days in advance of the meeting. Provision must be made for questions and comments to be put by the public. Public meetings must be held in readily accessible venues and at times when the public are able to attend. Providing the public with access to more frequent general meetings or to board meetings is good practice already followed by an increasing number of Trusts.

3 Good Practice in Providing Information

3.1 Examples of Additional Information Which May be Published

- quarterly board reports (financial, activity, quality and contract information);

- Patient's Charter
 - local performance against national targets;
 - local performance against local targets;
- information on service changes;
- agenda and papers relating to other meetings held in public in addition to the Annual Public Meeting.

3.2 Examples of Information Which May be Available on Request

The following list is a guide to some of the information which is routinely held by most NHS Trusts. Much of the information will be detailed in the previous year's annual report. Where more up-to-date information is available, this may be given:

- patient information leaflets;
- description of facilities (numbers of beds, operating theatres etc);
- performance against Patient's Charter national and local standards and targets;
- waiting times by speciality;
- detailed information on activity;
- broad conclusions of clinical audit;
- number and percentage of operations cancelled, by speciality;
- price lists for extra-contractual referrals;
- information about clinicians (including qualifications, areas of special interest, waiting times for appointment);
- areas which have been market-tested, with details of decisions reached;
- tenders received by value, but not by name of tenderer;
- information on manpower and staffing levels and staff salaries by broad bandings;
- policies for Trust staff, e.g. equal opportunities, standards of conduct;

- environmental items, e.g. fuel usage;
- volume and categories of complaints and letters of appreciation (without identifying individuals), and performance in handling complaints;
- results of user surveys and action to be taken;
- standing orders and waivers of standing orders;
- standing financial instructions;
- external audit management letter, and Trust response, at the time when response is made;
- details of administrative costs;
- funds held on trust, such as bequests and donations;
- performance against quality standards in contracts;
- clinical performance, by specialty, e.g. proportion of surgery done on day surgery basis, by condition;
- performance against national and local targets for inpatient and day case waiting times;
- names and contact (office) numbers of board members and senior officers;
- basic salaries, i.e. excluding PRP and distinction awards, of staff, by bandings and in anonymised form;
- response times for ambulances; and
- information about the use of outside management consultants, including expenditure.

4 Procedures for Obtaining Information

Trusts must ensure that people know whom to ask for information. They must publish the name of the person responsible, along with full details of how to go about obtaining information and how to complain if the information is not provided. The person responsible should be a senior officer who is directly accountable to the Chief Executive of the Trust.

Part 3: Purchasers of Healthcare: District Health Authorities and Family Health Services Authority

1 Introduction

Purchasers have an essential role in the successful development of local services and achieving a strategic balance of care. The purchasers covered by this section are District Health Authorities, Family Health Services Authorities and District Health Authorities and Family Health Services Authorities acting jointly. (parts 4 and 5 give complementary advice for General Practitioner Fundholders).

This section describes the information which they must publish or make available. It also lists examples of information which it is recommended is made available as a matter of good practice, either through publication or on request.

2 Information Which Must be Published

2.1 District Health Authorities/ Family Health Services Authorities

The following are the documents which Authorities must publish by given dates:

- an annual report, describing the performance over the previous financial year, and including details of board members' remuneration; the report should be in a form that can be readily understood by the general public;
- an annual report by the Director of Public Health;
- an annual report on performance against Patient's Charter rights and standards;
- a full list of General Medical Practitioners, General Dental Practitioners, pharmacists and optometrists in their locality;
- papers, agendas and minutes of board meetings held in public;
- audited accounts published annually; and
- a strategy document (not published annually) setting out the health authority's plans over a five year period. They must consult with the public before and after developing the strategy.

In addition to the documents described above, authorities must also make available, on request:

- annual purchasing plans;
- contracts with providers, both NHS and non-NHS;
- the register of board members' private interests required under the Code of Accountability for NHS boards; and
- such information as is required by the Patient's Charter.

2.2 Public Meetings

District Health Authorities and Family Health Services Authorities must hold all their board meetings in public, though there is provision for certain issues (e.g. personnel and commercial matters) to be taken in a private part of the meeting. The agenda for these meetings must always be provided to the press and on request to members of the public. Public meetings must be held in easily accessible venues, and at times when the public are able to attend.

2.3 Consultation

District Health Authorities must consult with the Community Health Council and other interested parties on any plans to change the service which they purchase or plan for their residents.

They must publish well in advance a timetable to enable the public to know when and how they can influence the commissioning process.

3 Good Practice in Providing Information

3.1 Examples of Additional Information Which May be Published

- information on services purchased by the Authority;
- information about consultation exercises undertaken and outcomes;
- full reports of any user or attitude surveys and action to be taken;
- total available financial resources;
- District Health Authority allocation;

- Family Health Services Authority allocation;
- proposed and actual expenditure on services, analysed by:
 - providers;
 - contracts (including by speciality, if available);
 - treatments purchased separately from contracts (extra contractual referrals);
- changes in providers and contracts from previous years;
- performance against quality standards in contracts;
- clinical performance, by speciality, of providers contracted with, e.g. proportion of surgery done on day surgery basis, by condition;
- performance against national and local targets for in-patient and day case waiting times;
- numbers of complaints dealt with and response times;
- names and contact (office) numbers of Authority board members and senior officers;
- basic salaries i.e. excluding PRP and distinction awards, of staff, by bandings and in anonymised form; and
- information about the use of outside management consultants, including expenditure.

3.2 Examples of Information Which May be Available on Request

- future year resource plans;
- information about expenditure on different types of healthcare, such as primary, secondary or community care;
- price comparisons of all providers used by the purchaser;
- total expenditure per head of population;
- costs of authority administration;
- standing orders and waivers of standing orders;

- standing financial instructions; and
- external audit management letter, and response, at the time when the response is made.

4 Procedures for Obtaining Information

Authorities must ensure that people know whom to ask for information. They must publish the name of the person responsible, along with full details of how to go about obtaining information and how to complain if the information is not provided. The person responsible should be a senior officer who is directly accountable to the Chief Executive of the Authority.

Part 4: General Medical Practitioners; General Dental Practitioners, Community Pharmacists and Optometrists

1 Introduction

This section describes the information which General Medical Practitioners, General Dental Practitioners, Community Pharmacists and Optometrists must publish or make available. It also describes the information about these services which Family Health Services Authorities must provide. In addition, the section lists examples of information which it is recommended Family Health Services Authorities should publish or make available on request as a matter of good practice.

General Medical Practitioners, General Dental Practitioners, Community Pharmacists and Optometrists provide services to the public which are paid for by the NHS. The public should therefore have access to information about services they provide. Although they are self-employed independent contractors, and cannot therefore be required to publish sensitive information about their businesses, their contracts for services specify information that is important to patients and which must be made available.

2 Information Which Must be Published

The following are the statutorily required documents which must be published.

2.1 General Medical Practitioners

Practice Leaflets – Essential information for patients about individual doctor's practices is published in practice leaflets which can be obtained from the practice or the Family Health Services Authority. These must contain the following information:

- name, sex, medical qualifications and date and first place of registration of the General Practitioner;
- details of availability (including arrangements for cover when the General Practitioner is not available), appointments system and how to obtain an urgent appointment or home visit;
- arrangements for obtaining repeat prescriptions and dispensing arrangements;
- frequency, duration and purpose of clinics;
- numbers and roles of other staff employed by the practice, and information about whether the General Practitioner works alone, part-time or in partnership;
- details of services available – for example, child health surveillance, contraception, maternity, medical, minor surgery, counselling and physiotherapy;
- details of arrangements for receiving and responding to patient's comments and complaints;
- geographical boundary of the practice area; and
- details of access for the disabled.

IN ADDITION, SOME LEAFLETS ALSO:

- contain information about Patient's Charter standards;
- contain information detailing any other professional staff employed by the practice, including their registration status; and
- are available in languages other than English which are commonly used locally.

2.2 General Dental Practitioners

Practice Leaflets – Essential information for patients about individual dental practices is published in practice leaflets which can be obtained from the practice or the Family Health Services Authority. These contain:

- name, sex and date of registration as a dental practitioner;
- address, opening hours and details of partners/associates;
- whether a dental hygienist is employed;
- details of access to the premises;
- whether only orthodontic treatment is available;
- with consent, whether the dentist speaks any languages in addition to English; and
- General Dental Practitioners are required to inform patients of any emergency arrangements in place.

CHARGES

- General Dental Practitioners must provide patients with individual costed treatment plans. They must display a notice of the scale of NHS charges and information about entitlement to exemption from or remission of charges.

IT IS GOOD PRACTICE:

- to provide information about their cross-infection control procedures, giving examples as appropriate.

2.3 Community Pharmacists

Practice Leaflets – Pharmacists are not obliged to produce practice leaflets but those dispensing more than 1500 prescriptions a month normally do so. These leaflets detail the range of services available to the public and, if produced, must contain the following information:

- a list of services provided by the pharmacist;
- name, address and telephone number of the pharmacy;

- normal opening hours and arrangements for out of hours services and emergencies; and
- procedures for receiving comments on services provided.

AS GOOD PRACTICE:

- an increasing number of Community Pharmacists make health promotion leaflets available to the public.

2.4 Optometrists

Optometrists are not currently required to produce practice leaflets, but many do so as a matter of good practice.

Results of Eye-Tests

Optometrists must provide patients with a copy of the results of their eye-tests (i.e. their prescription) or a statement that no prescription is required.

2.5 Family Health Services Authorities

Directory of Local Services – A list of all General Medical Practitioners, General Dental Practitioners, Community Pharmacists and Optometrists must be published by Family Health Services Authorities. This contains details of all Practitioners in the area and includes information about out of hours services by pharmacists. Local General Practitioner Practice Charters are also available from Family Health Services Authorities.

CHANGING FAMILY DOCTORS

Information must be provided to help people wishing to change their family doctor. It is good practice to publish this information in a leaflet.

2.6 Personal Records

All Family Health Services Authority contractors must allow a patient access to their own health records under the Data Protection Act 1984 and the Access to Health Records Act 1990.

3 Information from Family Health Services Authorities

A Family Health Services Authority is well placed to take an overview of primary care services in its area and the following indicates additional information which may be provided.

3.1 Information about General Medical Practitioners

Within the restriction outlined in paragraph 1.2 about confidential contractual information, Family Health Services Authorities (or Health Commissions) may make available aggregate information about General Medical Practitioners in respect of:

SPEND:

- ◊ expenditure on General Medical Services; and
- ◊ prescribing.

NUMBERS:

- ◊ average list size of General Medical Practitioners;
- ◊ primary health care teams;
- ◊ aggregated numbers of district nurses, health visitors and midwives attached to practices; and
- ◊ aggregated number of practice nurses.

SERVICE INFORMATION:

- ◊ aggregated numbers of fundholding practices;
- ◊ aggregated levels of immunisation;
- ◊ aggregated levels of screening for cervical cytology;
- ◊ percentage of practices achieving top targets for smears and vaccinations;
- ◊ achievement of health promotion targets (percentage achieving band 3);
- ◊ time taken to transfer medical records;
- ◊ information about type of premises (e.g. main surgeries, branch surgeries); and
- ◊ percentage of practices with General Practitioner Practice Charters in place.

INITIATIVES:

- ◊ initiatives to promote the work of primary care teams; and
- ◊ involvement of General Practitioners in purchasing.

COMPLAINTS:

- ◊ numbers;
- ◊ response times;
- ◊ people's rights as patients; and
- ◊ how people can make complaints.

3.2 Information about Dentists

- ◊ Numbers and location of NHS dentists, including details of late opening and specialist services offered.

3.3 Information about Community Pharmacists

Numbers and location of pharmacists, and those offering:

- ◊ late opening;
- ◊ oxygen supplies;
- ◊ supplies to residential homes;
- ◊ health promotion information;
- ◊ out of hours services for urgent prescriptions; and
- ◊ needle exchange facilities.

3.4 Information about Optometrists

Numbers and location of optometrists, and those offering:

- ◊ late opening; and
- ◊ domiciliary visits to carry out sight tests.

4 Information Which Must Not be Disclosed Without the Agreement of Individual Family Health Service Contractors

- ◊ Commercially sensitive data relating to the operation of a practice as a business, e.g. salaries, buildings; and
- ◊ information on specific practices, where the disclosure has not been agreed with the practices concerned.

5 Procedures for Obtaining Information

Information about individual General Medical Practitioners, General Dental Practitioners, Pharmacists and Optometrists and their practice leaflets must be available from the practice. Family Health Services Authorities must ensure that people know whom to ask for additional information. The Authority should publish the name of the person responsible. This should be a senior officer who is directly accountable to the Chief Executive of the Authority.

Complaints about failure to obtain information should be dealt with as far as possible by the practice. If the complainant remains dissatisfied he/she should be directed to the Family Health Services Authority. The assistance of the Community Health Council may also be sought.

Part 5: General Practitioner Fundholders

1 Introduction

This section extends Part 4 and describes the additional information which General Practitioner Fundholders, as purchasers of services, must publish or make available. The requirements of Part 4 relating to General Medical Practitioners also apply to General Practitioner Fundholders, in their role as providers of General Medical Services (GMS).

2 Information Which Should be Published

The following are the documents which General Practitioner Fundholders should publish or make available by given dates:

- plans for major shifts in purchasing;
- annual practice plan describing how the practice intends to use its fund and management allowances over the coming year and demonstrating the practice's contribution to national targets and priorities as well as any locally-agreed objectives. The plan should include an outline longer term view and may optionally include the practice's primary health care team charter (Practice Charter) and plans for the practice's general medical services (GMS) activity;

- Practice Charter (if available and not included above);
- annual performance report; and
- audited annual accounts.

Consultation

General Practitioner Fundholders must ensure that a copy (or a summary) of their major shifts in purchasing intentions, annual plans, Practice Charter (if separate) and performance reports is available at their practice for consultation by patients. A copy of the above documents should be sent to the Family Health Services Authority and a copy (or a summary) to the local Community Health Council.

In addition, General Practitioner Fundholders are required to produce annual accounts for audit. Once audited, these are public documents and are available for inspection at the Family Health Services Authority. General Practitioner Fundholders are developing a range of models for involving patients in service planning. The NHS Executive will be publishing examples of best practice in this area later in 1995. General Practitioner Fundholders should ensure that they have effective complaints procedures in place.

3 Procedures for Obtaining Information

Information about individual practices should be requested direct from the practice. Complaints about failure to provide information should be dealt with as far as possible by the practice.

If the complainant remains dissatisfied he/she should be directed to the Family Health Services Authority. The assistance of the Community Health Council may also be sought.

Requests for information which is not about an individual practice should be directed to the Family Health Services Authority. They must ensure that they publicise the name of the officer within the Family Health Services Authority who is responsible for providing this information and for the operation of the code of practice. This should be a senior officer who is directly accountable to the Chief Executive of the Authority.

Section 3

Individuals' Right of Access to their Personal Data under the Data Protection Act 1998

The Data Protection Act 1998, which covers both the public and the private sector throughout the United Kingdom, sets the rules with which organisations holding information about living individuals on computer or in structured manual records must comply. This information is called 'personal data' and the organisations are known as 'data controllers'. At the core of the rules are the Act's data protection principles (a form of statutory code of good data handling practice). The principles require personal data to be:

- ♦ processed fairly and lawfully;
- ♦ processed only for limited purposes;
- ♦ adequate, relevant and not excessive;
- ♦ accurate;
- ♦ not kept longer than necessary;
- ♦ processed in accordance with individuals' rights;
- ♦ kept secure; and
- ♦ not transferred to non-EEA countries without adequate protection.

Central among the rights which the Act provides is that for individuals to find out what information is held about them and to obtain a copy of that information. This is known as the right of subject access. There is also a right to have inaccurate data corrected, blocked, erased or destroyed, and to seek compensation through the courts for damage and associated distress caused by such inaccuracy, or by any other contravention of the Act. There are a number of exemptions to the right of subject access.

Subject to some exemptions, data controllers are required to notify the Information Commissioner of the processing of personal data that they do. The Information Commissioner is the independent data protection supervisory authority who has responsibility for administering and enforcing the Act; provides advice and publishes guidance about the Act, deals with complaints about possible breaches of the Act and manages the notification scheme.

To apply for a copy of the information held about you, write to the 'data protection officer' of the organisation you are interested in. Although there is no statutory requirement for you to do so, it would be helpful to say that you are applying under section 7 of the Data Protection Act 1998 for access to any personal data about yourself. If the organisation has different offices or branches and you're not sure which to write to, telephone first and ask. Alternatively, contact the Information Commissioner's office or look at the organisation's entry on the register of data controllers held by the Information Commissioner. This can be found on the Internet at www.dpr.gov.uk. Except for certain medical, education and credit reference records, data controllers may charge a maximum fee of £10 for providing subject access.

Further information and guidance about the Data Protection Act can be obtained from either the LCD website at: www.lcd.gov.uk/foi/datprot.htm or from the Office of the Information Commissioner at the address below:

The Office of the Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF
Tel: 01625-545745

The Commissioner also has a website containing information and guidance:
www.informationcommissioner.gov.uk

Section 4

Access to Information under the Environmental Information Regulations

There has been a legal right of access to environmental information since the current Environmental Information Regulations (EIRs) were issued in 1992 in accordance with the EC Directive on Public Access to Environmental Information (90/313/EEC). For the purposes of the regulations environmental information is defined as information relating to:

- 'the state of any water or air, the state of any flora or fauna, the state of any soil, or the state of any natural site or other land';
- 'any activities or measures (including activities giving rise to noise or any other nuisance) which adversely affect anything mentioned in sub-paragraph (a) above or are likely adversely to affect anything so mentioned'; and
- 'any activities or administrative or other measures (including any environmental management programmes) which are designed to protect anything so mentioned'.

The scope of the EIRs is wide and applies to all government ministers, government departments, local authorities, and any person or organisation carrying out functions of public administration with responsibilities in relation to the environment. It also includes any body with public responsibilities for the environment which is under the control of a such a person or organisation.

The regulations apply to information held in written, visual, aural or data base form. It includes information contained in documents, pictures, maps and records where records are taken to include registers, reports, returns, computer records (e.g. data bases) and other non-documentary records. To make an application, write to the authority concerned, citing the Regulations. Authorities have up to two months to respond to your request.

The Regulations state that any body which holds any information to which the Regulations apply shall make

that information available to every person who requests it. A body may refuse to supply information in certain instances, e.g. if it does not consider that the information requested is 'environmental' as defined by the Regulations, or because they believe it is exempt from disclosure in accordance with Regulations. The body must however give reasons for refusal to the applicant in writing.

Any applicant dissatisfied with a refusal by a body to make information available, or who considers that a request for information has been inadequately answered or delayed may seek a remedy in a number of ways. Where the request for information is made of local government, the applicant may already apply to the local government ombudsman on grounds of maladministration giving rise to injustice. If all else fails, an action to enforce the duty provided for in Regulation 3(6) may be taken in the Courts.

Further information on the Environmental Information Regulations, including guidance notes which reflect policy on how the Regulations should be interpreted can be found on line at:

www.defra.gov.uk/environment/pubaccess/guidance/index.htm

Section 5

Access to Local Government Information

Under existing rules the public already have access to the minutes and reports from council meetings and the reasons why councils have made decisions.

The Local Government Act 1972 applies to all principle councils (i.e. district, borough, and county councils). It provide the public and press with access to meetings and connected papers of the full council and its committees and sub-committees, five clear days before the meeting takes place unless 'confidential' or 'exempt' information, as defined in the Act, is likely to be disclosed. It also gives a right to see the background papers relied upon by the officer drawing up the report for the meeting.

Parish and town councils are covered by the Public Bodies (Admission to Meetings) Act 1960 and Part 2, section 228 of the Local Government Act 1972 relating to the inspection of documents. The 1960 Act provides the public with a right to be admitted to meetings unless confidential business is being discussed. The 1972 Act provides that the minutes of a meeting be open to inspection to the public.

Supplementary regulations were issued under Part II of the Local Government Act 2000 in the light of new executive decision making structures created under this Act. The *Local Authorities (Executive Arrangements) (Access to Information) (England)* Regulations apply the regime created by Part VA of the 1972 Act (described above) to the executive decision making process and give the public a right of access to meetings, documents and reasons for decisions should have access to meetings documents and decisions where the decision to be taken is a 'key decision'.

Key decisions are defined as executive decisions which are likely to have significant financial implications with regard to the local authority's budget for the services or function to which the decision relates, or a decision which is significant in its effect on communities 'within two or more wards in the area of the local authority or electoral divisions in Counties'.

The consultation paper *Access to Information in Local Government* issued by the Office of the Deputy Prime Minister on 2 September 2002 sets out in more detail both the current and future framework governing access to information in Local Authorities. It can be found online at: www.local-regions.odpm.gov.uk/consult/review/index.htm

Local Authorities will also be aware of the *Good Practice Note on Access to Information* produced by the local authority associations in June 1995.



Lord Chancellor's Department Press Notices

424/02



28 November 2002

GOVERNMENT TO EXTEND THE IMPACT OF FREEDOM OF INFORMATION

Public access to information from public bodies is to be extended as the government announces its intentions to repeal or amend up to one-hundred items of legislation which currently prohibit disclosure of information and replace them with the provisions of the new Freedom of Information Act 2000.

Section 28 of the Health and Safety at Work Act 1974 will be amended to bring it into line with the Freedom of Information Act. The amendment will entail the Health and Safety Commission and Executive disclosing information where there is a clear public interest in doing so.

In addition, Ministers at both the Department of Health and Defra favour the repeal of section 118 of the Medicines Act 1968 which would remove a blanket ban on releasing information concerning clinical trials and replace that with the exemptions and public interest tests in the Freedom of Information Act.

This review of legislation is part of the Annual Report on the Implementation of the Freedom of Information Act 2000, whose publication today coincides with the first major milestone in delivery. From Sunday 1 December 2002, central government will launch their departmental publication schemes, as agreed with the Information Commissioner. These schemes set out a proactive publication programme, which is now a legal requirement under the Freedom of Information Act.

New information to be published mainly concerns the internal workings of government departments. For example, DFID are to publish their Quarterly Performance reports and the Lord Chancellor's Department is one of several departments which have committed themselves to publishing the agendas and summary minutes of key senior management meetings.

Also, information of interest to the public but previously difficult to obtain will be proactively published. For example, the Ministry of Defence has included a class of information on UFO's in its publication scheme. The "Rendlesham file", which concerns a renowned alleged UFO sighting in Suffolk in 1980, has only previously been provided to about 20 people. This and other reports, which have been previously only released to the public on request, will now be made available.

Freedom of Information Minister Yvette Cooper, said:

"These first steps mark important progress towards changing the culture of Government and extending the public's right to know what is being done in their name."

The Annual Report details the Government's progress over the last year:

- The review of some 400 items of legislation prohibiting disclosure of information and the conclusive decisions about repeal or retention of around half (97 items have been identified as early candidates for repeal or amendment and 79 items as candidates for retention).
- The introduction of a legal obligation for a publication scheme detailing the classes of information that will be published by government departments (from 30 November 2002), local authorities (from 28 February 2003) and the police and armed forces (from 30 June 2003).
- The publishing of codes of practice giving guidance to public authorities on what they need to do to comply with the requirements of the Act in answering requests for information and in maintaining their records.

Notes to Editors

1. Copies of the FoI Annual Report 2002 and the Review of Statutory Bars are available online at <http://www.lcd.gov.uk>
2. The legal obligations of the Act will eventually apply to some 100,000 public authorities, including local authorities, police forces, schools and doctors, as well as a number of private sector bodies.
3. The first milestone - government departments' information publication schemes - is reached on Sunday 1 December 2002. Copies can be obtained from each individual department.

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Input to LCD Speech



[As I have already said] the FOI Act expects authorities to publish information that is of interest to the public. This has prompted the Ministry of Defence to include a Class of Information on Unidentified Flying Objects. The Rendlesham File [extracts included in the briefing pack] has been provided to over 20 individual applicants. By including it in the Publication Scheme MOD are recognising the level of interest. In addition, by making the contents of the file – some 170 papers - generally available, they will also reduce the administrative effort involved in handling individual requests. ~~Any~~ Other UFO reports that are released in response to a public request from November 2002 will also be made generally available.

For Q&A Pack:

Why does MOD take an interest in UFOs?

The MOD examines reported sightings solely to establish whether they present any evidence that the United Kingdom's airspace might have been compromised by hostile or unauthorised air activity.

DAS-LA-Ops+Pol1

From: InfoExp-AccessAD
Sent: 28 November 2002 17:28
To: DAS-LA-Ops+Pol1
Subject: FW: PA - FOI launch (3) - UFOs

Section 40

-----Original Message-----

From: [REDACTED]
Sent: 28 November 2002 17:23
To: 'infoexp-accessad@defence.mod.uk'
Subject: FW: PA - FOI launch (3) - UFOs

> -----Original Message-----

> **From:** [REDACTED]
> **Sent:** 28 November 2002 17:06
> **To:** [REDACTED]
> **Subject:** RE: PA - FOI launch (3) - UFOs

> **UFO SIGHTING SPARKED BRITAIN'S OWN 'X-FILE' MYSTERY**
> By Jane Merrick, Political Correspondent, PA News A bizarre alleged
> sighting of a UFO near an RAF base more than 20 years ago was released by
> the Government today under the Freedom of Information Act. The Ministry of
> Defence's restricted "Rendlesham File" was one of the first documents to
> be released as part of an opening-up of the inner workings of Whitehall.
> Before today, the document has only been seen by about 20 people, who
> requested access to it through the American Freedom of Information Act. (No)
> Over dozens of pages which could have come from a script of the X-Files,
> the sighting of a glowing triangular "strange glowing object" in
> Rendlesham forest near RAF Woodbridge in the early hours of December 27,
> 1980 is described in colourful detail.
> A number of US Air Force men witnessed the object hover in the darkness,
> transmitting blue pulsating lights and sending nearby farm animals into a
> "frenzy". In a report entitled "Unexplained Lights", USAF Lt Col
> Charles I Halt, Deputy Base Commander at RAF Bentwaters, adjacent to
> Woodbridge, told how he witnessed an object emitting a "red sun-like
> light" moving through the trees. Two USAF security police patrolmen first
> spotted "unusual lights" outside the back gate of RAF Woodbridge. After
> gaining permission, the two men and a third patrolman investigated the
> lights.
> In his report, Lt Col Halt said: "The individuals reported seeing a
> strange glowing object in the forest. The object was described as being
> metallic in appearance and triangular in shape, approximately two to three
> metres across the base and approximately two metres high. "It illuminated
> the entire forest with a white light. The object itself had a pulsing red
> light on top and a bank(s) of blue lights underneath. The object was
> hovering or on legs. "As the patrolmen approached the object, it
> manoeuvred through the trees and disappeared. At this time the animals on
> a nearby farm went into a frenzy." The UFO was spotted an hour later near
> the back gate to the base. Next morning Lt Col Halt and his men discovered
> three circular depressions, seven inches in diameter, in the ground.
> Radiation measuring 0.1 milliroentgens was recorded in the depressions - a
> level 10 times higher than normal, according to the file. Lt Col Halt went
> on: "
> Later in the night a red sun-like light was seen through the trees. It

> moved about and pulsed. At one point it appeared to throw off glowing particles and then broke into five separate white objects and then disappeared. "Immediately thereafter, three star-like objects were noticed in the sky, two objects to the north and one to the south, all of which were about 10 degrees off the horizon. The objects moved rapidly in sharp angular movements and displayed red, green and blue lights. The objects to the north appeared to be elliptical through an 8-12 power lens. They then turned to full circles. "The objects to the north remained in the sky for an hour or more. The object to the south was visible for two or three hours and beamed down a stream of light from time to time." Although the servicemen had tried to capture the sightings on camera, a further document disclosed that the film was at fault. Despite the number and variation of lights seen coming from the UFO, nothing had shown up on an RAF radar. A memo from the MoD included in the file shows some scepticism about the sightings, although it said the department remained "open-minded" about them. It said: "No evidence was found of any threat to the defence of the United Kingdom, and no further investigations were carried out.

> "No further information has come to light which alters our view that the sightings of these lights was of no defence significance. "No unidentified object was seen on radar during the period in question, and there was no evidence of anything having intruded into UK airspace, and landed near RAF Woodbridge." The MoD said one theory about the sightings was that it could have been the beam of the Orford Ness lighthouse "with distortions being caused by the beam having been seen through the trees".

> "There were also suggestions that fireball activity might explain some of the lights. "In the absence of any hard evidence, the MoD remains open-minded about these sightings." end

> The Lord Chancellor's Department, which has responsibility for the Freedom of Information Act, said Lt Col Hall's report was made public in 1983 when a request was made through the US Freedom of Information Act.

> The LCD said: "While there has been fairly substantial correspondence about the incident, and the file has been theoretically under the Code of Practice on Access to Government Information since 1994, no request for the whole file was made until May 2001. The whole file was released apart from five documents which were withheld citing the national defence exemption of the Code of Practice on Access to Government Information. "The Parliamentary Ombudsman recommended in July 2002 that these items be released as well." The MoD only examine reported UFO sightings to establish whether they present any evidence that UK airspace may have been "compromised by hostile or unauthorised air activity". Other UFO reports that are released in response to public requests from now will be made generally available, the LCD said. end

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Whitehall secrecy laws fall as information act bites



David Hencke
Westminster correspondent

The government yesterday promised to repeal or amend 97 laws and review a further 200 that ban the publication of information held by Whitehall.

Some 79 laws are to be kept — mainly to protect information held on members of the public — in the biggest review of unnecessary secrecy undertaken for more than 20 years.

Vivette Cooper, the junior minister at the Lord Chancellor's Department, said the moves were the first stage of implementing the long delayed Freedom of Information Act, which will not come into force until 2005.

From Monday every government department and Whitehall agency will have to list on its website all the types of publications that are available to the public on demand.

The change will mean for the first time some ministries — notably the Department of International Development and the Lord Chancellor's Department — will publish the minutes of some of their top bodies and reports from advisers. Other bodies, includ-

ing parliament and the Ministry of Defence, are still keeping the minutes of their top executives' meetings secret.

The decision to start to sweep aside secrecy is the subject of battles across Whitehall, with Lord Irvine, the lord chancellor, fighting the cause of openness against civil servants in other ministries trying to keep laws banning the release of information.

Sharing his sentiments are Alan Milburn, the health secretary, and Margaret Beckett, the environment secretary, who are planning to end the law making it a criminal offence to release commercial information on drugs and veterinary products.

A consultation paper will be issued next month repealing the ban on information held by both the medicines control agency and the veterinary medicines directorate.

The health and safety executive has also agreed to end a blanket ban on information held on major rail and factory accidents which could open the way to the public getting more details on some of the recent serious rail crashes such as those at Ladbroke Grove, Potters Bar and Hatfield.

Information kept secret will include personal details held on children with special needs, medical evidence on vaccine-damaged children, personal details held on child support claimants, information held by M15 and M16, patent trade secrets and trade secrets on the composition of fertilisers

Pages in open book

Information held by the government is being made available to the public in a series of pages on its website. The pages are being made available to the public in a series of pages on its website. The pages are being made available to the public in a series of pages on its website.

and feedstuffs. The government will also maintain a ban on information held by the valuation office from personal visits to people's homes.

Still under review are how much information should be released on children involved in adoption procedures and on people who go to clinics treating sexually transmitted diseases. The Department of Health is keen to protect confidentiality in the area by a blanket ban on the release of information.

Other battles in Whitehall are taking place over whether to end laws banning the release of information collected by a large number of agencies and inspectors of private companies — from those who gather information on abattoirs to reports on dangerous electrical appliances.

Maurice Frankel, director of the Campaign for Freedom of Information, yesterday welcomed the government's move to repeal a large number of laws banning the release of information. But he was disappointed that many of the publication schemes did not take the opportunity to release new information.

He was also critical of the Ministry of Defence, claiming it was not taking a major step with the release of information on UFOs: "This was released by the MoD earlier after a successful request under the present code of access of information. All they are doing now is making it automatically available."

Special report on freedom of information at guardian.co.uk/freedom

Blow for May as Tories snub women



held by the former cabinet minister Virginia Bottomley.

Their selections mean that no women have been selected in Tory-held seats. Tobias Elwood was recently selected in Bournemouth East, currently held by David Atkin.

The overall result of the general election reading for Conservative central office. Out of 10 seats selected so far have selected women. net increase in women in

...changes the dynamic of the War on Terror. Israel's pledge to hunt down the attackers will impact on a global anti-terrorism coalition that includes many Arab nations.

The Arkia airlines jet later landed safely in Tel Aviv with all 261 passengers unharmed, but their escape was amazing. Ezra Gozlan, a passenger at the back of the aircraft, watched in horror as one missile skimmed past the Boeing 757; he said it missed the wing by a metre.

Those on the ground were less fortunate. Three Israelis, including two children, were killed at the hotel along with nine Kenyan staff, some of them dancers greeting guests in the lobby.

Heightening the sense of crisis in Israel, Palestinian gunmen shot and killed six Israelis and wounded dozens of others in the Galilee town of Beit Shean as voting took place for the leadership of the ruling Likud party. Ariel

...the continuing willingness of those opposed to peace to commit horrible crimes.

To date the War on Terror has been a US-led mission backed by allies such as Britain and Australia but reliant on the co-operation of moderate Arab and Islamic states. Israel will now enter the fight. Future co-operation with Arab nations in the war and in the looming conflict in Iraq could be harder to obtain.

Although the attacks were claimed in Beirut by a group calling itself the "Army of Palestine", Israeli, Kenyan and Western officials all said that Osama bin Laden's al-Qaeda organisation was the prime suspect. The group is very active in the Horn of Africa and was responsible for more than 200 deaths in suicide bombs at the US Embassies in Nairobi and Dar es Salaam in 1998.

Until yesterday the group had not specifically targeted Israel. It

may have calculated that the action will destabilise the US-led campaign against it, even though it must now contend with Mossad.

Western intelligence agencies face some probing questions today about shortcomings in intelligence-sharing. It emerged within hours of the attack that the Department of Foreign Affairs in

Australia had warned its city to avoid Mombasa in a travel advisory on November 12. "Threats against Westerners and Western interests in Mombasa are advised to all non-essential travel to Mombasa and Australians in Mombasa who are concerned about security should consider return," the warning read. T

A missile launcher found near the airport in Mombasa after the attack.

INSIDE

Missing girl found

Louise Saunders, 19, the Briton missing in Australia, turned up safe and well early today after emerging from dense rainforest around Mount Tyson near Tully in northern Queensland.....3

Good sports

Once it was play up, play up and play the game. Now it is play up, play up and play the game. Footballers, rugby players and cricketers have incomes their grandfathers could only dream about.....3



Frère Jacques

Tony Blair has offered an olive branch to Jacques Chirac, with whom he fell out last month. In a 70th birthday tribute, the Prime Minister hailed the French President as "a great man in every sense of the word". Paris Match invited Mr Blair, Vladimir Putin and Gerhard Schröder to write in praise of the President.....8

UFO file released

Two USAF security men reported a suspected UFO outside RAF Bentwaters in Suffolk in January 1981, according to newly released files. The men described a glowing object which illuminated a nearby forest with a white light and measured two to three metres across, hovering on legs.....12

NHS's 21% pay

By David Charter and Oliver Wright



MINISTERS unveiled an inflation-busting pay rise for 12 million NHS workers yesterday as the health service strove to attract and keep the staff needed to meet waiting-time targets in Labour's manifesto.

The three-year package offered the lowest-paid NHS workers a 21 per cent pay increase and came as the fire fighters' strike reached its eighth day with no sign of deal. Every NHS worker is guaranteed at least 10 per cent over three years but in areas where there are severe staff shortages the rises could reach 40 per cent.

The £1 billion deal came

The Times Today: page 2. First night: 23. Crossword: 2

All I want for Christmas is two front teeth

... a James Bond remote control car, a flying dinosaur

www.johnlewis.com

How UFO fever taxed men from the ministry

A report of alien sightings prompted floods of letters to the MoD, reports Alan Hamilton. New laws have made these public, explains Frances Gibb

WHILE British and American defence chiefs were supposed to be keeping a watchful eye on the Soviet threat in Europe during the 1980s, they were spending an undue amount of time and energy dealing with little green men.

The so-called Rendlesham File, now available for public inspection, is a fat catalogue of increasingly despairing correspondence between the Ministry of Defence and members of the public after the sighting of unexplained lights in Rendlesham Forest, near the RAF base at Woodbridge, Suffolk, in December 1980. The story was given wing by its detailed disclosure in the *News Of The World* in 1983.

Soon after the alleged incident, reported by the USAF deputy base commander at nearby Bentwaters, the MoD drew up an internal memo: "No evidence was found of any threat to the defence of the United Kingdom, and no further investigations were carried out. No further information has come to light which alters our view that the sightings of these lights was of no defence significance."

Nothing was picked up on radar that night, officials added, and they concluded that the airman had confused the lights with the beam of Orford Ness lighthouse, distorted by trees, or a natural fireball.

But the Ministry and the RAF were bombarded with inquiries from the public. Officials suggested that beset officers at Bentwaters should take the line that "there was no

question of any contact with alien beings". They should also dismiss rumours that the story was a cover-up for the crash of an aircraft carrying nuclear material.

Still the letters poured in. Two years later an increasingly short-tempered MoD wrote: "There is no organisation in MoD appointed solely for the purpose of studying reports of such objects, and no staff are employed on the subject full-time."

It added: "We have to recognise that there are many strange things to be seen in the sky, but we believe there are adequate explanations for them."

Things got worse as forged letters purporting "to come from MoD officials began to circulate. One apparently, on ministry notepaper, claimed that a craft of unknown origin and "crewed by several entities" had landed near Bentwaters.

The entities, it went on, were about 1½ metres (5ft) tall and wore nylon-coated pressure suits but no helmets. They had claw-like hands with three digits and an opposable thumb.

SKY CRASH

A cosmic conspiracy



Out-of-control: a single report grew into an industry

One self-styled researcher into "cosmic conspiracy", having seen the letter, wrote to the MoD requesting further information on the craft which had landed for several hours to carry out repairs, during which time the USAF base commander had conversed with its crew.

An MoD official replied tersely: "I am afraid that it is a forgery... I have no idea where it came from or why it was written and can only conclude that it was intended by someone as a joke."

MPs forwarded letters from worried constituents, convinced of a cover-up. One, passed on by David Alton, MP, said in part: "There is clear evidence that British airspace and territory were intruded upon by an unidentified vehicle on two occasions in late December 1980, and that no authority was able to prevent this."

Some correspondents continued to harry MoD, until

the Deputy Base Commander at Bentwaters, a sound source, had been reported on the USAF net and I was advised that tape recordings of the evidence had been handed to Gen Gabriel, who investigated.

I have spoken with Sgt Idr Kereleid at Bentwaters and he considers the Deputy Base Commander a sound source. I asked if the incident had been reported on the USAF net and I was advised that tape recordings of the evidence had been handed to Gen Gabriel, who investigated.

The final letter in the file is dated July 1992. In it an MoD official writes to the RAF liaison officer at Bentwaters asking if the original USAF report of the sightings was genuine, as there had been "number of hoaxes".

Squadron Leader P. Rooney at Bentwaters had the last word: "I have no records on this subject and the file to which you refer has long been destroyed."

The lights were originally spotted by two USAF security police patrolmen, according to a report dated January 1981 headed "unexplained lights"

and written by Lieutenant-Colonel Charles Halt. He states: "Thinking an aircraft might have crashed or been forced down, they called for permission to go outside the gates and investigate."

"The individuals reported seeing a strange glowing object in the forest. The object was described as being metallic in appearance and triangular in shape, approximately two to three metres across the base and two metres high. It illuminated the entire forest with a white light."

"The object itself had a pulsing red light on top and a bank of blue lights underneath. The object was hovering or on legs. As the patrolmen approached the object, it manoeuvred

1. Early in the morning of 27 Dec 80 (approximately 0300L), two USAF security police patrolmen saw unusual lights outside the back gate at RAF Woodbridge. Thinking an aircraft might have crashed or been forced down, they called for permission to go outside the gate to investigate. The on-duty flight chief responded and allowed three patrolmen to proceed on foot. The individuals reported seeing a strange glowing object in the forest. The object was described as being metallic in appearance and triangular in shape, approximately two to three metres across the base and approximately two metres high. It illuminated the entire forest with a white light. The object itself had a pulsing red light on top and a bank(s) of blue lights underneath. The object was hovering or on legs. As the patrolmen approached the object, it manoeuvred through the trees and disappeared. At this time the animals on a nearby farm went into a frenzy. The object was briefly sighted approximately an hour later near the back gate.

2. The next day, three days later, at 1 1/2" deep and 7" in diameter, were the next day, three days later, at 1 1/2" deep and 7" in diameter, were

3. I have spoken with Sgt Idr Kereleid at Bentwaters and he considers the Deputy Base Commander a sound source. I asked if the incident had been reported on the USAF net and I was advised that tape recordings of the evidence had been handed to Gen Gabriel, who investigated.

through the trees and disappeared. At this time, the animals on a nearby farm went into a frenzy."

The report goes on to describe the depressions found in the ground and in a tree the next day.

"Later in the night a red light was seen through the trees. It moved about and pulsed. At one point it appeared to throw off glowing particles and then broke into five separate white objects and then disappeared."

thereafter, three star-like objects were noticed in the sky, two objects to the north and one to the south, all of which were about ten degrees off the horizon.

Public's right to know extended

DETAILS about UFO sightings, clinical trials, accident investigations and Whitehall meetings will be released to the public under plans to open up government.

Public access to information from government bodies is to be extended by the scrapping or amending of up to 100 pieces of legislation, the Lord Chancellor's Department announced yesterday.

The changes are being made under the Freedom of Information Act which is being phased in over the next three years.

From Sunday the first tranche of hitherto secret information is released when government departments publish their own schemes of legislation which they plan to release to the public. The material will be made available immediately on departmental websites or through application by post.

The Ministry of Defence archives will include information on UFOs, including the Rendlesham File about a UFO report in Suffolk in 1980. The Lord Chancellor's Department is to publish the guidance given to lawyers applying to be Queen's Counsel or judges.

A key change will be the scrapping of the ban on disclosure in Section 28 of the Health and Safety at Work Act 1974, which prohibits officials from releasing information they obtain investigating accidents. Another change will be the repeal of Section 118 of the Medicines Act 1968 to remove the ban on releasing information on clinical trials.

Immigration increases by quarter to a record

January. Today's figures and the increase in net migration will force the Home Office on the defensive over its record on asylum and immigration.

Sharpos

SHARPOS

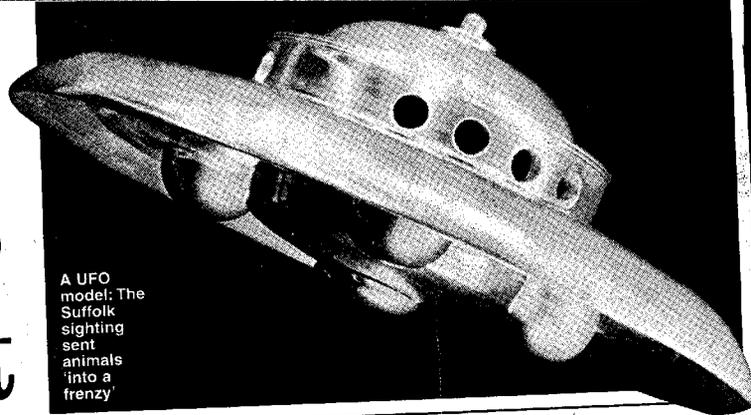
Over 240 showrooms nationwide

By Richard Ford Home Correspondent IMMIGRATION soared by

January. Today's figures and the increase in net migration will force the Home Office on the defensive over its record on asylum and immigration.

BRITAIN'S X-FILES

UFO scare they didn't want you to know about



A UFO model: The Suffolk sighting sent animals 'into a frenzy'

Daily Mail Reporter

THE strange glowing object hovered over the forest, bathing it in brilliant light.

Watching from the ground were a group of bewildered and probably terrified servicemen.

As they drew nearer, the metallic craft vanished into the trees, only to be spotted again an hour later before disappearing altogether.

It could have been a scene from the X-Files. In fact, the UFO sighting is recorded in a secret Ministry of Defence file.

Yesterday, more than 20 years after the incident outside an American air base in Suffolk, the file was made public. It describes the sighting of the triangular object over Rendisham Forest in the small hours of December 27, 1980.

It says a number of U.S. Air Force men witnessed the object appear to hover and illuminate the forest, sending farm animals into a 'frenzy'. The next morning the Americans found radioactive circular impressions in the ground nearby.

In the report, entitled Unexplained Lights, USAF Lieutenant Colonel Charles I Halk told how he saw a glowing object in the forest. The

object was described as being metallic in appearance and triangular in shape, approximately two to three metres across the base and approximately two metres high.

It illuminated the entire forest with a white light. The object itself had a pulsing red light on top and a bank of blue lights underneath. The object was hovering or on legs,' said Mr Halk.

'As the patrolmen approached the object, it manoeuvred through the trees and disappeared. At this time the animals on a nearby farm went into a frenzy.'

The UFO was spotted an hour later near the back gate to the base.

Mr Halk said: 'At one point it appeared to throw off glowing particles and then broke into five separate white objects and then disappeared. Immediately thereafter, three star-like objects were noticed in the sky, two objects to the north and one to the south, all of which were about ten degrees off the horizon.'

'The objects moved rapidly in sharp angular movements and displayed red, green and blue lights. The objects to the north appeared to be elliptical through an 8-12 power lens. They then turned to full circles.'

Next morning Mr Halk and his men discovered three circular depressions seven inches across. In them they recorded radiation at a level ten times higher than normal, according to the file.

Although the servicemen had tried to capture the sightings on camera, a further docu-



Halk: 'White light'

ment disclosed that their film was faulty.

Nothing had shown up on the RAF's radar. A memo from the MoD in the file shows some scepticism about the sightings, although it said it remained 'open-minded'.

'No evidence was found of any threat to the defence of the United Kingdom, and no further investigations were carried out,' it said.

The MoD said one theory about the sighting was that it could have been 'fireball activity', or the beam of the Orford Ness lighthouse, distorted by the trees.

The file was released under the Freedom of Information Act.

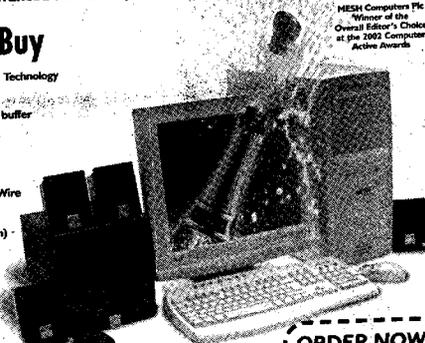
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The day a UFO came to Suffolk

BY SUZANNE STEVENSON

THE truth is out there – but it has been kept secret for two decades.

A classified Ministry of Defence report, published for the first time yesterday, details the bizarre sighting of a UFO in the Suffolk countryside.

Reading more like a script for The X-Files, it tells of strange glowing objects, mysterious depressions in the ground and farm animals in a frenzy.

The Rendlesham File – until now seen by only 20 people – documents how American servicemen saw the mysterious objects in Rendlesham Forest, near RAF Woodbridge, over two nights in 1980.

A report by US commander Lieut Col Charles Halt said his security police spotted a strange glowing object in the distance on December 27. After getting permission to investigate, they set off into the darkness.

They described what they found as a triangular shape about 8ft to 10ft across at the base. 'It illuminated the entire forest with a white light,' they said.

'The object itself had a pulsing red light on top and a bank of blue lights underneath. The object was hovering or on legs.'

As the patrolmen crept forward, 'it manoeuvred through the trees and disappeared. At this time, the animals on a nearby farm went into a frenzy'.

The next morning, 7in-wide holes



'It looks like they've found the Damien Hirst thing.'

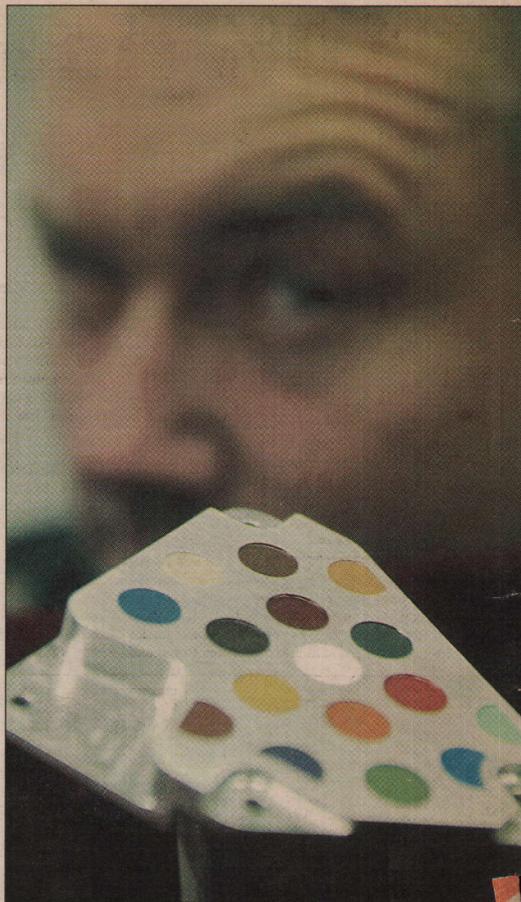
were found in the ground, along with high levels of radiation.

But the excitement was not yet over. Later that night, Lieut Col Halt added, 'a red sun-like light was seen through the trees'. He said: 'It appeared to throw off glowing particles and then broke into five separate white objects and disappeared. Three star-like objects remained in the sky for an hour.'

The MoD, satisfied there was no threat to British security interests, put forward its own theory.

It suggested the beam of light seen in the woods was from the Orford Ness lighthouse ten miles away, and that the distortions were caused 'by the beam having been seen through the trees'.

It concluded: 'In the absence of any hard evidence, the MoD remains open-minded about these sightings.'

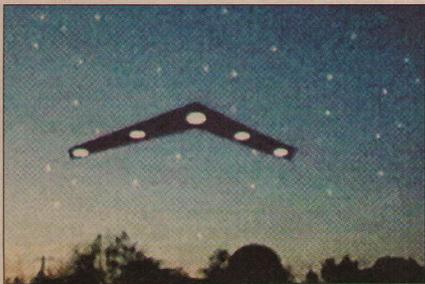


Out of this world: Damien Hirst with his Mars spot painting

..but look what we're sending back to them

IF THERE really are such beings as Martians, they are about to get a bit of a surprise. Not content with bringing such 'artworks' as a pickled sheep to his earthly fans, artist Damien Hirst is now branching out into space. He has created a special painting which will blast off for the Red Planet on board the British-led Beagle 2 mission. Barely bigger than a credit card, it consists of a series of coloured dots based on one of

his trademark spot paintings. The first piece of art ever sent space bound for another planet. The unmanned mission will attempt to find out once and all whether there is life on Mars. Hirst, never known for modesty, suggested Martians would be impressed with his work, saying: 'If they've got eyes, they'll love it.' Beagle 2 will be launched from Kazakhstan in May and will take seven months to reach Mars.



We are not alone: Were UFOs seen by American servicemen stationed in East Anglia?

kill six t ballot

people were fleeing and falling. With gunmen were shot by Israeli border patrol officer Eran David, 28, said: 'I don't feel anything. I just don't know what I had to do.'

The Al Qasa Martyrs' Brigade, a militia linked to Palestinian leader Yasser Arafat's Fatah movement, said it carried out the attack to avenge the killing of two of its leaders by the Israelis earlier this week. Later, foreign minister Benjamin Netanyahu conceded defeat to prime minister Ariel Sharon in the election for the Likud leadership.

A TV exit poll gave Mr Sharon 61 per cent of the votes.



Rival: Benjamin Netanyahu

Cries of children among the dead

BY JAYNE ATHERTON

THE full devastation caused by the suicide attack at a Kenyan holiday resort emerged last night.

Witnesses described scenes of carnage as dancers who were hired to welcome guests to the Paradise Hotel lay buried in the rubble of the entrance lobby.

Outside, rescuers tried to save two injured children trapped under shattered palm trees. The bombers' wrecked 4x4 vehicle could be seen a few yards from the smouldering building.

'There was blood all around,' said Yahud Saroni, the Israeli owner of the hotel. 'There was fire all around - children looking for their parents, parents looking for their children.'

Kenya Red Cross director Farie Abdul Kadir said many of the bodies were burned beyond recognition. The three attackers were described as being men of Arab appearance. Witnesses said they drove a Mitsubishi Pajero, crashed through the barrier outside the hotel after following two coach-loads of Israeli tourists, then blew it up.

'We heard a massive explosion - the entire hotel shook,' said witness Kelly Hartog. 'Black smoke was billowing

everywhere, the thatched roofs were falling in, then we heard screaming and wailing. I saw people, including children, covered with blood. Everyone seemed to be screaming.'

She added: 'From the dining room we were herded out to the beach.'

'There were no medics. People were screaming for water but there was no bottled water and the tap water is undrinkable.'

'I tried to occupy myself tending to the children. "I want to go home," they said. "Where are my parents?"'

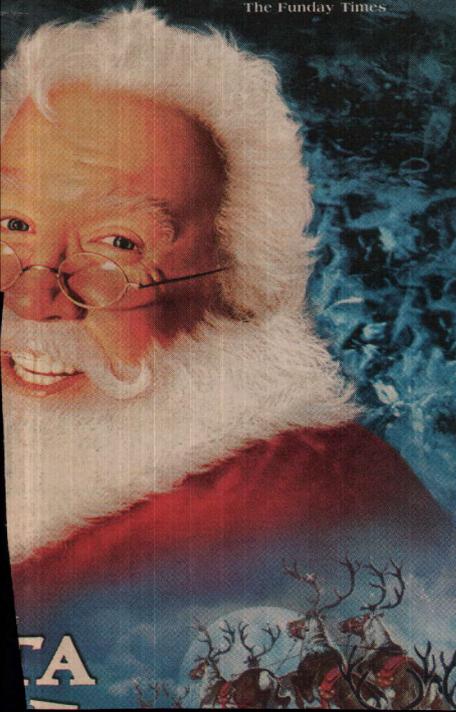
A barman from a neighbouring hotel said the aftermath was like a war zone, with bodies poking out of the rubble.

'The vehicle is completely obliterated,' he added. 'The hotel entrance has caved in - it's a thatched roof, which is still falling around at the timbers.'

A woman who gave her name only as Neima said she had just arrived at the Paradise with a group of Israeli tourists when the hotel lobby was shaken by the blast. 'People were cut up in the legs, arms, all over their bodies. Everything was burned up,' she added.

ALLEN
Magical... Yule love it!"

The Sunday Times



Suspected Al-Qaeda attacks

1. Jerusalem: Mar 9
A suicide bomber kills
13 people and injures
more than 50 in the
crowded Moment Café

HOW EVENTS UNFOLDED



1. At about 8am (5am GMT), an all-terrain vehicle crashes into the lobby of the Paradise Hotel. The vehicle and a second device explode. Eighty people are injured



Friday 29 November 2002

03:07pm

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I SAW A UFO SAYS AIR FORCE CHIEF

US air force chief admits mystery lights buzzed his Suffolk airbase

By Bob Roberts

A HIGH-ranking US air force officer and his troops reported seeing a brightly shining UFO in an English forest, it was officially admitted yesterday.

The triangular craft was said to have a pulsing red light on the top and blue lights underneath. It was either hovering or on legs before slipping through the trees as the men closed in. The sighting, featured on TV programmes about unexplained UFOs, was finally revealed by the Government yesterday under the Freedom of Information Act.

The mysterious craft was spotted on December 27 1980 by American airmen at RAF Bentwaters, Woodbridge, Suffolk.

In a report called Unexplained Lights, deputy base commander Lt Col Charles Halt said he saw a "red sun-like light" moving through the trees in Rendlesham Forest.

Three security policemen were given permission to investigate.

Lt Col Halt said: "They reported seeing a strange glowing object in the forest.

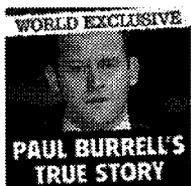
"The object was described as being metallic in appearance and triangular in shape, approximately two to three metres across the base and approximately two metres high.

"It illuminated the entire forest with a white light. The object itself had a pulsing red light on top and a bank of blue lights underneath. The object was hovering or on legs.

"As the patrolmen approached the object, it manoeuvred through the trees and disappeared. At this time, the animals on a nearby farm went into a frenzy."

The UFO was spotted an hour later near the back gate to the base.

Next morning, Lt Col Halt and his men discovered three 7in circular depressions in the ground. Radiation around them was 10 times higher than normal.



Lt Col Halt told how the UFO returned. He said: "Later in the night, a red sun-like light was seen through the trees.

"At one point, it appeared to throw off glowing particles, then broke into five separate white objects and disappeared.

"Immediately thereafter, three star-like objects were noticed.

"The objects moved rapidly in sharp, angular movements and displayed red, green and blue lights."

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29 November 2002 08:40 GMT

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Veil to be lifted on secret world of Whitehall

By Robert Verkaik , Legal Affairs Correspondent

29 November 2002

Life at the heart of government will be laid bare this weekend when ministers publish hundreds of previously unseen documents detailing meetings between top civil servants.

All government departments must comply with the new freedom of information rules, which will allow greater public access to the closed world of Whitehall mandarins.

About 250 departments and non-governmental bodies will have to comply with the new scheme, but ministerial meetings will remain private. Yvette Cooper, the freedom of information minister, said ministers had to be able to have "free and frank discussions".

She said each Whitehall department had decided what was in the public interest and what was exempt from publication under the exemptions of the Freedom of Information Act. If members of the public disagreed with a refusal to grant disclosure they could take their case to the information commissioner, who had the power to make a ruling that would bind the minister.

Ms Cooper said one of the more "intriguing" pieces of previously classified information to be made available was a Ministry of Defence report of an alleged UFO sighting at RAF Woodbridge, Suffolk, in 1980, including eyewitness accounts.

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EDITIONS

Change to World

Ministers lift lid on UFO secrets



Secret information could be made available

Details of a mysterious "glowing" UFO seen close to an RAF base more than 20 years ago have been released under the Freedom of Information Act.

Restrictions on the Ministry of Defence's "Rendlesham File" were dropped as part of an opening-up of the inner workings of Whitehall.

Ministers are attempting to lift the official veil of secrecy by repealing or amending a raft of legislation banning access to information.

From this Sunday government departments will be required to release information on the internal workings of Whitehall, including minutes of meetings of top civil servants.

'Pulsating lights'

But it is the UFO sighting contained in secret files that is most likely to spark the public's imagination.

The "Rendlesham File" concerns a sighting of a "glowing" triangular object by US Air Force police in Rendlesham Forest, near RAF Woodbridge in Suffolk, has only previously been made available to around 20 people who used the American Freedom of Information Act to gain access to it.

In the early hours of December 27, 1980 a number of US Air Force men witnessed the object hover in the darkness, transmitting blue pulsating lights and sending nearby farm animals into a "frenzy".

In a report entitled "Unexplained Lights", USAF Lt Col Charles I Halt, Deputy Base



See also:

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- 03 Jan 02 | UK
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- 25 Jan 01 | Politics
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No. |

Commander at RAF Bentwaters, adjacent to Woodbridge, told how he witnessed an object emitting a "red sun-like light" moving through the trees.

'Frank discussions'

Details of the bizarre sighting were revealed under the Freedom of Information Act 2000, which will not be fully implemented until 2005.

No, the code

Ministers say they will repeal or amend up to 100 items of legislation which are currently prohibited from disclosure.

But the government faces anger over its decision not to extend this to ministerial meetings.

Freedom of information minister Yvette Cooper said: "Ministers have to be able to have free and frank discussions in order to make decisions."

Announcing the changes, she stressed: "These first steps mark important progress towards changing the culture of government and extending the public's right to know what is being done in their name.

"We are talking about changes that will have a substantial impact on openness and transparency and the way in which decisions are made across government, improving accountability but also, I think, improving the public debate as well."

Among the measures is an amendment to section 28 of the Health and Safety at Work Act 1974, which will order the Health and Safety Commission and Executive to reveal information where there is a clear public interest in doing so.

Drug licensing

The Departments of Health and Environment, Food and Rural Affairs are considering repealing section 118 of the Medicines Act 1968, which would remove a ban on releasing details concerning clinical trials.

Pending a consultation exercise to be launched next month, the section will be replaced with a measure to disclose information on clinical trials if it is in the public interest.

This would help members of the public to view the reasons for licensing decisions on drugs, for example.

The government has also published its review of 400 items of legislation which prohibit the release of information.

Some 79 statutory bars will remain in place, 97 are to be repealed or amended, while 224 are still under review.

From Sunday, every government department will be expected to promote its "publication schemes" or information which is being made available, mainly via the Internet.

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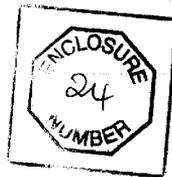
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To: DR2a2



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Please find enclosed the following requisitioned files which are now returned to archives.

D/Sec(AS)12/1 Pt A - Unidentified Flying Objects (UFOs)
Policy

D/DS8/75/7 - Unidentified Flying Objects (UFOs)
Satellite Debris

NAME: Section 40

SIGNATURE Section 40

RANK: Band D

BRANCH: DAS (LA) Ops & Poll
Room 6/73
Metropole Building
Northumberland Avenue
London
WC2N 5BP

Telephone: Section 40

Fax: Section 40

DATE: 7 November 2002

To: DR2a2



REGISTERED FILES RETURNED TO ARCHIVES

Please find enclosed the following requisitioned files which are now returned to archives.

D/Sec(AS)12/2 Pt L - Unidentified Flying Objects (UFOs)
Reports 1992

D/Sec(AS)12/2 Pt M - Unidentified Flying Objects (UFOs)
Reports 1993

D/Sec(AS)12/4 Pt A - Unidentified Flying Objects (UFOs)
Parliamentary Questions & Enquiries

D/Sec(AS)12/4 Pt B- Unidentified Flying Objects (UFOs)
Parliamentary Questions & Enquiries

D/Sec(AS) 12/6 Pt A- Unidentified Flying Objects (UFOs)
Alleged UFO incident-Crash of Lightning F6
8 September 1970

NAME: Section 40

SIGNATURE: Section 40

RANK: Band D

BRANCH: DAS (LA) Ops & Poll
Room 6/73
Metropole Building
Northumberland Avenue
London
WC2N 5BP

Telephone: Section 40

Fax: Section 40

DATE: 7 November 2002

To: DR2a2



REGISTERED FILES RETURNED TO ARCHIVES

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D/Sec(AS)12/3 Pt J - Unidentified Flying Objects (UFOs)
Correspondence

D/Sec(AS)12/3 Pt K - Unidentified Flying Objects (UFOs)
Correspondence

D/Sec(AS)12/3 Pt L - Unidentified Flying Objects (UFOs)
Correspondence

D/Sec(AS)12/3 Pt M - Unidentified Flying Objects (UFOs)
Correspondence

D/Sec(AS)12/3 Pt N - Unidentified Flying Objects (UFOs)
Correspondence

NAME: Section 40

SIGNATURE: Section 40

RANK: Band D

BRANCH: DAS (LA) Ops & Pol1
Room 6/73
Metropole Building
Northumberland Avenue
London
WC2N 5BP

Telephone: Section 40

Fax: Section 40

DATE: 7 November 2002

REQUISITION FOR A REGISTERED FILE

To:- DR2a2

File Nos:

- (1) D/Sec(AS)12/2 Pt L (1992)
- (2) D/Sec(AS)12/3 Pt J (1992)
- (3) D/Sec(AS)12/3 Pt K (1992)
- (4) D/Sec(AS) 12/6 Pt A (1992)

SUBJECT: (1) UFO Reports
(2 & 3) UFO Correspondence
(4) UFOs – Alleged UFO incident- Crash of Lightning F6 –
8 Sept 1970

TRACED TO YOU ON:

(DATE) IS REQUIRED BY:
ASAP please

BRANCH: DAS (SEC) LA –Ops&Pol 1

BUILDING:
Room 6/73, Metropole Building,
Northumberland Avenue
London

SIGNATURE: Section 40

TELEXT: Section 40

RANK: D

DATE: 30/05/02

NOTE:-If the file is not immediately available for any reason,
please advise the requisitioning branch by telephone.

MODE = TRANSMISSION

START=30-MAY 10:42

END=30-MAY 10:43

STN NO.	COM	ABBR NO.	STATION NAME/TEL.NO.	PAGES	DURATION
001	OK		Section 40	001	00:00'25"

-DIRECTORATE AIR STAFF -

***** Section 40 - ***** Section 40 *****

CONFIDENTIAL
20

DAS LA-Ops+Pol1

From: DAS-Sec1
Sent: 26 June 2002 10:51
To: DCC(RAF)-SO1 EC
Cc: AHB(RAF)-Head of; Info(Exp)-Records1; DAS-Sec; DAS-LA-Ops+Pol1; BEP-DAS-BOIA1; DAS-SecVF-AD
Subject: RE: Request for Release of Information - Accident to Lightning XS894

Section 40

1. Thanks for this. As we discussed, the Head of the Air Historical Branch (AHB) - **Section 40** has already released the AAR to BBC Leeds, as is his prerogative. Incidentally, it appears that the BBC already had a copy from other sources. Seb did so for the same reasons we have previously discussed - the AAR backs up the arguments we have put forward and, in any case, it was releasable under the 30-year rule. Therefore, DAS has no problem with you providing a copy of the AAR to the next of kin (we note and thank you for your kind offer to deliver it personally to explain the context and technical terms).
2. I have also seen Sqn Ldr **Section 40** minute of 26 June to you, authorising the declassification of Annex 16 (Tape Recording made at RAF Patrington (MRS)) in the full RAF Board of Inquiry under the 30 year rule. Similarly, we would have no problem with photographs from the Board being made available to the next of kin but I think you should again approach **Section 40** (AHB) for prior approval.
3. You mentioned that BBC Leeds wish to interview you and have sent you a couple of questions in advance. I leave it to your area to decide whether a written or oral response is preferable, but to answer one of BBC Leeds' questions, it was agreed in 1992 that RAF Boards of Inquiry could be released to the next of kin. Thereafter, they are free to disseminate their copy as they see fit.
4. This particular request has been quite difficult to co-ordinate since BBC Leeds have approached DCC (RAF), Info(Exp) and AHB. **Section 40** on the UFO desk and myself have also become involved. In future, I think that all such requests should be forwarded to AHB for consideration, copying DCC(RAF) and relevant desk officers in as necessary, so that a unified Departmental response can be given.
5. Finally, I suggest that you liaise with **Section 40** who can provide general lines to take on MoD's policy on UFO issues.

Yours ever,

Section 40
DAS(Sec1)
MT6/11 **Section 40**
CHO/S: DAS-Sec1

-----Original Message-----
From: DCC(RAF)-SO1 EC
Sent: 28 June 2002 08:38
To: DAS-Sec1
Subject: FW: Request for Release of Information - Accident to Lightning XS894

Importance: High

-----Original Message-----

From: DCC(RAF)-SO1 EC
Sent: 26 June 2002 14:17
To: DAS-Sec1
Cc: BEP-DAS-BOIA1; DCC(RAF)
Subject: Request for Release of Information - Accident to Lightning XS894
Importance: High

Section 40

as we discussed, the DAS BOIA1 (Sqn Ldr [redacted] Section 40) has now retrieved the original accident report from Hayes and has confirmed that the Aircraft Accident Report accurately reflects the contents of the original BOI file. What I propose to do is to make the Restricted AAR available to the sons of Capt Schaffner for their information. The reasoning behind this proposal is that this document was signed off on 30 Jun 72 and is therefore highly likely to be released into the public domain in the next tranche of papers following 30 Jun 02. In addition, as we discussed at our previous meeting, under the spirit of the Freedom of Information Act we would have some difficulty in withholding this information if an official request was made by the sons. Furthermore, this accident did occur 32 years ago and it appears (although I cannot confirm absolutely) that the sons' motives are nothing more than wanting to understand the circumstances of the accident in which their father died so that the rumour put about by the UFO lobby can be once and for all laid to rest.

In addition to the AAR, DAS BOIA1 is letting me have copies of the photographs of the recovered aircraft together with a copy of the transcript between RAF Partington and the aircraft. I do not intend to give these to the sons, but rather to use as background information to further quash the rumours of 'alien abduction' should this be needed.

Subject to your approval, I will arrange a meeting on Friday 28 Jun 02 with the Schaffner sons and, having ascertained their identity (they will bring passports and birth certificates) let them have a copy of the AAR. Clearly, what they subsequently choose to do with this information is their choice, however it is my understanding that it is likely to be passed to the BBC who are making a 10 minute documentary to disprove the 'alien abduction' theory.

I would be grateful if you could obtain authority from DAS for the release of this information as described above. Can you also indicate if the 'Restricted' marking on the AAR should be left intact or removed in any way.

Many thanks,

Section 40

Wg Cdr
DCC(RAF)SO1(EC)

Section 40

Loose Minute

Info(Exp)R/3/7/8

18 June 2002

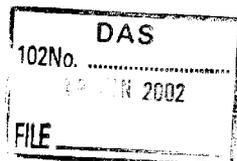
DAS(LA)Ops+Pol - **Section 40**



ENQUIRY FROM THE BBC: LOSS OF LIGHTNING XS894 ON 8 SEPTEMBER 1970

1. Many thanks for the copy of the Aircraft Accident Report into the loss of the Lightning flown by Capt W Shaffner, USAF. I plan to pass a copy of the report to the BBC later this week.
2. Staying with the report I note that Nick Redfern quotes Nick Pope as saying, "I got in touch with the Flight Safety people and actually called for the full Board of Inquiry file, which is about four inches thick." (See attached) Clearly the Flight safety file contained much ephemera let's hope the availability of the Report alone does not generate too much additional interest! In view of the *cause celebre* nature of the incident I also propose earmarking a copy for the Public Record Office (Class AIR 2).
3. Air Historical Branch has provided me with a copy of their exchange with **Section 40** on this subject (attached). I do not propose making available to the BBC a copy of the aircraft loss card.
4. Finally, I attach a page copied from the Operations Record Book, No 5 Squadron, RAF Binbrook for the day of 8 September 1970 (AIR 27/3011), which has been available to researchers at the PRO since January 2001.

Section 40



Copied from file D/Sec(AS)12/6 A (Opened 9-11-1992)
3/7/2002

Lightning F6 XS894
5 Squadron
8 September 1970

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ROYAL AIR FORCE
AIRCRAFT ACCIDENT REPORT

Date: 8 September 1970
Aircraft: Lightning Mk F6 XS 894
Crew: One
Sortie: Tactical Evaluation Exercise - Night
Shadowing and Shepherding of Low Speed
Targets
Casualties: One killed
Aircraft Damage: Category 5
Unit: No 5 Squadron, RAF Binbrook

Circumstances

1. No 5 Squadron was participating in a Strike Command Tactical Evaluation (Taceval) exercise at RAF Binbrook. The pilot of the accident aircraft was a USAF exchange officer whose experience included two tours of duty on USAF F102 all weather fighter aircraft. He had accumulated 121 hours on Lightning aircraft, of which 18 were at night, and had obtained a Green Instrument Rating. He had been categorised as "limited combat ready" after 8 weeks on the Squadron. This was an unusually short period but the category was justified by his USAF experience as squadron pilot and OCU instructor, and by his results in simulator training and dual flying tactical and weapons checks on the Lightning. The limitation on his operational status was due to his need for further training in maximum effective use of the Lightning weapons system and because he had not yet met the requirement for full visident missions, he had completed only two of the specified three phases of preparation. In consequence at his stage of training at the time of the accident he would only have been cleared for shadowing and shepherding tasks with the target in full visual contact. The Squadron Commander cleared the pilot to participate in the Taceval, therefore, in the belief that he would not be involved in a shadowing or shepherding mission.

2. On the day of the accident the pilot was ordered to his aircraft at 1834Z hours, and, after waiting on readiness, was scrambled at 1947Z hours. He started taxiing, however his scramble was cancelled and he was ordered back to dispersal. On return he ordered fuel only and no turnaround servicing. According

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to standing instructions the engineer officer on duty ordered a full turnround. The turnround was delayed, and during this delay the pilot was warned that he would be scrambled as soon as he was ready. He asked the groundcrew to expedite the turnround, however, before it was completed he called for engine starting, failed to sign the servicing certificate and taxied out at 2025Z hours. As he entered the runway the metal turnround board and attached servicing certificate fell off the aircraft.

3. Unknown to the station and squadron, the Taceval team had just changed the exercise scenario from normal interceptions to interception, or shadowing or shepherding on slow speed low flying targets. The targets were Shackleton aircraft flying at 160 knots, and at the minimum authorised height of 1500 feet as specified in Group Orders. The minimum speed for Lightning aircraft for visident practices is 200 knots, which was not specified as an order, but was referred to in the Lightning squadron training syllabus. The syllabus made no reference to shadowing or shepherding techniques. Shadowing and shepherding are however included in the war task of Lightning squadrons and, thus, were theoretically subject to Taceval.

4. The pilot took off at 2030Z and was ordered to climb to FL 100; he was still unaware of the type or height of his target. He was handed over to the MRS and was given in a short space of time, the QNE, and height of target (1,500 ft), and a shadowing task with target speed of 160 knots. He was told to accelerate towards the target which was 28 nms away. At 2039Z, the pilot acknowledged instructions to accelerate to 0.95M to effect a rapid take over from another Lightning, this in a tone of surprise. He was given various alterations to heading until he announced that he was in contact with lights but would have to manoeuvre to slow down; his voice sounded strained as though he was affected by 'G'. At 2040Z the MRS broadcast that the Controller was being changed; at this time the Lightning was turning port at about 220 knots. At 2041Z the aircraft was seen by the other Lightning pilot, who had just broken away from the target, to be at about 2,000 yards astern and 500 to 1,000 feet above the Shackleton, in a port turn. The Shackleton crew then saw the aircraft, apparently very low. The MRS Chief Controller had appreciated that this was a difficult interception, and had monitored the latter stages very closely. When at 2042Z the Lightning pilot failed to acknowledge instructions, he instituted

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emergency procedures, however, he experienced difficulty in making contact with the Shackleton because he did not have immediate access to 243.0 Mhz. An immediate air search by the target Shackleton, and subsequent air/sea search the following day, failed to detect any trace of the aircraft or pilot.

Determination of Causes

5. From calculations provided by the Board of Inquiry and expert sources, a search by a RN minesweeper "located" the wreckage nearly 2 months later. The aircraft was in a complete state except that the port wing had broken off and buckled under the fuselage, and some fuselage panels were missing. The cockpit canopy was attached but not closed and there was no sign of the pilot. Examination of the wreckage showed that the aircraft had struck the sea at a low speed, in a tail-down attitude with a minimal rate of descent. It appeared to have planed on the surface and come to rest comparatively slowly. Both throttles were in the reheat gates, there was a nose-up trim of 6°, undercarriage was up, flaps down and airbrakes out. There was no sign of fire or explosion and expert examination revealed no indication that the aircraft was other than serviceable at impact.
6. The ejection seat lower handle had been pulled to the full extent allowed by the interrupter link on the main gun sear. The canopy gun sear had been withdrawn, but the canopy gun cartridge had received only a light percussion strike and had not fired. The canopy had been released by the normal operating lever, the harness QRB was undone, the PEG disconnected and the PSP lanyard had been released from the life preserver and was lying tangled in the cockpit.
7. The Board concluded that a combination of a difficult task in rushed circumstances and lack of training in the low speed visident and shepherding techniques, led to a situation where the pilot failed to monitor the height of his aircraft whilst slowing down and acquiring his target, and that he had inadvertently flown his aircraft into the sea. The pilot had attempted to recover the situation by selecting reheat, which failed to take effect, with the aircraft tail skimming on the water. He had then initiated an ejection which was unsuccessful because of the interruption of the sequence by the failure of the canopy to jettison. He then manually abandoned the aircraft but because he has not been found, he was presumed to have drowned during or after his escape.

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8. The light percussion strike on the canopy gun cartridge occurred because of negligent servicing, in that the firing unit was incorrectly seated because of damaged screw threads.

9. The Board made a number of recommendations relating to inconsistencies and omissions in orders, instructions and the training syllabus, concerning low speed visidents and the shadowing and shepherding techniques. They also made recommendations concerning the access of MRSs to emergency frequencies, and for remedial action concerning Lightning canopy ejection guns.

Remarks of the Air Officer Commanding-in-Chief

10. The AOC-in-C stated that in common with so many accidents, this accident had no single root cause, and he agreed with the Board's conclusions. He said that the pilot made an error of judgment in allowing his aircraft to get into a position from which he was unable to recover. Because of mitigating circumstances, his error was excuseable.

11. The AOC-in-C's comments on the Board's recommendations are covered below.

Subsequent Action

12. The Board's recommendation concerning access to the emergency radio frequency by the MRS was not accepted by the AOC-in-C, who stated that MRSs already have the facility to select 243.0 Mhz although they do not normally monitor it. He considered that the allocation of a safety frequency for use during all peacetime exercises had more merit.

13. The hitherto undetected weakness in training for the identification, shadowing and shepherding of low altitude, low speed targets, have been rectified as follows:

- a. No 11 (Fighter) Group Air Staff Orders now specify a minimum speed for visident targets, and minimum target speeds and heights for shadowing and shepherding operations by day and night.
- b. New tactics have been devised and published in the Lightning Tactics Manual.
- c. Shadowing and shepherding tasks have been included in the Annual Training Syllabus for Lightning Squadrons.

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- d. Pilots of aircraft under GCI control must now read back altimeter settings before descending to low level.
 - e. A radio safety frequency is allocated for all exercises.
 - f. During all pertinent exercises, a target radio frequency plan will be available so that two way communication between the MRS and target aircraft can be established rapidly in any emergency situation.
14. Servicing procedures for the inspection, re-arming and servicing of canopy firing units have been amended.
 15. All ejection seat firing units of a type similar to that which prevented ejection in this accident have been inspected for signs of damage.
 16. The design of the canopy firing unit has been examined. No change will be made, however, the Design Authority has been made aware of the failure for consideration in future designs.
 17. The deficiencies revealed by the change of controller at the MRS and the over-rapid attempt to effect the changeover of the intercepting aircraft, have been drawn to the attention of the MRS.
 18. The effect of the false scramble and the interrupted turnaround in producing conditions of stress, has been drawn to the attention of all 11 Group Stations.
 19. The deficiencies in planning, and liaison with the station operations staff concerning the change of exercise scenario, have been investigated with the MRS and Faceval Team.
 20. Negligence in the fitting of the canopy jettison firing unit could not be attributed to any specific person. The Corporal who was responsible for servicing the unit was found excusably negligent. No disciplinary action was taken against him because of the involvement of other personnel, the lack of clear servicing instructions and guidance on the acceptable degree of burring of the screw threads, the lack of evidence that he had caused the damage to the threads, and because he did not finally fit the unit to the jettison gun.

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NFS(RAF) Cause Coding21. Main Cause Group: Aircrew Error.

22. Codes:

690.6	Inadequate orders.
330.5	Servicing error.
470.3	Inexperience on aircraft type.
716.4	Rushed operation.
410.9	Distraction.
540	Error of skill (failed to monitor altitude during low level exercise at night) - MAIN
232.12	Ejection seat, miscellaneous (canopy firing unit)



Ministry of Defence

30 June 1972

See Distribution List

F O BARRETT
Air Commodore
Director of
Flight Safety (RAF)

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the teen UFO Club

Captain William Schaffner's Disappearance.

On September 8 1970, the radar at RAF Binbrook, near Market Rasen in Lincolnshire, had picked up an unexplained blip in British airspace. A number of aircrafts from different bases were scrambled. Captain William Schaffner, an American exchange officer based at Binbrook, took his Lightning plane out over the North Sea beyond Grimsby, chasing something that, according to the radar screen at least, was varying its speed between 600 and an incredible 17,000mph. Schaffner described a dazzlingly blue light and reported that as he closed in, he could make out that the object was cone-shaped and had a spherical section which appeared to be made of glass.

At one point the craft (one of them - there may have been two) hurtled towards him and he had to bank sharply to avoid a collision. On the radar screen something extraordinary happened. The blips representing the Lightning and the UFO actually merged, then stopped altogether. A second later, the UFO blip was careering away at a speed estimated to be in excess of 20,000mph.

Radio contact was re-established with Schaffner, but he sounded dazed and disorientated and his compass wasn't working. He was ordered to ditch in the sea. The Lightning sank in minutes. For some reason, Schaffner had been unable to eject from the cockpit and get into his survival dinghy. But the cockpit was empty and his body was never recovered.

Information has been taken from the book, "Open Skies, Closed Minds" by Nick Pope, pg 194.



●FO Enigma A TOO-CLOSE ENCOUNTER by Nick Redfern

... that's bright...very bright...It's a conical shape. Jeez, that's bright, it hurts my eyes to look at it for more than a few seconds... Hey, wait...there's something else. It's like a large soccer ball...it's like it's made of glass...coming straight for me ...



Many of you, I'm sure, will be familiar with the case of the pilot Captain Thomas Mantell who met his death whilst chasing, well, *something* back in 1948: UFO, balloon, the planet Venus, for many the jury is still out. What is perhaps less well known is that Britain has its very own version of the Mantell case and I thought that this month (with the case now thirty years old) I'd devote my column to a discussion of this equally-baffling event.

"This is a story you almost certainly won't believe. It is a story we have no means of verifying. The people we have asked officially have denied all knowledge of it. Those we have asked unofficially have said quite simply, they don't know." Thus wrote Pat Otter, editor of the Grimsby *Evening Telegraph* newspaper – the newspaper that first brought to light the controversy in October 1992. And what a controversy it is...

Recommended reading

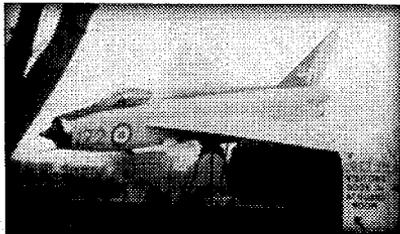


US - EUROPE

Other Nick Redfern contribu The Chase UFO Unconventional A Flight Of The Foo Fi

Other Destination Space contribu
Final Frontiers Review: Cosmic Catastr
Escape Velocity: Audio Interview with George

The established facts are relatively straightforward: on the eve of 8 September 1970, Captain William Schaffner of the United States Air Force lost his life after his Royal Air Force Lightning aircraft 'ditched' into the harsh waters of the North Sea. The Ministry of Defence to this day maintains that this was simply result of a tragic accident that occurred in the midst of a military exercise. Or was it? Information published by the *Evening Tel* suggested that at the time of the event, Captain Schaffner had been pursuing a UFO – a pursuit that led, either directly or indirectly, to his death.





US - EUROPE

In 1970, a crash-retrieval operation occurred when a Royal Air Force Lightning jet plummeted into the North Sea following its encounter with a UFO

By Pat Otter's own admission, most of the *Telegraph's* information on the affair had come from a source who declined to go public; however, the information imparted to the newspaper was, without doubt, fascinating. According to the *Telegraph's* source, on the night of 8 September 1970 unusual aerial targets were tracked over the North Sea by radar operators at RAF Saxa Ford. Aircraft from RAF Leuchars were scrambled to intercept, as was USAF Capt William Schaffner, who was on an exchange visit with the Royal Air Force and stationed at RAF Binbrook, near Grimsby. In addition to these basic facts of the case, Pat Otter received a word-for-word transcript of what was said to be the exchange between Capt. Schaffner and radar staff at RAF Staxton Wold:

Schaffner: "I have visual contact, repeat visual contact. Over."

Staxton Wold: "Can you identify aircraft type?"

Schaffner: "Negative, nothing recognisable, no clear outlines. It is...bluish light. Hell, that's bright...very bright...It's a conical shape, Jeez, that's bright, it hurts my eyes to look at it for more than a few seconds...Hey, wait...there's something else. It's like a large sphere...it's like it's made of glass...coming straight for me...I am taking evasive action...a few...I can hardly..."

At that moment radio contact was lost. But more was to follow. The radar operator who had been monitoring the movements of both Schaffner's aircraft and the mystery object was astonished to see both targets merge into one, decelerating in speed until they came to halt six thousand feet above the North Sea! Shortly afterwards, the single blip separated into two, and radio contact was re-established. By that time it was clear that Captain Schaffner was severely disorientated and in deep trouble:

Staxton Wold: "What is your condition? Over."

Schaffner: "Not too good. I can't think what has happened...I'm kinda dizzy...I can see shooting stars."

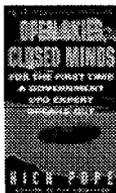
Although he apparently had plenty of fuel remaining, on the night of the crash at Strike Command Headquarters, Captain Schaffner was instructed to ditch his aircraft in the North Sea. Schaffner followed his orders to the letter. It was an action that was to cost him his life.

It was some weeks before the aircraft was recovered from the North Sea, but Captain Schaffner's body was never found. With the aircraft in hand, however, it was immediately transferred to RAF Binbrook and placed in a secure hangar, where it awaited study by air-crash experts from RAF Farnborough.

On investigating the aircraft the Farnborough experts found that several pieces of crucial cockpit instrumentation – including the altimeter, compass and voltmeter – had been removed. On whose order? While this was never fully established, throughout the investigation the Farnborough team was monitored closely by five mysterious



US - EUROPE



US - EUROPE

individuals – all of whom were civilians and at least two of whom were American. On their completion of the investigation the Farnborough team was called into the main office and advised under no circumstance were they ever to discuss their analysis of the recovered Lightning aircraft. But how much of the above could actually be verified? According to Pat Otter in 1992:

"I first came across the story six years ago when an outline was related to me by Barry Halpenny, an aviation enthusiast and author...There was more to the story than met the eye, he told me. I had anticipated difficulties in investigating a 16-year-old ditched aircraft in the North Sea, but not on the scale I was to encounter over the next few weeks. Normally helpful press contacts in the Ministry of Defence responded initially by promising to help, but then became very reticent."

It must be stressed that were it not for the diligent research of Pat Otter and, later, Tony Dodd, a retired police sergeant, my involvement in the case would be minimal. Both men made a good case for something truly extraordinary having occurred and further information and additional witnesses subsequently surfaced. I attempted to be objective, however, I deemed it necessary to state the opinion of the Ministry of Defence.



If the incident did occur as described, I reasoned that the MoD would be most unwilling to discuss the case with outsiders. However, Nick Pope – who between 1980 and 1994 investigated UFO encounters – has one particular office of the MoD – has qualms about speaking with regard to knowledge of what did or did not occur that fateful night in 1970. According to

"I know about that case. What I can tell you is I was approached a couple of years ago by a number of UFO researchers – including Tony Dodd, who had in turn got the story from Pat Otter – who all suddenly got hold of this story that an RAF Lightning jet had crashed in the North Sea subsequent to its encounter with an unidentified flying object that it had been vectored on to by F Control."

"I thought that that was quite an extraordinary story and did my best to find out the facts. I got in touch with the Flight Safety people and actually called for the full Board of Inquiry file, which was about four inches thick. That file was classified, as all Board of Inquiry files are. I spent a long, long time going through that file with a fine-tooth comb. I also checked the enclosure numbers to make sure there had been no funny business with anything being removed or crossed out. I felt duty-bound to check because I thought the allegations would almost certainly surface that there had been some sort of cover-up and I wasn't getting the full story."

"The basic story was that the Lightning was part of an exercise tactical evaluation exercise. It was being vectored on to a Shackleton aircraft and the aircraft was practising the night-shadowing and shepherding of low-speed targets. That's consistent with the sort of job that the Lightning might have to do in an

operational situation. So, it was basically on a military exercise Lightning pilot reported seeing the lights of the Shackleton an think sounded disorientated and subsequently the aircraft cra into the sea."

"Is it likely that the Board of Inquiry file will one day be declassified?" I asked Nick Pope. For a moment he mused:

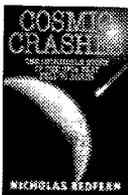
"I don't know. I don't see why not. You'd probably have to as Public Record Office about declassification of Board of Inquiry But I can tell you, I've seen that file; I've been through it. I h found nothing UFO-related at all. It's simply as one would im: the story of an aircraft crash is: a very tragic story of a comb of factors leading to the aircraft crashing into the sea."

"Well, when I got about half a dozen letters from different researchers, I thought the time had come to pull them out of standard correspondence file and open up a file on this one in simply so that everything was in one place. But all the pressu coming from UFO researchers. There were no original docum suggest that anything unusual had happened."

This is one of those particularly frustrating cases that we see and again in ufology. Nick Pope, I am certain, is speaking true However, it is now an established fact that the office in which worked was only one of a number that investigated UFO encounters. Is it perhaps feasible that these other departmen (which include the MoD's Defence Intelligence Staff and the R Air Force's Provost and Security Services) have in their posse additional files? Or is the entire controversy built out of nothir more than a tragic accident and a modern day myth?

Tony Dodd (who had an exemplary career with the North York Police Force before retiring several years ago) learned from o his informants that "some authorities have been prepared to great lengths to keep hidden the official reports" on this matt and, moreover, Dodd's source further advised him that one cr who knew the full story of the Lightning crash died in unusual circumstances in Germany a number of years ago.

The strange affair of Captain Schaffner is now 30 years old ar possible that over the course of the next 12 months the offic pertaining to what did or did not take place over the North Se in September 1970 will be declassified under the terms of the British Government's *30 Year Ruling*. Will we finally be able to this matter to rest once and for all? Only time will tell... Maybe someone reading these words already has the answers, howe you do, contact Nick Redfern via Destination Space.



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US - EUROP



You Haven't Seen Strange Until You Have Reached
Strange Texas News
<http://www.strangetexas.com>

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1/0

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(Switchboard)
(Fax)

Section 40
0171 218 9000
Section 40

Section 40

Brighouse
West Yorkshire

Section 40

Your Reference

Our Reference
D/AHB(RAF)3/27
Date
14 April 1999

Thank you for your letter of 21 March concerning the loss of Lightning XS894 on 8 September 1970.

The aircraft, flown by Captain W O Schaffner USAF, took off from RAF Binbrook at approximately 20.25 hrs to take part in a Tactical Evaluation Exercise involving the interception, shadowing and shepherding of low speed targets.

The target aircraft in this case was a Shackleton Maritime Reconnaissance aircraft flying at 1500ft off the North East Coast. Capt Schaffner was vectored onto the target and reported that he was in visual contact, but no further messages were received, and it was subsequently established that he had crashed into the sea. Captain Schaffner apparently abandoned the aircraft after it had hit the sea, but despite a prolonged search he was never found and is presumed to have drowned.

I hope that the above will be of use.

Yours sincerely

Section 40

Copy to 8/10

AIR HISTORICAL

BRANCH

TRANSIT SERIAL

No. 190

23 MAR 1999

Section 40

Brighouse
West Yorkshire

Section 40

Section 40

21/3/99

Dear Sir or Madam,

I wonder if you could be of assistance with regard to an incident I am researching.

The incident in question is an air crash, the details of which are as follows:

RAF Lightning XS894
5 Squadron
September 8 1970
William Schafner
Flying from RAF Binbrook

I would be grateful for any information available pertaining to this crash. If this information is as yet classified I would appreciate it if you could tell me on what date it will be de-classified. Could you also please tell me if any other MOD departments hold information relevant to this incident.

Thanks for your help in the matter.

Yours sincerely

Section 40

LIGHTNING

F-6

XS-894

SSON

11CP

STR

BINBROOK

8-9-70

Wo

AIRCRAFT TYPE

MARK

NUMBER

UNIT

CMD

BASE

DATE

SEVERITY

FATAL

NARRATIVE OF EVENTS

TIME	PLACE	NO	TIME	HEIGHT	SPEED	NO	TIME	HEIGHT	SPEED
TAKE OFF	2120A Binbrook	1	2142A	170 Ft	Kts	3		75 Ft	Kts
LANDING		2	APPROX		Kts	4			Kts

I was USAF Exchange officer, classified as "limited combat ready" & was requested to participate in a Tactical Evaluation exercise. At 1834Z he was called to readiness & ordered to scramble at 1947Z but was denied fuel to dispatch shortly after taxiing out. After some delay he asked the ground crew to expedite the turn-around servicing because he had been informed that he would be scrambled as soon as his aircraft was ready. He started up before the servicing was complete & without signing the turn-around certificate & taxied out at 2025Z. The turn-around board holding the certificate fell off the aircraft as he entered the Runway. The aircraft took off carrying three missiles in contravention of the Air Staff Orders applicable to the type of sortie ordered. The pilot was vectored onto a Starbuck aircraft flying as a low speed target at 1500' off the Yorkshire coast, with the requirement to show and use a certain level of proficiency to shepherd it as it approached the coast. The pilot lacked training in these tactics. He announced visual contact with the target but no further message was received. His aircraft was subsequently discovered to have crashed into the sea from which it was salvaged almost intact. The body of the pilot has not been recovered.

Major General James P. ...

SPEC. REC.

SEE ATTACHED CARD

F.1022 ACTION

MODS. STATE

F765B

F765C

F1669

F17412

F1843

CHECKED

CASUALTY INDEX

<i>f</i>	<i>LIGHTNING</i>	<i>F6</i>	<i>X3 194</i>	<i>559N</i>	<i>116</i>	<i>SEC</i>	<i>BINBROOK</i>	<i>f. 9.70</i>	<i>FATAL</i>
AIRCRAFT TYPE	MARK	NUMBER	UNIT	CMD	BASE	DATE	SEVERITY		

NARRATIVE OF EVENTS

	TIME	PLACE	NO	TIME	HEIGHT	SPEED	NO	TIME	HEIGHT	SPEED
TAKE OFF			1		Ft	Kts	3		Ft	Kts
LANDING			2		Ft	Kts	4		Ft	Kts

A combination of a difficult task, unpractised circumstances + lack of training in the low speed incident + shepherding techniques, led to a situation where the pilot failed to monitor the height of his #1c whilst slowing down + requiring his target and that he had inadvertently flown his #1c into the sea. The pilot had attempted to recover the situation by selecting rebreath, which failed to take effect, with the #1c then skimming on the water. He had then initiated an ejection which was unsuccessful because of the interruption of the sequence by the failure of the canopy to jettison. He then bravely abandoned the #1c because he had not been injured, he was prepared to have drowned during or after his escape. The high pressure strike on the canopy gun cartridge occurred because of negligent servicing in that the firing unit was incorrectly seated because of damaged screw threads. Recommendations + amendments in orders, instructions + the training syllabus, concerning low speed incidents + the shepherding and shepherding techniques

SPEC. REC.		F.1022 ACTION		MODS. STATE	
FS 3a ACTION	F765B	F765C	F1669	F412	FIN. REV. CHECKED

7.2.27/3011

M7715-1 (6/48/60,000) (BW/666) 5

SECURITY CLASSIFICATION **UNCLASSIFIED** No 5 Squadron

OPERATIONS RECORD BOOK OF (Unit or Formation)

FOR PERIOD September 1970

Instructions for use of this Form are contained in OR 2187 and 2188; and AP 3040.

COMPILING OFFICER Pt Lt C COVILLE

REF TO ANNEXES AND FILES

RAF FORM 540 (Revised May, 1965)

PAGE NO. 1 OF 6 PAGES

PLACE	DATE	LOCAL TIME	SUMMARY OF EVENTS	OPERATIONS							
				DAY	NIGHT	TOTAL	HOURS	SORTIES	HOURS	SORTIES	
			<u>Flying Hours</u>								
				HOURS	SORTIES	HOURS	SORTIES	HOURS	SORTIES		
			Lightning F6	188.20	135	125.15	98	313.35	233		
			Lightning F5	15.35	22	8.15	11	23.50	33		
			Lightning F1A	5.20	7	2.25	3	7.45	10		
			<u>Flying</u>								
			1. September proved to be an excellent month for weather, but was hindered by poor serviceability. Only by special effort from ground and aircrews was it possible to achieve the task.								
			2. The first week of the month was complicated by the need to prepare three aircraft for Singapore. SPT 67 had to be done on all three aircraft, on top of the great amount of hangar work already in progress. In addition, GFA necessitated holding two serviceable Mk 6 aircraft in the GFA hangar.								
BINBROOK	1st - 4th		3. Overwing tanks were fitted and proved on XR 764 and XR 759.								
BINBROOK	7th - 11th		4. Exercise MAGVAL was called at 1930 hrs on 8th September. The exercise proved to be a success for the squadron, but was tragically marred when Capt W SCHAFNER, USAF, flying in XS 894 crashed into the sea during a night interception. The exercise was held in abeyance from 2400 hrs until 0800 hrs on 9th September while an air/sea search was mounted for Capt SCHAFNER, and finally finished at 1800 hrs.								
BINBROOK	8th - 9th		5. XR 764 and XR 759 piloted by Pt Lt's W TYNDALL and C J MULLIAN set off for Singapore via Masirah and Gan, but were forced to land at Abrotirid with overwing tank problems. It was intended that a Mk 6 of No 23 (F) Sqn should be one of the pair								
BINBROOK	10th										

SECURITY CLASSIFICATION **SECRET**

DAS-EXEC-FIN



I would like to claim reimbursement of the cost of purchasing a book, *Out of the Shadows* by Dr David Clarke & Andy Roberts.

The authors are regular correspondents with this Department and some of the material used in the book was supplied by DAS(LA) following requests made under the Code of Practice on Access to Government Information.

The cost of the book was £17.99 and I enclose a receipt from Waterstone's Booksellers.

Name: Section 40 DAS(LA)Ops+Poll

Signed: Section 40

Date: 29/5/2002

I certify that the above mentioned book was purchased for official purposes.

Name: Section 40 DAS AD(LA)

Signed: Section 40

Date: 30/5/02

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Trafalgar Square
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CARD NUMBER
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AUTHORISATION CODE
VISA

Section 40

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28.05.02 10:10

18

DAS-LA-Ops+Pol1

From: DI ISEC SEC4
Sent: 22 February 2002 16:30
To: DAS-LA-Ops+Pol1
Cc: AD DI 55
Subject: FLYING SAUCER WORKING PARTY
Importance: High

Section 40

UFO study - summary -
for réle...

I attach an **updated** version of the summary which describes the DIS involvement in UAPs, including the Flying Saucer Working Party. We are happy for this to be released to the TV company. As far as we are aware, there are no other records relating to the FSWP in the DIS and nobody here has anything more to add!

- please pass to [redacted] Thanks
[redacted] Section 40
DIS/Sec 4
Section 40

UNEXPLAINED AERIAL PHENOMENA (UAP)



Since the 1950s, reports of unidentified aerial phenomena from within UK airspace alone number thousands. These report objects which were not identifiable at the time of observation. UAPs have increased since the 1950s in line with the beginning of manned flight, the advent of outdoor laser displays, space flight, weather balloons, and so on. It has been recent MOD practice to refer to such phenomena, in the absence of rational explanation, as Unexplained Aerial Phenomena (UAP). MOD interest in UAP is only necessary as an assurance that any such object is not a threat to UK airspace or assets.

In August 1950 a Working Party was set up (at the suggestion of Sir Henry Tizard) who thought "flying saucers should be investigated". Records show that the 11th meeting of the Joint Technical Intelligence Committee (Ref. DSI/JTIC(51) Item 8 (1951)) received the Chairman's Report of the "Flying Saucer Working Party". The Committee decided that "the document should be regarded as the final report and, in view of the conclusions the Working Party should be dissolved". The Chairman (Mr. G. L. Turney DS13) went on to say that, "following the lead given by the Americans on this subject, the report should have as little publicity as possible and outside circulation should be confined to one copy, for Sir Henry Tizard". The report has been released to the PRO. The UK was happy to allow the US studies to answer any outstanding questions.

The United States Air Force had started to take an official interest in 1948 with PROJECT SIGN, later changed to PROJECT GRUDGE and then to PROJECT BLUE BOOK. Such was the concern in the US that by 1952 the CIA instigated a covert study group to investigate the "10% of incredible reports from credible witnesses". In fact over 10,000 reports, spanning 19 years, were processed by 1965 (of which it was reported that only about 7% were unexplained). The covertness of this investigation subsequently contributed greatly to charges of a government 'cover-up'.

In 1952-3 the US set up the Robertson Panel (Intelligence Scientific Advisory Panel). Meanwhile, the possibility of the USSR using a UFO scare as a means of jamming communication channels, while simultaneously attacking the West was considered a serious possibility by the US – even though the investigation team had dismissed sightings of 'UFOs' as 'explainable'. In 1953, USAF began a more detailed collection of sighting information which, according to US Government statements, ceased in 1958 with no proof of extra-terrestrial origin.

The topic would not go away, however, and by 1966 the USA's CONDON Report had studied and reported on 59 events in detail. The report concluded "While we do not think, at present, anything worthwhile is likely to come out of research [into UFOs] each individual case should be considered on its merits. No (separate) US Agency is required - but this may not be the case for all time". The UK took no part in this USAF study, and there is no record of the Air Ministry requesting or receiving this report.

In the 1950s, the Air Ministry, produced a 'minimum format', a one page, 'UFO' reporting procedure for both public and military reporting of the phenomena. Reports of sightings from either military or civilian sources were sent to Defence Intelligence Staff (DIS) from the Air Staff in case they contained any information which was of value in DIS's task of analysing the performance and threat of foreign weapons systems, nuclear, chemical and biological weapons programmes and technologies and emerging technologies. However, none of the reports received over a period of 30 years have yielded any valuable information whatsoever. DIS therefore decided in December 2000, not to receive these reports any longer.



From: **Section 40**
MINISTRY OF DEFENCE
Directorate of Air Staff (Lower Airspace)
Operations and Policy 1
Room 6/73, Metropole Building, Northumberland Avenue,
LONDON WC2N 5BP

Telephone (Direct dial) **Section 40**
(Fax) **Section 40**

FAX MESSAGE

TO: Whitehall Library

SUBJECT: Hansard Extracts

DATE: 28 Novemember 2001

NUMBER OF PAGES INCLUDING THIS COVER: 2

This department is the focal point within the MOD, responsible for answering correspondence from the public about unidentified flying objects. We are trying to assemble a set of all the Hansard (both Lords and Commons) entries that have been on this subject. We have some, but do not know if there are any we are missing. I would be grateful if you could conduct a search for any entries that mention any of the following;

Unidentified Flying Objects / Unidentified Craft / Unidentified Arial Phenomena
Rendlesham Forest / Radiation/ RAF Bentwaters and Woodbridge
Crop Circles / Cornfield Circles / Cereal Fields
Uncorrelated Radar Tracks
RAF Rudloe Manor
RAF Feltwell / RAF Fylingdales

We would like the search to reach back to 1960 if that is possible and we are particularly interested in any entries around 1967. I attach a list of those we already have, so there is no need to send these. I appreciate that this is a big task and there is no urgency about completing it. If there are any problems please give me a call on the number above. Thank you for your help.

Fax. **Section 40**

Sent 28/11/2001.

library called - can check easily back to 1979
because they have a database. They will do
the first, then look for the earlier ones.
It may take some time. 28/11/2001.

Lords Debate	18 January 1979	Col 1246
Lords	4 March 1982	Col 1370
Lords	7 April 1982	Col 218
Commons	24 October 1983	Col 62
Commons	13 March 1984	Col 132-133
Commons	11 July 1989	Col 498
Commons	17 October 1989	Col 60
Commons	16 December 1993	Col ?
Lords	7 December 1994	Col WA 90
Commons	7 May 1996	Col 19-20
Commons	10 June 1996	Col 43
Commons	8 July 1996	Col 26
Commons	24 July 1996	Col 423-424
Commons	16 October 1996	Col 921
Commons	17 October 1996	Col 1082, 1091-1093, 1095
Commons	5 November 1996	Col 409
Commons	11 November 1996	Col 25-26
Commons	12 November 1996	Col 111
Commons	18 December 1996	Col 628-629
Lords	14 October 1997	Col WA 168-169
Lords	23 October 1997	Col WA 216
Lords	28 October 1997	Col WA 232
Commons	10 November 1997	Col 450
Commons	29 June 1998	Col 12
Lords	15 July 1998	Col 25-26
Lords	19 October 1998	Col 131-132
Lords	3 September 1998	Col WA 59-60
Lords	19 November 1998	Col WA 190-191
Lords	17 December 1998	Col WA 176-178
Lords	23 January 2001	Col WA 7-8
Lords	25 January 2001	Col WA 21-22
Lords	30 January 2001	Col WA 49-50
Lords	3 May 2001	Col WA315
Lords	8 May 2001	Col WA 351

FAX COVER SHEET

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From: Section 40

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Fax Number:

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Page number: *20*

Subject: *Letter about wind power*

2. I declare that:

- a) I have not previously been supplied with a copy of the same material by this, or any other library.
- b) I have not requested more than one article from the same newspaper
- c) To the best of my knowledge, my request for a copy is not related to any similar request by another person for the same purpose.
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Section 40

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DATE: *15/08/01*

Section 40

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Wolfer

Section 40

MODE = TRANSMISSION

START=15-AUG 09:12

END=15-AUG 09:13

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001	OK		Section 40	001	00:00'23"

-DIRECTORATE AIR STAFF -

***** Section 40 - **** - Section 40 *****

17x1

From: Info(Exp)-Records1
Sent: 27 November 2001 10:47
To: DAS-LA-Ops+Pol1
Subject: RE: Retention of UFO files

Section 40

I would not disagree.

Reviewers are asked to keep everything.



However, if branches dispose of this material locally its lost for ever.

Section 40

-----Original Message-----
From: DAS-LA-Ops+Pol1
Sent: 27 November 2001 10:43
To: Info(Exp)-Records1
Subject: RE: Retention of UFO files

Section 40

Thanks. It looks to me that perhaps we originally agreed to kept the reports because of the public interest, but over the years different members of this branch have interpreted that in different ways depending on their experience of what people were asking for. This may also explain why certain files such as the policy files that asked for were destroyed. Even in the two years since I have been in this job there has certainly been a shift in what is being requested. In the early days people were interested in reports in their area, now the likes of Section 40 etc are more interested in our policy and who we consult. I therefore think that in the future we should keep everything on this subject.

Section 40

-----Original Message-----
From: Info(Exp)-Records1
Sent: 27 November 2001 09:39
To: DAS-LA-Ops+Pol1
Subject: RE: Retention of UFO files

Section 40

I am not really sure that I can help you with this one.

It has previously been the case that there was not a great deal of discussion, correspondence or for that matter any formal agreement with the PRO over what should or should not be selected for permanent preservation.

PRO staff have tended to go along with departments selection, although occasionally we are sometimes asked about the absence of records from what is perceived to be an interesting area of business.

It has only been in the last few years that the PRO has deliberately adopted a more proactive stance in identifying areas of records that should be preserved - enshrined in their Operational Record Selection policy documents (there is no OSP covering UFOs).

My own policy papers on this subject only go back to the early 1990s. But in conversation with officials from Kew in my early days in the branch these records were thought as "novelty" items

rather than of significant historical records. Since that time interest has expanded at such a rate that the current PRO view now seems to be to welcome these records as they get the punters in (it seems to be, in part, about numbers passing through the door or accessing the website).

I note that the minute to APS/US of S, dated 27 March 1970 (BJ 5/311 - released January 2001), including the draft reply to an MP, commented MOD "hold(s) UFO records from 1962 onwards. These records will not be destroyed....would remain closed...until they became available under the usual rules at the end of 30 years."

The circulation of the submission, and Private Office reply, included DSTI, two RAF Ops branches and Met Office. The records organisation seemed to be excluded from the circulation. I suspect that at that time it was not considered necessary to have a records view.

Although I have no background papers to the 1982 PQ answer in the House of Lords the answer stated "since 1967 all UFO reports have been preserved. Before that time they were generally destroyed after five years."

However, it is clear that within the records organisation "some" form of understanding has been in place in for a number of years. Instructions to records reviewers, dating from 1992, states that all UFO files reviewed are to be kept for the PRO.

This in turn seems to support 1992 as being the date when the preservation of UFO files was specifically flagged up by the records organisation ie records dating from 1967 surviving branch and first review would again be examined in 1992 (although I was in records at that time and authorised the publication of the Instructions I do not recall this subject being a particular issue):

But the stats pre and post 1992 as a review date seem significant:

1950s files - 6 for Kew
1960-65 - 3 ditto
1965 - 1
1966 - 2
1967 - 10
1968 - 14
1969 - 13

Does this help or just adds to the confusion?

Section 40

-----Original Message-----

From: DAS-LA-Ops+Pol1
Sent: 23 November 2001 14:13
To: Info(Exp)-Records1
Subject: Retention of UFO files

Section 40

As you know for years we have been telling the public that since 1967 UFO report files have been retained and are sent to the PRO at the 30 year point. We are increasingly now getting requests for information from people like Section 40 and Section 40 who get rather frustrated when documents they know once existed cannot be found. When we have called files back from archives we have found that over the years different degrees of information have been kept. Sometimes the files only contain reports (no associated correspondence), others have replies and internal correspondence between MOD departments etc. We now appear to keep almost everything that mentions UFOs.

We do not have any policy files from 1967, so we do not know what the original agreement was, nor how it came about (say in answer to a PQ, PE or just by internal discussion) but I assume that there must

also have been discussions with the PRO regarding storing this material.

Do you have any ideas as to what the original agreement for keeping this material was or how it came about?

I am grateful for any assistance you can give.

Section 40

DAS(LA)Ops+Pol1

MT6/73

Section 40

LOOSE MINUTE

D/AHB(RAF)/5/21

18 September 2001

DAS(LA)Ops + 1



RAF Form 540

Further to your e-mail and our subsequent telecon the answers regarding your questions on the RAF Form 540 are as follows:

1. All RAF independent units, i.e., stations, flying squadrons, regiment squadrons, signals units, maintenance units etc, along with RAF elements of joint service units should produce a 540.
2. The Form 540 Operations Record Book should be submitted to this branch on a monthly basis, not later than 6 weeks after the month being reported on. Although in reality it can be more like 6 months plus.
3. The 540 was first introduced in 1936. However many of the early squadrons kept records going back to their formation during WW1.
4. As stated at 2 the unit should submit its 540 not later than 6 weeks after the month being reported on. The original document should be sent to AHB with a copy being kept on the unit. As far how long the copy of the 540 is kept on the unit is concerned, I am afraid that that this depends on the unit, some destroy them after a year and some, if they are interested in their history, keep them ad-indefinitum.
5. 540's are held at AHB for approximately 25 years, they are then sent to the departmental reviewers who clear them for release into the Public Record Office at the 30-year point.

Moving on to your next query regarding the incident on the 5th of November 1990 supposedly involving Tornados from Marham. I am afraid that I have gone through the 540's for Marham, Neatishead, 27 and 617 (the 2 squadrons based at Marham at that time) Sqns to no avail. None of them contain any reference at all to any flying object. Indeed the deployment to Laarbruch only merits a one line entry in 617's 540, and is not mentioned at all in either 27's or the stations.

In your e-mail of 14/9 you requested extracts from Coltishall and Saxa Vord's 540 for the period covering Sept 70. I have ordered these documents back from the PRO and will forward copies of the necessary pages when they arrive. Please bear with me on this as currently documents are taking anything up to 10 days to return from the PRO

Section 40

AHB3(RAF)

Section 40

15

LOOSE MINUTE

D/DAS/64/1

11 September 2001

AHB3(RAF)

F540 Operations Record Books

1. I would be grateful for your advice regarding the retention of F540 Operations Record Books.
2. We are the focal point within the MOD for correspondence from the public regarding 'unidentified flying objects'. Some of those that write to us are keen to find as much documented information as possible, particularly where it is alleged RAF Stations or personnel may have been involved. With the Code of Practice on Access to Government Information and soon the introduction of the Freedom of Information Act, we are looking at what material may be available, and it has recently been suggested that station F540s may be a useful source of information.
3. I understand that it is unlikely that F540s would contain a record of UFO sightings, but these incidents sometimes coincide with real events at a station that have become confused, or misreported until they appear that something unusual has happened. In these cases, an entry in the Station F540 may give a possible explanation. I would, therefore appreciate your advice on the following questions;
 - a. Do all RAF stations (even non flying stations) keep a F540?
 - b. How often is an entry made in them (ie. daily, monthly)?
 - c. Approximately when were these first kept?
 - d. How long are F540s kept at the station before being sent to AHB?
 - e. How long are they retained at AHB before being transferred to the PRO?
4. In addition, I would appreciate your help regarding a particular enquiry we have received from one of our regular correspondents. He has been writing to us for some time looking for documents relating to an event on 5th November 1990 in which one (maybe more) RAF Tornado pilots reported seeing an object fly past them and heading towards Dutch Airspace. The Tornados were transiting from RAF Marham to RAF Laarbruch at the time. We have given him all the information we have on this incident, but he has now asked if we can be sure that no more exists within MOD. If you hold F540s for RAF Neatishead and RAF Marham for this period could you please see if there was any mention of this incident in either of them.
5. Thank you for any assistance you can provide. I am happy to discuss if you wish.
+My telephone number is Section 40

Section 40

14

From: DAS4A1(SEC)
Sent: 11 September 2001 10:42
To: Info(Exp)-Records1
Subject: RE: Enquiry about UFO files

Thanks for your help Iain

-----Original Message-----

From: Info(Exp)-Records1
Sent: 10 September 2001 13:42
To: DAS4A1(SEC)
Subject: RE: Enquiry about UFO files

Section 40

The only record from the 1950s that I am aware of is the infamous DSI/JTIC Report No 7 in DEFE 19/9 (title: Scientific Intelligence). Arrangements have been made to replace the copy on the file with a photocopy and the original has been allocated to DEFE 44 (provisionally DEFE 44/119). The report is waiting PRO clearance before transfer to Kew (hopefully a little later this year).

On the order of files – the Public Record Act lays down no specific instruction.

However, on creation it is good records management practice that filing be in chronological order. When my staff process files, 25 or so years after originally created, they work to the established practice that files be left in the state that they were created. It is unfortunate if this means the filing can be somewhat haphazard.

Section 40

-----Original Message-----

From: DAS4A1(SEC)
Sent: 10 September 2001 12:04
To: Info(Exp)-Records1
Subject: Enquiry about UFO files

Section 40

One of our regular correspondents has asked it "any surviving UFO records from the 1950's have been retained by the MOD and re-classified under the thirty-year secrecy rule?". I think the answer is no, any records from that period would be in the PRO, but I thought it best to check with you.

Also he has suggested that we place reports in chronological order to make it easier for them to be searched by us and members of the public (they are currently filed in the order they are received) . I will obviously explain the difficulties of shuffling papers on 30 years worth of files, especially as many people write to us about events that happened months, sometimes years ago and this would result in us constantly calling files back from archives to insert letters in the appropriate place . I would, however, appreciate your advice on whether records have to be kept in date order and once placed on a file can enclosures be shuffled around in this manner. I know the PRO is very keen for files to be released in their original state so is there any instructions under the Public Record Act?.

Section 40

DAS(LA)Ops+Pol1
(DAS4A1(SEC) on chots)

UNCLASSIFIED

13



From: Section 40 Directorate of Air Staff, AD (Lower Airspace),
Room 6/68

MINISTRY OF DEFENCE

Metropole Building, Northumberland House, London, WC2N 5BP

Telephone (Direct dial)
(Fax)

Section 40

Section 40

Head of Air Historical Branch
RAF Bentley Priory
Stanmore
Middlesex
HA7 3HH

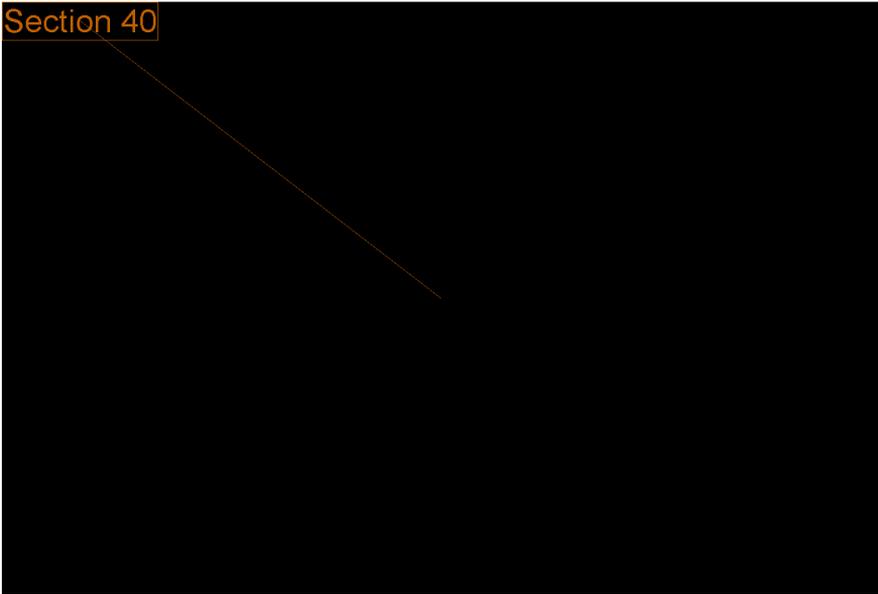
Your Reference

Our Reference
D/DAS/64/1

Date
28 March 2002

Dear Section 40

Section 40



Yours sincerely,

Section 40

UNCLASSIFIED

EXAMPLE OF MESSAGE FROM **Section 40** D NEWS RAF

-----Original Message-----

From: FinPol(Rep)2
Sent: 02 January 2002 15:35
To: D News RAF
Subject: Media Activities
Importance: High

Section 40

I'll be doing a brief, down-the-line interview for Radio 4's *Today* programme, tomorrow morning. It's part of a piece on the latest releases of files at the Public Record Office, some of which contain papers on UFO sightings from the early Fifties and the research undertaken by the Flying Saucer Working Party. Sorry for the late notice - they've only just telephoned.

Section 40

Copy also on
5/1/11

4/1

DAS-LA-Ops+Pol

From: DAS-LA-Ops+Pol
Sent: 10 April 2002 08:59
To: DAS-LA-AD
Cc: DAS-LA-Ops+Pol1; DAS-LA-Ops+Pol1a
Subject: HANDLING OF CODE REQUESTS

12



CodeRequestHandling.
doc

Section 40

Here is my starter for ten to produce something in writing recording how Code requests should be approached. Her post features as the key area of involvement in handling/recording etc. in line with her post specification, although clearly she will be able to look for support from OpsPol1a, OpsPol and guidance from LA AD.

Section 40

Section 40

HANDLIND REQUESTS FOR INFORMATION UNDER THE CODE OF PRACTICE ON ACCESS TO GOVERNMENT INFORMATION

- All requests for information received in DAS from MPs or members of the public shall be copied to DAS LA Ops+Pol1 for information. A record of all requests and the outcome will be maintained by DAS LA Ops+Pol1.
- DAS LA Ops+Pol1 shall advise the relevant DAS desk officer on release of information to ensure consistency of approach within the Directorate and with the relevant DCI. DAS LA Ops+Pol1 may refer requests for information to D Info Exp Access in order to obtain advice.
- Where there is disagreement with the advice given by DAS LA Ops+Pol1, this will be referred to the appropriate AD, and D Info Exp Access as appropriate.
- Material copied for release shall undergo sanitisation as necessary by DAS LA Ops+Pol1, with advice from the relevant desk officer. Material copied will be examined jointly by the relevant desk officer and DAS LA Ops+Pol1, or another person of the DAS LA Ops+Pol section.
- A copy of material supplied will be retained with the letter to the MP or member of the public. Any material withheld will also be copied and retained and marked appropriately along with the reply from DAS.
- Subsequent release of the same material to another individual will be subject to a check by the relevant desk officer and DAS LA Ops+Pol1, or another in that section.
- Any proposal to withhold information will be discussed with DAS LA Ops+Pol1 who will take advice from D Info Exp Access as necessary on a decision to withhold and the Exemption to be quoted.
- DAS LA Ops+Pol1 will advise on the form of reply to an MP or member of the public where the withholding of information has been agreed with the appropriate section and, if required, with D Info Exp Access. All letters indicating a decision to withhold information will be handled in accordance with DCI . . .

DAS-EXEC-FIN

I would like to claim reimbursement of £24.50 for annual subscription to *UFO Magazine* as shown on the attached documents.

As we do not want the publishers to be aware of the MOD's subscription nor to link my name to my home address, a false name has been given.

I certify that the magazine is being purchased for official purposes only.

Name: Section 40 DAS(LA)Ops+PolI
Signed: Section 40
Date: 3 April 2002

I certify that the above mentioned magazine subscription was taken out for official purposes and that I will have sight of each edition.

Name: Section 40 DAS AD(A)
Signed: Section 40
Date: 3/4/02

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SUBSCRIPTION ORDER FORM

Name **Section 40**

Address

Country **UK** PostCode **Section 40**

I enclose Cheque/Postal Order for **£24.50** *Please start with the May issue*

Please charge my credit card:

Card number:

Expiry date: Issue No. (if applicable) _____

Cheques/POs payable: 'Quest Publications'
Send to: QPIL, Valley Farm Way, Wakefield Road, Stourton, Leeds, S10 1SE, W. Yorks, England

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WRITTEN APPLICATIONS ACCEPTED - OVERSEAS TEL: 44 - 870 7575 836



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TO BE DETACHED AND KEPT

BY THE ISSUER

TWENTY POUNDS

SEE OVER FOR CONDITIONS OF USE



0619 411986

COUNTERFOIL

TO BE DETACHED AND KEPT

BY THE ISSUER

FOUR POUNDS

SEE OVER FOR CONDITIONS OF USE



4202 587901

DAS-EXEC-FIN

I would like to claim reimbursement of the cost of purchasing *UFO Magazine* for the past eight months as detailed below.

<u>Month</u>	<u>Cost</u>
August 2001	£2.50
September 2001	£2.50
October 2001	£2.50
November/December 2001	£3.50
January 2002	£2.50
February 2002	£2.50
March 2002	£2.50
April 2002	£2.50
Total	£21.00

I certify that these magazines were purchased for official purposes only.

Name: **Section 40** DAS(LA)Ops+Poll

Signed: **Section 40**

Date:..... 3 April 2002

I certify that the above mentioned magazines were purchased for official purposes and that I have had sight of these editions.

Name: **Section 40**

Signed:..... **Section 40**

Date:..... 3/4/02

DAS-LA-Ops+Pol1

From: DAS-EXEC-FIN
Sent: 20 March 2002 16:38
To: DAS-LA-Ops+Pol1
Subject: RE: Budget matters

Importance: Low

Section 40

Just need a line from [Section 40] confirming that you had purchased the magazines. This will be the supporting evidence for auditing purpose
From you, I will need your bank details so that payment can be made into your account.

Section 40

-----Original Message-----
From: DAS-LA-Ops+Pol1
Sent: 20 March 2002 12:10
To: DAS-EXEC-FIN
Subject: Budget matters

Section 40

You may recall we spoke before about the department purchasing *UFO Magazine* each month. As you may recall, the Editor and some of those that place articles in this magazine are correspondents of ours and I do not want them to know the MOD buys the magazine. I checked with the MOD Library who said they could subscribe for us but they would be unable to conceal the fact that it was from the MOD. I could take out a private subscription, but as I write to some of these people I do not want to send a cheque which could link my name to my home address. When we spoke before you suggested that I could purchase the magazine and to save claiming £2.50 every month I may wish to claim it say every 6 months. I have now purchased 7 editions (including this months) which amounts to £18.50. November and December 2001 was a combined bumper edition costing £3.50. As I just buy them over the counter at my local newsagents I do not have receipts but I have them all in my office if you need to see them. [Section 40] said he was happy to sign something to authorise the purchase of these if required. I would be grateful if you would let me know how I can claim reimbursement of these costs.

Also for the future I am thinking of taking out a subscription but instead of a cheque, sending postal orders. This way although I would be giving my home address I could use another name. The annual subscription is £24.50. Are you happy for me to buy the postal orders and claim back the money or is there an alternative way of doing this?

Thanks for your help.

Section 40
DAS-LA-Ops+Pol1



From: **Section 40**
Directorate of Air Staff (Lower Airspace)
Operations & Policy 1
MINISTRY OF DEFENCE
Room 6/73, Metropole Building, Northumberland Avenue, London,
WC2N 5BP

8

Telephone

(Direct dial)
(Switchboard)
(Fax)
(GTN)

Section 40
020 7218 9000
Section 40

CHOs

DAS-LA-Ops+Pol1

E-Mail

das-laopspol1@defence.mod.uk

Section 40

HQ Personnel and Training Command
RAF Innsworth
Gloucester
GL3 1EZ

Your Reference

Our Reference
D/DAS/64/1
Date
15 March 2002

DUTY PERSONNEL OFFICER ORDERS – Order No.17

A. PTC/342036/6/Org dated 11 March 2002

Thank you for your letter at reference A. Please make the following amendments to the PTC Duty Personnel Officer Order which we sponsor.

Paragraph 1b. Amend to read

At any time to MOD, DAS(LA)Ops & Pol 1, Room 6/73, Metropole Building, Northumberland Avenue, London. Tel GPTN (96621) Ext 82140, Fax **Section 40** Use SIC-Z6F with signal messages.

Paragraph 2. Amend to read

CDSDO will pass all reports submitted out of hours to DAS(LA)Ops & Pol1.

Sponsor

DAS(LA)Ops & Pol 1

Section 40

DAS(LA)Ops+Pol1

Section 40



**HEADQUARTERS
PERSONNEL AND TRAINING COMMAND**

ROYAL AIR FORCE INNSWORTH, GLOUCESTER GL3 1EZ



Telephone Gloucester **Section 40**

Your Reference

See Distribution

Our Reference PTC/342036/6/Org

Date 11 Mar 02

DUTY PERSONNEL OFFICER ORDERS

1. The Duty Personnel Officer Orders are due for reissue by the end of April 02. I enclose copies of the order(s) that you sponsor and request that any amendments are forwarded to me by 20 April 02.
2. Your assistance is greatly appreciated.

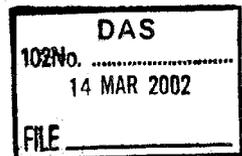
Section 40

Org 1 Parenting

Section 40

Distribution:

MOD Sec (AS)2a1, Main Building (Order No17)
HQ PTC, BFM, Room G4 (Order No 20)
HQ PTC, Pers Sy 1, Room G126 (Order No6)
HQ PTC, P1(Cer), Room G45 (Order No 15)
HQ PTC, ICP4, Room G105 (Order No 12)
HQ PTC, ICP2, Room G105 (Order No14)
HQ PTC, ICP 1, Room G105 (Order No's 1, 2 and 13)
HQ PTC, Wg Cdr PM(PTC), Room G38 (Order No 1)
HQ PTC, FT ME&EFT, Room S125 (Order No1)
HQ PTC, PC4, Room G22 (Order No 7)
HQ PTC, CFSO, Room S20 (Order No's 4 and 5)
RAF Innsworth, WO Comms (Order No 3)
RAF Innsworth, Station Security Officer (Order No 19)



REF ID: A66001
UNCLASSIFIED

ORDERS FOR HOPTC DUTY STAFF OFFICER

ORDER NO 17

UNIDENTIFIED FLYING OBJECTS

1. All sightings of Unidentified Flying Objects (UFOs) are to be reported using the format at Annex A. Reports are to be submitted as follows:

a. Out of working hours and only if considered of major significance to Chief Defence Staff Duty Officer (CDSDO). The CDSDO may be contacted on MOD Main Building, Tel GPTN **Section 40**

b. At any other time to ^{DAS (LA) Ops + Pol 1 6/78, Metropole Building} ~~DAS4a(Sec)~~, Room 8245, MOD Main Building, Tel GPTN **Section 40**. Use SIC-Z6F with signal messages.

2. CDSDO will pass all reports submitted out of hours to ~~DAS4a(Sec)~~ ^{DAS (LA) Ops + Pol 1}

3. Outside normal working hours all enquiries from the Press are to be referred to the Duty Press Officer at MOD who may be contacted at MOD Main Building, Tel GPTN **Section 40**. The Press may be given the following direct dial BT Tel No for the Duty Press Officer **Section 40**.

May 01

^{DAS (LA) Ops + Pol 1}
Sponsor: MOD ~~DAS4a1(Sec)~~
Tel: **Section 40**

1
UNCLASSIFIED

REPORT OF AN UNEXPLAINED AERIAL SIGHTING

1	Date and time of sighting. (Duration of sighting)	
2	Description of object. (No of objects, size, shape, colour, brightness, noise)	
3	Exact position of observer. (Indoors/outdoors, stationary/moving.)	
4	How object was observed. (Naked eye, binoculars, other optical device, camera or camcorder)	
5	Direction in which object was first seen. (A landmark may be more helpful than a roughly estimated bearing)	
6	Approximate distance.	
7	Movements and speed. (side to side, up or down, constant, moving fast, slow)	

RESTRICTED
UNCLASSIFIED

8	Weather conditions during observation. (cloudy, haze, mist, clear)	
9	To whom reported. (Police, military, press etc)	
10	Name, address and telephone no of informant.	
11	Other Witnesses.	
12	Remarks.	
13	Date and time of receipt.	

3
RESTRICTED
UNCLASSIFIED

7

LOOSE MINUTE

FILE → D/DAS/64/1

11 September 2001

AHB3(RAF)

F540 Operations Record Books



1. I would be grateful for your advice regarding the retention of F540 Operations Record Books.

2. We are the focal point within the MOD for correspondence from the public regarding 'unidentified flying objects'. Some of those that write to us are keen to find as much documented information as possible, particularly where it is alleged RAF Stations or personnel may have been involved. With the Code of Practice on Access to Government Information and soon the introduction of the Freedom of Information Act, we are looking at what material may be available, and it has recently been suggested that station F540s may be a useful source of information.

3. I understand that it is unlikely that F540s would contain a record of UFO sightings, but these incidents sometimes coincide with real events at a station that have become confused, or misreported until they appear that something unusual has happened. In these cases, an entry in the Station F540 may give a possible explanation. I would, therefore appreciate your advice on the following questions;

- a. Do all RAF stations (even non flying stations) keep a F540?
- b. How often is an entry made in them (ie. daily, monthly)?
- c. Approximately when were these first kept?
- d. How long are F540s kept at the station before being sent to AHB?
- e. How long are they retained at AHB before being transferred to the PRO?

4. In addition, I would appreciate your help regarding a particular enquiry we have received from one of our regular correspondents. He has been writing to us for some time looking for documents relating to an event on 5th November 1990 in which one (maybe more) RAF Tornado pilots reported seeing an object fly past them and heading towards Dutch Airspace. The Tornados were transiting from RAF Marham to RAF Laarbruch at the time. We have given him all the information we have on this incident, but he has now asked if we can be sure that no more exists within MOD. If you hold F540s for RAF Neatishead and RAF Marham for this period could you please see if there was any mention of this incident in either of them.

5. Thank you for any assistance you can provide. I am happy to discuss if you wish.

My telephone number is **Section 40**

Section 40

Section 40

DAS(Lower Airspace)Operations & Policy 1

LOOSE MINUTE

6

D/DAS 64/1 ←

6 June 2001

D/INFO(EXP)RECORDS

RECORDS REQUISITIONED FROM THE PUBLIC RECORD OFFICE

Reference A: AF/7463 Part III – Unidentified Flying Objects- Reports

Reference B: AF/7463 Part IV – Unidentified Flying Objects-Reports

1. Please find enclosed two files requisitioned from the Public Record Office (reference A and B) which I am returning as requested.
2. These files were requested in order to answer an enquiry from a member of the public who was interested in information that may be contained in them. However, in subsequent correspondence this person has changed their mind several times about what material they are seeking. I have written to them to ask for clarification, but at this time, I do not know whether I will still need to look at these files.
3. In order to comply with your deadline for returning them to the Public Record Office we have made copies of both files. I stress in doing so, we have been very careful to place all papers back on the files in the exact order that they were in originally.
3. In your note (enclosed with the files) you said "*on no account must they be passed to any other authority without written permission from this branch*". I have taken this to mean that the files should not be passed to another department, not that copies of material from them can not be released to members of the public who request it. As my correspondent may yet ask for such material I would be grateful if you could clarify this matter.
4. Thank you for your assistance.

Section 40

DAS 4a1 (formerly DAS 4a1(Sec))

MB8245

Section 40

MOD RECORDS ORGANISATION

To: **Section 40** SAS 4A1(Sec)

Records Requisitioned from the Public Record Office

The enclosed records were requisitioned for you from the Public Record Office (PRO).

They must not be mutilated, altered, annotated or added to in any way; ~~and on no~~
~~account must they be passed to any other authority without written permission from this~~

You will be held personally responsible for this material whilst it is on charge to you, and accountable for any breach of the above instructions.

THESE RECORDS MUST BE RETURNED TO THE ADDRESS BELOW BY:-

8th June 2001

DO NOT RETURN DIRECTLY TO THE PRO

Return to →

Section 40 (Moving to this address at the end of May)
D INFO(EXP)RECORDS
Room 012
Old War Office
LONDON SW1A 2EU

Tel **Section 40**

Please sign one copy of this receipt and return it to:

Section 40 (Moving to the above address at the end of May.)
D INFO(EXP)Records
Room 7/40
Metropole Building
Northumberland Avenue
London WC2N 5BP

Tel **Section 40**
Fax **Section 40**

Received: AIR 2/18565 AIR 20/12399

Signature _____ Name _____

Rank _____ Branch _____

Date _____ Tel No _____

5/1

Section 40

LOOSE MINUTE

DI/DI SEC/10/8/3

5 June 2001

- remain
on a Policy file.
Pxo

Section 40

POLICY ISSUE

Para. 4a.
DIST policy.

DAS 4A

Copy to:
DAO - ADGE 1
AD DI 55

OFFICIAL ACTION LETTER FROM Section 40 - UFO QUESTIONS

1. Thank you for your minute of 15 May attaching a letter from Section 40 containing questions about MOD policy towards UFOs.
2. Questions 1, 4a, 5 and 11 were annotated for the DIS to answer. Responses to Questions 1 and 4a are as follows:
 - a) Q1 - There are no current posts within the DIS where staff have a direct or subsidiary responsibility for the investigation of UFO reports. Neither do we have staff allocated to the handling of public enquiries specifically relating to the subject.
 - b) Q4a - The DIS have never called upon the expertise of psychologists (external or Service personnel) in respect of individual investigation or analysis and advice on any aspect of UFO issues.
3. The branch to which Section 40 refers in Q5 and 11a, (Air Intelligence 5b) was part of the Air Ministry in pre-MOD days. DIS was established in 1964 and included the amalgamation of the three single-Service intelligence organisations. We need to ascertain whether AI5b evolved into an MOD(Air) branch in 1964 or a DIS branch. Perhaps the RAF Historical Branch could help? Meanwhile DI 55b is asking for a search to be undertaken in our archives to see whether we hold any AI5b files. DAS may need to do the same.
4. Our responses to Q11b and Q11c are as follows:
 - a) Q11b - Director Intelligence Scientific and Technical (DIST) used to receive reports from the public reporting on unexplained aerial phenomena. However, the branch responsible decided that these reports were of no defence interest and requested that no further reports be forwarded. The branch still retains files containing these reports up to 4 December 2000.
 - b) Q11c - DIST undertook a search of their records to identify all of their file holdings. This search would have included any files reporting unexplained aerial phenomena; it established that files prior to 1961 had not been retained.

3. I hope this will help in your interim reply to **Section 40**. We will let you know the answer to Q11a as soon as possible. Meanwhile, any further information you can provide on Air Intelligence 5b would be most helpful.

Section 40

DI ISEC Sec 4

Section 40

DAS4A(SEC)

14

From: DI ISEC SEC4
Sent: 05 June 2001 09:51
To: DAS4A(SEC)
Cc: AD DI 55; DAO ADGE1
Subject: [redacted] questions
Importance: High

W

[redacted] Section 40

[redacted] Section 40

I attach a response to your request of 15 May. Please ring if you need to discuss.

[redacted] Section 40

AD DI 55

[redacted] Section 40

Please could you pass to [redacted] Thanks very much.

[redacted] Section 40



From: **Section 40**
Directorate of Air Staff
4a1(Secretariat)
MINISTRY OF DEFENCE
Room 8245, Main Building, Whitehall, London, SW1A 2HB

75
+1

Telephone (Direct dial)
(Switchboard)
(Fax)
(GTN)

Section 40
820 7218 9000

Section 40

Section 40

HQ Personnel and Training Command
RAF Innsworth
Gloucester
GL3 1EZ

Your Reference
PTC/342036/6/Org
Our Reference
D/DAS(Sec)64/1
Date
5 April 2001

DUTY PERSONNEL OFFICER – ORDERS

1. Thank you for sight of the Duty Personnel Officer Orders concerning the reporting of Unidentified Flying Object (UFO) sightings.
2. Secretariat (Air Staff) has now merged with Director of Air Staff and our new title is shown above. Accordingly I would be grateful if you would make the following amendments to the Orders.

Para 1b. Amend to: *At any other time to DAS4a(Sec), Room 8245, MOD Main Building, Tel GPTN (96621) Ext82140, Fax **Section 40** SIC-Z6F with signal messages.*

Para 2. Amend to: *CDSDO will pass all reports submitted out of hours to DAS4a(Sec). Delete next line.*

Para 3. Amend the BT Tel No for the Duty Press Officer to **Section 40**

Sponsor. Amend to: *MOD DAS4a1(Sec) Tel: **Section 40***

3. We are due to leave Main Building on 27 July (the date may change) as part of the Main Building refurbishment programme. From then on our address will be Room 671, Metropole Building, Northumberland Avenue, London WC2N 5BP. Our Telephone numbers will remain unchanged. Any mail sent to Main Building will be redirected to our new address.

Section 40

DAS4A1(SEC)

MB 8245

Section 40



**HEADQUARTERS
PERSONNEL AND TRAINING COMMAND**

ROYAL AIR FORCE INNSWORTH, GLOUCESTER GL3 1EZ



Telephone Gloucester **Section 40** DFTS **Section 40**

Your Reference

MOD Sec(AS)2a1
Room 8245
Main Building

Our Reference PTC/342036/6/Org

Date 30 Mar 01

DUTY PERSONNEL OFFICER – ORDERS

1. The Duty Personnel Officer Orders are due for reissue by the end of April 01. I enclose copies of the orders which you sponsor and request that any amendments are forwarded to me by 27 Apr 01.
2. Your assistance is appreciated.

Section 40

ORG 1 (Parenting)

Section 40



RESTRICTED
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ORDERS FOR HOPTC DUTY STAFF OFFICER

ORDER NO 17

UNIDENTIFIED FLYING OBJECTS

1. All sightings of Unidentified Flying Objects (UFOs) are to be reported using the format at Annex A. Reports are to be submitted as follows:
 - a. Out of working hours and only if considered of major significance to Chief Defence Staff Duty Officer (CDSDO). The CDSDO may be contacted on MOD Main Building, Tel **Section 40**
 - b. At any other time to Sec(AS)2a, MOD Main Building, Room 8245, Tel GPTN (96621) Ext 82140. **Section 40** Use SIC-Z6F with signal messages.
2. CDSDO will pass all reports submitted out of hours to Sec(AS)2a. Under normal circumstances Sec(AS)2a will not respond to the originator.
3. Outside normal working hours all enquiries from the Press are to be referred to the Duty Press Officer at MOD who may be contacted at MOD Main Building, Tel GPTN **Section 40**. The Press may be given the following direct dial BT Tel No for the Duty Press Officer **Section 40**.

Apr 99

Sponsor: MOD Sec(AS)2a1
Tel: **Section 40**

RESTRICTED
UNCLASSIFIED

REF ID: A66111
UNCLASSIFIED

REPORT OF AN UNEXPLAINED AERIAL SIGHTING

1	Date and time of sighting. (Duration of sighting)	
2	Description of object. (No of objects, size, shape, colour, brightness, noise)	
3	Exact position of observer. (Indoors/outdoors, stationary/moving.)	
4	How object was observed. (Naked eye, binoculars, other optical device, camera or camcorder)	
5	Direction in which object was first seen. (A landmark may be more helpful than a roughly estimated bearing)	
6	Approximate distance.	
7	Movements and speed. (side to side, up or down, constant, moving fast, slow)	

2
UNCLASSIFIED

UNCLASSIFIED
RESTRICTED

8	Weather conditions during observation. (cloudy, haze, mist, clear)	
9	To whom reported. (Police, military, press etc)	
10	Name, address and telephone no of informant.	
11	Other Witnesses.	
12	Remarks.	
13	Date and time of receipt.	

UNCLASSIFIED
RESTRICTED

File 64/3/5. Copy for Policy file 64/1.

L 4A(SEC)

From: DAO ADGE1
Sent: 29 January 2001 17:32
To: DAS4A(SEC)
Cc: DAS4A1(SEC)
Subject: FW: HANDLING OF CORRESPONDENCE ON AIR DEFENCE MATTERS

64

Importance: High



DAOADGE1letter.doc

Section 40

As promised, following our conversation today on the subject of the attached note, I can confirm that I am content to continue providing support from an air defence perspective on UFO/UAP matters. Clearly, there will be occasions on which you will need an operational input on whether an incident has any operational air defence significance and, providing the workload is maintained at the current, relatively low level, I am probably best placed to continue to act as the conduit for that support.

Section 40

Wg Cdr
DAO ADGE1

-----Original Message-----

From: DAS4A(SEC)
Sent: 12 January 2001 12:29
To: DAO ADGE1
Subject: HANDLING OF CORRESPONDENCE ON AIR DEFENCE MATTERS
Importance: High

64/1

UNCLASSIFIED
UK RESTRICTED

3/2



POSSIBLE ANSWER TO PQ 03511

The DIS has applied the classification of SECRET UK EYES ONLY to a recent report generated on Unidentified Aerial Phenomena (UAP). The DIS has received copies of UAP sightings for about 30 years. These were filed without analysis. Recently, a low priority study was conducted to database the reports and carry out an analysis. The main conclusion was that the sightings provided nothing of value to the DIS in the assessment of weapon systems and that sightings can be explained as mis-reporting of man-made vehicles, natural but not unusual phenomena and natural but relatively rare and not completely understood phenomena. A decision has been made not to carry out any further work on the subject. The overall classification of the report was dictated by the analysis material included on the UK Air Defence Ground Environment otherwise it is UK RESTRICTED.

UNCLASSIFIED
UK RESTRICTED

Section 40

TO

Section 40

Classification

Caveat

Covering

F Sigs 927
(Int. 9/92)

Facsimile Transmission Cover Sheet

Transmission Details		Document Details
Serial Number:	Date and Time of Transmission: 17/1/01	Reference:
From: Section 40	Fax Number: Section 40	Subject:
To: Section 40	Fax Number: Section 40	
		Total number of pages including this cover sheet: 2

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Message/Remarks:

DI Sec

Phone: Section 40

Covering

Caveat

Classification

***** FACSIMILE COVER SHEET *****

17 JAN '01 17:57

Message To:

Section 40

Message From:

DI SEC Section 40

DOSE MINUTE

D/DAS(Sec)64/3/5

12 January 2001

DAO ADGE 1



HANDLING OF CORRESPONDENCE ON AIR DEFENCE MATTERS

1. As you will know, your desk is one of our points of call for advice on replying to a small selection of letters from members of the public on the subject of incursions into UK airspace by Unidentified Aerial Phenomena (often referred to as 'UFOs'). On occasions letters have also been sent to DI55, for any investigation they might regard necessary.

2. Consultation has taken place over many years, 25 at least, and our line has been that:

"MOD examines any reports of 'UFOs' it receives solely to establish whether what was seen might have some defence significance; namely, whether there is any evidence that the UK's airspace might have been compromised by hostile or unauthorized air activity."

Every few years some measure of internal discussion has taken place to review our public line and action taken in view of the fact that MOD interest has proved to be negligible. At the present time we remain recipients of 'reports' of sightings by members of the public, many of which are sent initially to AIS(Mil) at West Drayton. Letters and 'reports' receive a brief reply and are, generally, filed upon receipt with a very few passed on for investigation.

3. Recently we have been informed by DI55 that they no longer wish to see the very small selection of 'reports' from credible witnesses that we have been sending them. This leaves us with one port of call, your own desk. I would be grateful if you would let me know if you wish to continue to play a part in any consideration of the air defence significance of 'UFO' correspondence, as opposed to the role of advisor to DAS(Sec) on RAF procedure. If you see no role for yourself as assessor of events that may or may not have an air defence significance (to date they have not), then I anticipate reviewing our public line on the subject and handling of enquiries in general. It would be helpful if you would let me know the reasoning behind your decision to inform internal discussion.

Section 40

DAS4A(SEC)

MB8243

Section 40

Section 40

3 + 7

Please see attached an article that appeared in the Daily Express on Thursday 28 December 2000.

I do not know if you read the chapter in Georgina Bruni's book (I have flagged it) when she interviewed Larry Warren, but he made some pretty wild claims and changed his story every time she spoke to him. When confronted with these changes, on several occasions he either admitted he lied or said he must have been mistaken. Even Georgina seems to have lost faith in him, although she put a lot of it down to the traumatic experience he had been through.

Whatever Larry believes did or did not happen he seems to be making a living out of peddling his story with his book 'Left at East Gate', magazine/newspaper articles and from the final paragraph of this article, it looks like there may also be a film in the pipeline.

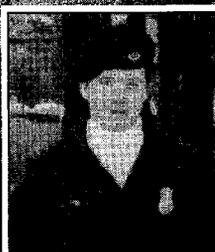
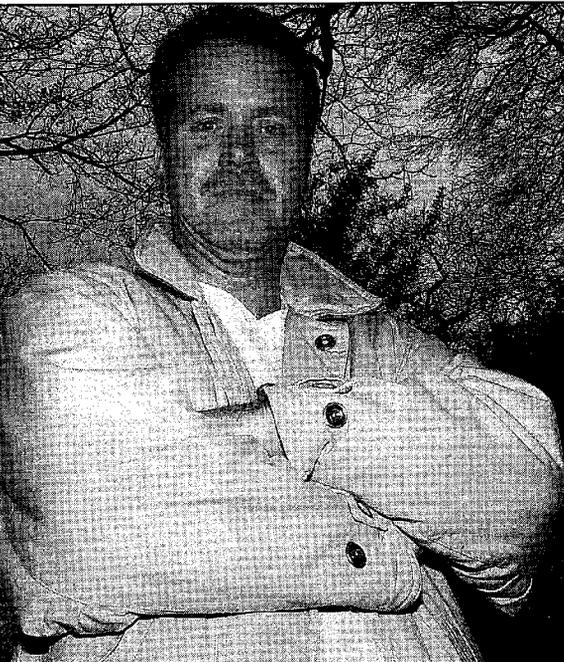
Section 40

29 December 2000

Section 40 photocopy article please and place on file Section 40 2.10.01.

Picture: PETER BYRNE/MERCURY PRESS AGENCY

Did this man see a UFO in Suffolk 20 years ago?



COVER UP: Larry Warren was warned not to talk about his experiences. 'Bullets are cheap,' he was told. Inset: Larry in 1980

DAILY EXPRESS reader offer

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DAILY EXPRESS

DECEMBER 1980 was a tumultuous time. The Russians had invaded Afghanistan, Poland was in disarray and American hostages were being held in Iran. At the same time, on the outskirts of a Suffolk forest, another kind of history was being made, the sort that the British and American governments were at pains to keep quiet.

For two nights, unusual lights and strange, aerial objects had been spotted in Rendlesham Forest by US Air Force personnel from the nearby RAF Bentwaters base. Reports followed of a group of airmen who had witnessed a sudden explosion of light from which three small creatures materialised. The men had been ordered to return to their base with ominous warnings not to discuss what they had seen.

The perfect plot for an episode of television's *The X-Files*: Without a doubt. Yet according to numerous former US Air Force personnel speaking on the record, this is not a piece of fiction.

Like the notorious Roswell affair of July 1947, the events at Rendlesham Forest, Suffolk, on December 28, 1980, have become the stuff of legend, spawning a host of television documentaries and books. The issue of what did or did not occur in that three-day period exactly two decades ago, however, is far from resolved.

While sceptics scoff at the idea that anything unusual occurred, the American government maintains that, as the incidents occurred on British soil, they are a matter for the Ministry of Defence. The MoD meanwhile, says only that whatever took place was of "no defence significance".

This has angered many of those former airmen implicated in the encounters, none more so than Larry Warren, who has waged a 20-year campaign to expose what he claims is a gigantic conspiracy to hide from the public the truth about the incidents at Rendlesham Forest. Warren enlisted in the United States Air Force in 1979, aged 18. On December 1, 1980, he was posted to the USAF-controlled base at RAF Bentwaters, Suffolk, one of the most strategically-important military bases in Britain. Later that

BY NICK REDFERN

month, shortly after midnight on December 28, Warren's life was to change for ever.

"I had been posted to Perimeter Post 18," recalls Warren. "We were on alert and I'm convinced it's because there were objects of unknown origin lurking around the base." Soon after going on duty Warren was informed by security police that he was being relieved from his post. He left in a party of three pick-up trucks and was driven towards Rendlesham Forest.

As Warren and his colleagues reached a clearing in the woods they realised something of extreme significance was taking place: "Animals were running out of the forest and we saw vehicles and another party of men," recalls

'They seemed to have arms and legs and big humanoid heads with catlike eyes'

Warren. "We were told to hand in our weapons and to maintain radio silence. We reached the edge of a field, where we saw a glowing yellow mist. Suddenly, a basketball-sized red light appeared and made a downward arc towards the mist. There was a flash of light, then a machine appeared on the ground. It was 30ft across, triangular and bright silver. It had rough and raised surfaces all over it, with a reddish glow at the top and a bank of blue lights at the base."

For Warren and his comrades, stranger things were to come: "Suddenly a bluish-gold light appeared, which split into three individual life forms, about 4ft tall. They seemed to have arms and legs, with big humanoid heads and dark, catlike eyes, and at times you could see straight through them."

At that stage, says Warren, one of the senior officers moved closer

and there was a "stand-off". The officer and the creatures stared at each other from a distance of approximately five feet. Warren and his colleagues were then ordered to return to their vehicles and were driven back to RAF Bentwaters. Hours later, they were summoned by the security police. Warren says they were ordered to sign a document describing a "watered down" version of what they had encountered. The group was introduced to Commander Richardson of the Office of Naval Intelligence, who gave them an extraordinary briefing.

What they had seen in the forest, Richardson explained, represented "a technology far advanced to our own." He added: "Our government has known of this for longer than most of you have been alive." Any discussion of the events would result in court-martial, Richardson said. For those who didn't toe the line came the ominous warning: "Bullets are cheap."

But Warren did not remain silent. He left the Air Service the following year and in 1986, spurred by the way his testimony and the case had been distorted, began writing a book. Eleven years later, in 1997, *Left At East Gate* was finally published. "This was more than a UFO incident," says Warren. "It was about real people and an abuse of power. The public has a right to know what happened" even if "what happened" stretches the imagination of even the most believing of souls.

TODAY, Warren, now 39, lives with his British wife in Liverpool. To commemorate the 20th anniversary of what took place and to draw attention to what he says is a massive cover-up, Warren was holding a "peaceful protest" in Rendlesham Forest over Christmas. "I want to tell people history changed in that forest in December 1980. I'm going to have a son in March and I want him to know his dad stood up for what he believed in."

A US film company has just optioned the rights on Warren's story. If the release of the film prompts the authorities to come clean, then we may finally be able to say, in the words of *The X-Files*, the truth really is out there.

ROMANCE, AND HOW THE SWEETHEARTS' LONG-FEUDING FAMILIES TRIED TO KEEP THEM APART



Illustration: PAUL COX/ARENA

the shop. "Let me see the books, Julie. I know it's your store, but I still have feelings for the place. Just give me a couple of hours."

"The truth was that he was great with the books and I needed help."

"OK," I said. "You know where everything is, anyway. Nothing has changed."

"Oh, Julie," he said, with what I thought was some sadness in his voice. "Everything's changed."

DESPITE the lack of flowers, the lack of Sandy and my generally glum demeanour, business was pretty good, and then the bell rang at two-thirty and in walked a very nervous-looking Romeo Cacciamani. He was wearing grey pants and a white shirt with rolled-up sleeves. He looked almost unbearably handsome.

"My God," I said, my voice automatically dropping to a whisper. "What are you doing here?"

"You said this was when Sandy went to pick up her kids from school. Is this all right? Is Sandy here?"

I moved quickly to the front of the store. I kissed him. I couldn't help it. I was so glad and so sorry to see him. "She isn't here, but you have to go. Really. She could be back any second."

"I'm sorry I know I shouldn't have come. I've been driving around the block for half an hour telling myself not to come. But I had to see you." He put his arms around me and it felt like heaven. "What about dinner tomorrow?"

"Sure," I said. "I can work something out, but you have to go now." I couldn't believe I was getting the words out of my mouth. I wanted him to stay and stay. I wanted to tell him everything that was happening. I wanted to tell him everything that had ever happened to me in my life.

"Is everything all right? You seem upset."

"It's a stressful time," I said, and then, as if to prove my point, Mort came out from behind the curtain.

"Cacciamani!" he yelled. "Get your lousy mitts off my wife."

"What's he doing here?" Romeo asked. He kept his mitts firmly on me.

"None of your goddamn business what I'm doing here! Now get out before I set you on the curb in pieces. You do not want to get into it with me."

Romeo took a small step away from me, toward Mort. "You don't live here any more, unless I've gotten the story wrong."

"Look," I said. "This is a ridiculous

mistake. Mort is visiting and Romeo is leaving. Let's just drop it."

"I'm not leaving," Romeo said. "A fight?" Mort said, his eyes bright as dimes. "You want to fight me?"

"If that's what you're looking for, come on."

No sooner were the words out of Romeo's mouth than Mort had a cyclamen in his hand and was hurling it straight at Romeo's head. It was a clay pot. It hit Romeo on the left temple and exploded into a fan of dirt, petals, stems, and terracotta shards. Romeo went down.

For all his fits of rage, I had never seen Mort strike another person. He didn't even spank the girls when they were little. I knelt beside Romeo. His head was bleeding spectacularly and I loved him. It was one of those moments in life when you're sure.

"Mort, you could have killed him!"

At the very mention of being killed, Romeo rose up from the ground and flew at my ex-husband like a creature with wings.

It never occurred to me that intelligent grown men still fought, yet there I was watching it as if the whole thing were taking place under water. They were slugging and pulling and I think I saw Mort bite. "Stop it!" I screamed. "Stop it!"

With that simple command they fell apart, rolled away from each other limp and panting, bloody and dislodged. They lay on my floor amid the dirt and the blossoms, both of them unable to stand.

In less than a minute they had been ruined, the store had been ruined, I had been ruined. I went to Romeo, whose head was covered in blood. Both his forehead and his lip were bleeding now and his left hand was turned at an unnatural angle.

He said my name and I tried to touch his face to see if anything was left.

But it was Mort who really concerned me. I think most of the blood on him was Romeo's, but there was a horrible swelling on the side of his head where the skin was taut and shiny yellow. I couldn't get him to respond to me.

Romeo dragged himself into a sitting position, wincing at every inch. "Dear Mother of God," he said, looking at me listening. "Tell me I didn't kill him."

"You didn't kill him," I said. "But I'm calling an ambulance..."

© Jeanne Ray.

● Extracts by KATI NICHOLL from *Julie And Romeo* by Jeanne Ray, published on February 5 by Pocket Books, price £5.99. To reserve a copy for £4.99 plus p&p, call the Express Bookshop on 0870 901 9101.

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DAS4A(SEC)

From: DAS4A1(SEC)
Sent: 29 December 2000 15:09
To: D News AF Pers
Cc: DAS4A(SEC)
Subject: Western Mail

Section 40

As discussed, here is the statement to be passed to The Western Mail.
The answerphone message was left by

Section 40 Telephone no: **Section 40**

I would be grateful if we could be informed if an article appears in the
Western Mail in the near future.

Thanks for your help.

Section 40

DAS4A1(SEC)

LOOSE MINUTE

D/Sec(AS)64/3

29 December 2000

D News AF Pers (Sent by CHOTS)

**THE WESTERN MAIL – REQUEST FOR INFORMATION ABOUT UFO
SIGHTING IN SOUTH WALES**

A message has been left on our answerphone from [Section 40] of the Western Mail. He tried to speak to someone in the press office without success.

[Section 40] said there had been a 'UFO' seen over a golf course near the St Michaelas area of Caerphilly, South Wales. It was seen by a [Section 40] at 3.20pm on 27th December and they wondered if there was "something we knew about it".

Please find attached a statement for you to pass on to the Western Mail.

[Section 40]

[Section 40]

Sec(AS)2a1

MB8245

[Section 40]

MOD STATEMENT

We received a message from **Section 40** about a 'UFO' sighting over a golf course in Cearphilly on 27 December 2000. He asked if we knew something about it.

The Ministry of Defence examines any reports of 'unexplained' aerial sightings it receives solely to establish whether what was seen might have some defence significance; namely, whether there is any evidence that the United Kingdom's airspace might have been compromised by hostile or unauthorised air activity.

Unless there is evidence of a potential threat to the United Kingdom from an external military source, and to date no 'UFO' report has revealed such evidence, MOD does not attempt to identify the precise nature of each reported sighting. We believe that rational explanations, such as aircraft lights or natural phenomena, could be found for them if resources were diverted for this purpose, but it is not the function of the MOD to provide this kind of aerial identification service. We could not justify expenditure of public funds on investigations which go beyond our specific defence remit.

With regard to this particular sighting, we can confirm that we have received no other reports of 'UFO' sightings for 27 December from anywhere in the UK. We are satisfied that there is no corroborating evidence to suggest that the United Kingdom's airspace was breached by unauthorised military aircraft.

THE SUN
13/12/00

Tunnel town could vanish into ground

HOUSES and cars could vanish into the ground because 12 miles of tunnels dug by allied troops in the First World War are close to collapsing.

The passages were built beneath the seaside town of Nieuwpoort, Belgium, to protect British, Australian and French forces during the Battle of Passchendaele.

Now the tunnels' timber supports are rotting. British experts are to carry out a detailed survey in a bid to save threatened buildings.

INDEPENDENT
13/12/00

PANDORA

pandora@independent.co.uk

The publication of a 24 book about a supposed UFO visitation to this green and pleasant land seems to have caused more of a stir at the Ministry of Defence than at first seemed the case. It will be recalled that *You Can't Tell the People*, by Georgina Bruni, was rather surprisingly launched at the MoD last month, albeit with a warning that the ministry in no way sanctioned the views expressed therein. Which were that a spaceship landed in Rendlesham Forest, Suffolk, just after Christmas 1983, witnessed by American servicemen. Indeed the MoD even promised a big article in the *Focus* in-house magazine. And two interviews with a "senior journalist" took place. "He seemed more interested in where I got the information than the incident itself," says a puzzled Georgina. But the piece never appeared due to "lack of space". *Focus* was also due to take her pic with MoD employee and UFO researcher Nick Pope, but all cameras were banned from

the launch. The reason, it seems, was a memo circulated by the Directorate of Air Staff. "Under no circumstances whatsoever must Nick Pope or Georgina Bruni be dressed up as Mulder and Scully from the popular TV series," it said. Seems that the "truth" out there is being taken rather seriously, after all.

THE EXPRESS
13/12/00

Freemasonry is neither illegal nor clandestine

YOUR EDITORIAL, "Hunt out police Masons" (Daily Express, November 20) requires comment. You describe Freemasonry as a "clandestine organisation". It is not and never has been. It is a lawful

and law-abiding organisation.

Your comments on "secret affiliations" and "divided loyalty" are equally incorrect in relation to Freemasonry. A Freemason may tell whoever he chooses about his membership and, if it becomes relevant, he must declare an interest.

The Home Affairs Select Committee in its first report on Freemasonry readily acknowledged that there was no conflict between the obligations taken by a Freemason and the oaths taken by judges and police officers. A police officer who is a Freemason knows that his constabulary oath is paramount.

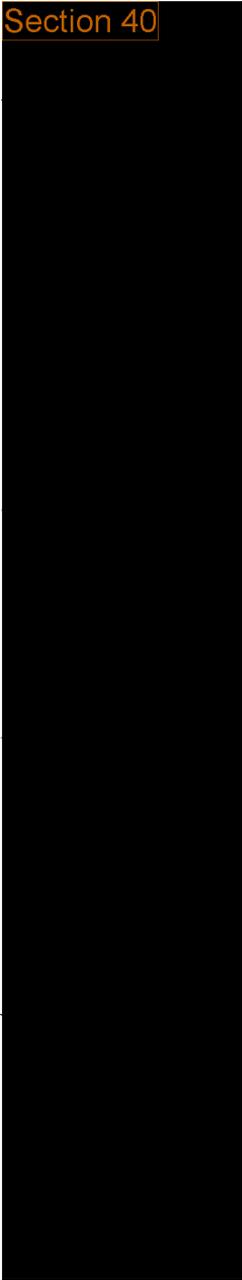
Allegations are not evidence. To legislate because of allegations or an alleged perception is surely contrary to the basis on which our legal system is built.

To single out the members of one organisation for registration is discrimination - which is now banned by the new Human Rights legislation.

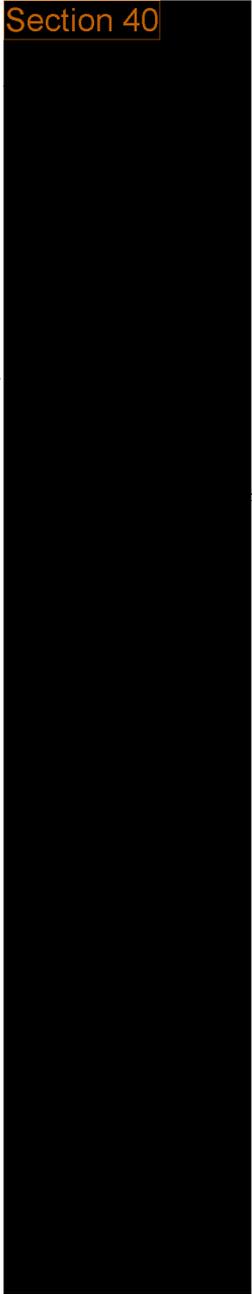
The Ministry of Defence discovered this and, on legal grounds, has withdrawn a Defence Council Instruction discriminating against Freemasons.

JW Danie
Grand Secretary
United Grand Lodge
of England

Section 40



Section 40



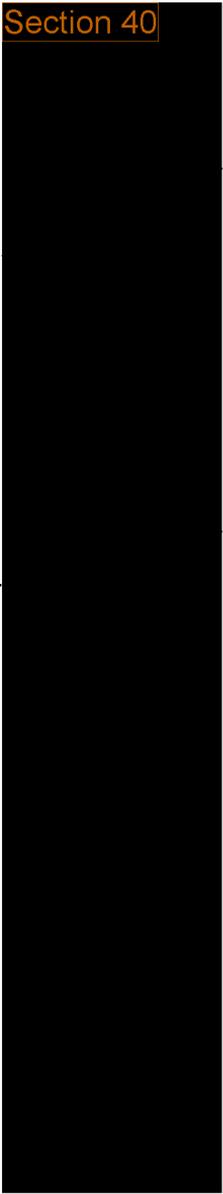
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Section 40

Section 40

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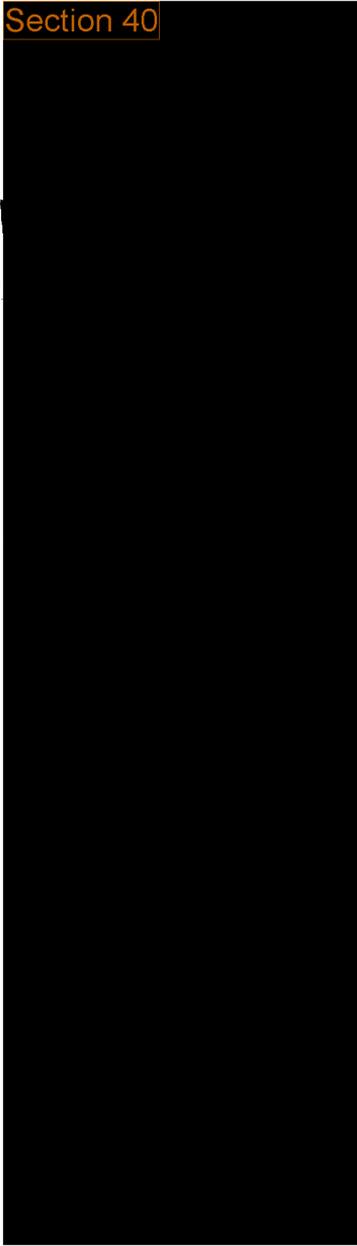
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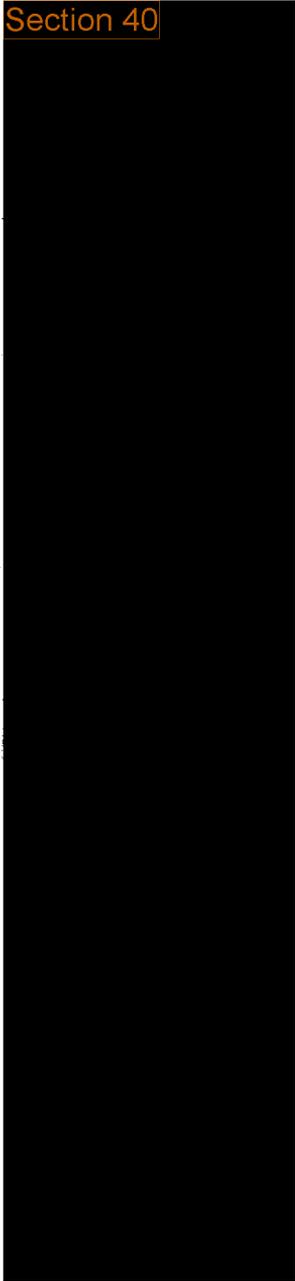
Section 40



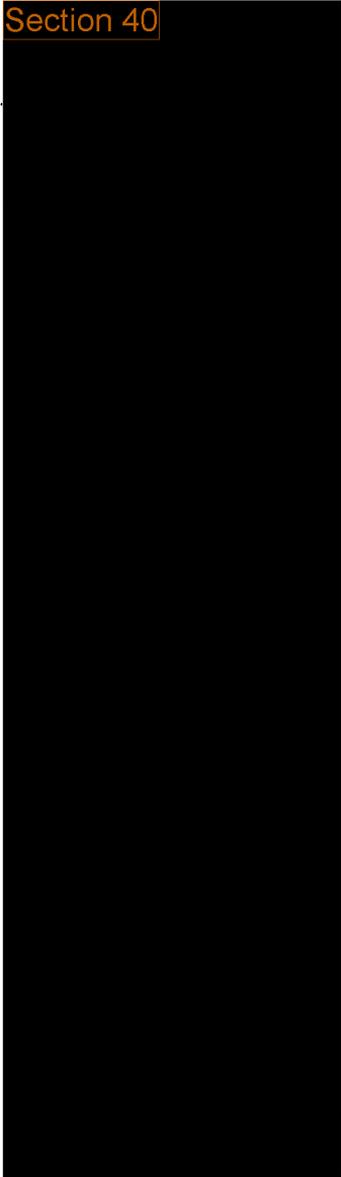
Section 40



Section 40



Section 40



G. Bruni Spaulding - 15/11/2000

appeared 16/11/2000

Radio 4 - Women's Hour - 16/11/2000
G. Bruni Spaulding

Section 40

list

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Section 40

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Section 40

ADD THESE
NAMES PLEASE

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DR REID: Exercise Proper Watch took place at RAF Bentwaters in May 1989. The exercise tested the procedures in place for responding to the crash of a US transport aircraft carrying nuclear weapons. The United States response forces participated in this exercise. A classified report on the exercise does exist, but for the reasons my hon friend the Under-Secretary of State for Defence gave to the hon Member on 31 July 1997, Official Report, column 470, and under Exemption 2 of the Code of Practice of Access to Government Information, I am not prepared to release the report.

Based on all the evidence it seems obvious that there is a continuing cover-up to hide the details of the Rendlesham Forest incident. Could it be because there really was a threat to the nuclear weapons? I asked Nick Pope if he thought the incident was a defence issue.

The Ministry of Defence has consistently said that these events were of no defence significance. As somebody who has researched and investigated UFOs for the MOD I can tell you that I regard this whole business as being of extreme defence significance.

Much has been made of the radiation readings concerning the initial incident, but what if there was a threat more terrible than an isolated case of radiation?

George Wild is a resident of Osset, a small market town in West Yorkshire. Several years ago he told UFO researchers he had heard that Highpoint Prison in Suffolk was to be evacuated on the night of 27 December 1980. Before his retirement Wild had been a senior prison officer at Armley Prison in Leeds, and it was during a prison officers' seminar that he first heard the story. Apparently, he had struck up a conversation with a prison officer from Highpoint who claimed to have received instructions that they might have to evacuate the building due to a possible incident that could occur late that night. Furthermore, the officers were told it was a matter of national security. The evacuation never took place but the report

RESTRICTED
UNCLASSIFIED

144 The Volunteer Reserve Forces Campaign Photographic Competition 1999 (U)

II Service Personnel

- 145 Changes to Royal Marines Dress Conventions Resulting From Rank Alignment (U)
146 Formation of Defence Housing Executive as a Defence Agency (U)

III Operational and Training

- 147 MOD NATO Orientation Course (MODNOC) (U)
148 Quarterly Status Report of JSP/ACP (U)
149 The Army Junior Command and Staff Course (JCSC) (U)

I Administrative and General**131/99 4* Responsibility for Nuclear Biological and Chemical Defence (NBCD) within the CINCFLEET Command (U)**

[FOSF: 26561PY]

1. The post of FOSF/Cdr NBCD will cease on 10 May 99. Thereafter responsibility for 4* Nuclear Biological and Chemical Defence (NBCD) and Damage Control and Firefighting (DC&FF) will revert to CINCFLEET. The current FOSF/Cdr NBCD will move to Northwood as SO1 N7 NBCD with effect from 11 May 99.

2. Correspondence regarding NBCD and DC&FF within the CINCFLEET Command should be addressed to: SO1 N7 NBCD, Commander-in-Chief Fleet, Northwood Headquarters, Northwood, Middlesex, HA6 3HP. **Section 40**
C/O: FLEET-N7(NBCD)/SO1.

3. Issues concerning NBCD and DC&FF within the Surface Flotilla only should continue to be addressed to FOSF for attention of SFNBCDO.

132/99 Charging Policy for Events Held on the Defence Estate (U)

[D/GF/8/3/T: 87198MB]

Introduction

1. It is apparent that there is some confusion about the charging policy that should apply to events held on the defence estate. The purpose of this DCI is to remind all those involved in such events of the correct rules and procedures.

2. As a matter of principle, events held on the Defence Estate which are likely to contribute positively to the image of the Armed Forces and the Department as a whole are to be encouraged. Events can improve public understanding of the role of the MOD and Services, generating public support which has related benefits to recruitment, morale and the general image of the MOD and Armed Forces. However, it is essential that the proper financial rules and procedures are followed when hosting such events.

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RESTRICTED**Sources of Information**

3. The main source of information concerning charging policy is JSP 368. The policy for Open Days, 'At Home' Days, commercial events and other forms of participation is set out in chapter six of this publication. Further information on the use of the defence estate can be found in chapter 15 of JSP 362. A letter written in 1997 by the then PUS (PUS/A97/968 11/1 dated 30 Sep 97), which was widely circulated to Commands, also contains some relevant material on use of defence assets. More detailed advice on all these topics can be obtained from Fin Pol(Repayment)2, formerly known as GF(Policy)1b.

4. Further policy advice relating specifically to providing assistance to the media will be available in a DCI to be issued shortly by DISN.

Charging Policy

5. Only the cost of Royal events or Service events officially sponsored by MOD are borne entirely on Defence Votes. For all other events, no additional costs should fall to MOD, and charges should be raised when publicly funded manpower, equipment or utilities are used.

Level of charging

6. The starting point for the level of charges is the full cost rate. In special circumstances, this can be reduced to the no-loss rate where assistance is provided from within spare capacity. This is only allowable if the reduction can also be justified on the basis of significant training, recruiting or PR benefits.

7. Generally, we should avoid supplying assets that could be provided by the private sector. Where such assets are provided, charges must be set at a level not less than the commercial rate, to avoid undercutting private companies and individuals.

The Licence Fee

8. For events held on the defence estate (including those where the organisers are the Services in their non-public role) a licence fee must be charged, unless the event is a non-profit making one designed solely to showcase the establishment - e.g. Families Days or other events where an entrance fee is not charged.

9. The licence fee is set at a commercial rate by Defence Estates. In the case of the limited use of assets (e.g. the hire of a particular building) this rate will simply aim to recover the market rate, so that the Services are not undercutting the private sector. When an establishment is hosting a large event where there are uncertainties over the likely degree of profit, the licence fee may be set to recover an appropriate percentage of the profits, retrospectively. For regular events where the likely profit margin can be reliably estimated, an appropriate fixed fee would be set in advance.

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Para 3 - Cu Pol
Repayment 2.

Feb. 7.

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The percentage, or level of fixed fee, will vary according to the circumstances of each case. Further advice should be sought from Defence Estates.

10. Although a small element of the licence fee is paid to Defence Estates to cover the administrative cost of preparing the licence, the vast majority is returned to the unit actually providing the assistance.

11. Advice on the need to charge a licence fee can be obtained in the first instance from Defence Estates, who will consult Fin Pol(Repayment)2 in cases of doubt.

Waivers/Reductions

12. In very exceptional cases where it is assessed that participation will generate exceptional training, recruiting or PR opportunities not obtainable by normal means, applications to waive or reduce charges (including the licence fee) can be made. Such an application must be submitted to the relevant secretariat branch within the TLB(s) concerned, before being forwarded to the appropriate budget manager for consideration. Any request to waive or reduce the licence fee must be referred to Defence Estates, who will consult Lands Policy and Fin Pol(Repayment)2 in cases of doubt. Staff of the Director of Information Strategy and News (DISN) and single service Directors of Public Relations (DPRs) are available to offer advice on the PR benefits accruing from any participation.

Scouts, Guides and Youth organisations

13. The Scouts, Guides, and other similar youth organisations may be allowed to use small areas of land free of charge, but not buildings or equipment, for periods not exceeding one month (i.e. 28 days) on any one occasion. Such organisations may similarly have the use of sports/playing fields free of charge (but not pavilions or other buildings) for training and taking tests - e.g. in connection with the Duke of Edinburgh's Award Scheme. However, any additional expenditure incurred by the MOD should be recovered.

Insurance/Indemnity

14. Insurance and indemnity arrangements should be made for all events held on the defence estate, unless the organiser is the MOD or the Services in their public role (the Crown does not insure). Details can be found in JSP 414, Part IV, Chapter 9, and advice can be obtained from Defence Estates who will consult C&L(F&S)Claims 1 in cases of doubt.

VAT

15. All charges for commercial and other non-Service events are subject to VAT in the normal way. Further details on VAT can be found in chapter 5 of JSP 368.

Commercial Sponsorship

16. As a general rule, commercial sponsorship may be accepted from any reputable private sector organisation, including defence contractors, provided there are no procurement decisions pending, or other issues concerning the relationship between the organisation and MOD/HMG at a local or national level which could give rise to accusations of impropriety. Crown Servants and members of the Armed Forces must not, however, become involved in the active promotion of the organisations or

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products concerned, and must be alert to the dangers of anything which might be construed as constituting a personal offer or inducement.

17. No sponsorship, direct or indirect, is to be accepted from tobacco companies.

18. Before the acceptance of any sponsorship, all offers must be referred to the Directorate of Commercial Policy (PoC4F: **Section 40**) who will advise on the suitability of the offer.

Charities

19. The fact that a charity (Service or civilian) is to be a beneficiary of an event is not sufficient justification to introduce a more favourable charging regime, or to set charges aside. There are no special arrangements for the treatment of charities, and to avoid public funds being improperly channelled into non-public accounts, a donation to charity can only be made once MOD has covered its costs - including the appropriate licence fee.

133/99 Contributions in Lieu of Rates (CILOR) - The abolition of Crown exemption from the Rating System - application to Northern Ireland (U)
(Environment & Estate Policy/DE: 3734SB)

Introduction

1. With effect from 1 Apr 00 Crown exemption will be removed from the Rating System. This means that TLBs will become liable for the payment of Rates to Local Authorities (LAs)/Northern Ireland Rate Collection Agency (RCA). These payments will replace Contributions in Lieu of Rates (CILOR) which are currently paid by TLBs direct to the Crown Property Unit (CPU) (part of the Valuation Office Agency (VOA)).

2. It was initially announced that the removal of Crown exemption would only apply in England, Wales and Scotland, however it has since been announced that Crown exemption will also be abolished in Northern Ireland.

Transition Period

3. The MOD will join the conventional rating system on 1 Apr 00, but will operate a Shadow List from 1 Apr 99. The Shadow List will run to demonstrate the effect of the removal of Crown exemption when enacted, and to ensure that the 2000 list is accurate by amending errors beforehand.

(ATS)

Interim Work

4. To ensure a smooth transition from the CILOR system to conventional rating, discussions are taking place (and will continue throughout this year) between Defence Estates (DE), the VOA as well as the Rating Authorities in Northern Ireland, namely the Valuation Lands Agency (VLA) and the RCA. Northern Ireland security staff are also involved.

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MOD Finance Guide to Repayment - JSP 368

(advice can be received from: Fin Pol (Repayment) 2)

Section 40

Article 6.39 -

f. **Commercial Events - Participation** that involves MOD in a commercial activity should be avoided if at all possible, and **should only be undertaken where it is considered that it would not be detrimental to MOD's interest to be associated with such an event.** . . . charges should reflect the full cost of participation.

(Highlighting DAS4a(Sec))

Spoke **Section 40**

De.

Any building / site used by MOD / Services (including property on lease) is regarded as being part of the Defence estate. (Main Building is part of the Defence Estate).

Section 40

LINES ON USVF IN UK

- The continuing US presence in the United Kingdom forms an important part of the United States' continuing commitment to the NATO and the security of Europe. HMG welcomes the contribution that those forces also provide to international peacekeeping and humanitarian aid operations.
- Bases are made available for use by the United States forces in accordance with NATO Status of Forces Agreement of 1951 and confidential arrangements between the Governments of the United Kingdom and the United States of America. Further information is withheld under exemption one of the Code of Practice – exemption one being on the grounds of national security.

You Can't Tell the People. 

1. Randall's new format. (Levin's)
2. Nick Pope. (Levin's + his from press briefing)
3. MOD interest in UFO sightings - Levin - P. 11
+ P. 28
4. Closed files - from Levin
5. Freedom of Information Act - ^{Page 25. last 2 para +} Connecticut
✓ if passed - opening hold of DR
of the files?
6. Rodlaw - [#] Levin P. 36 (scrambled in response
to Rodlaw Trucks).
7. DI-55 - (P. 293 of book)
Is DI-55 the department responsible
for investigating UFO matters.

8.

Is GCHQ involved in investigating UFOs ^{sightings in the UK.}
P291/292 - + Nick Pope letter. 11 Feb 97??
- GCHQ.

9.

Was the moor covered ~~at~~ at the time the
R.F. incident is alleged to have occurred?

(- note **Section 40** letter to G. Barni

D.295. 23 Jul 99.)

10.

Was an object observed within as any of the rights in
question? (P.296-297)

11.

Were nuclear weapons ^{secretly} stored at RAF Bentwaters
in 1980? (P.301-onwards.)

RFI 1997 - hard H-N - Lord Silbert.

12.

What ~~these~~ members of the [CIA] Langley Research
lab. ~~presented~~ during an Brit. property
around 28 Dec. 1980? (P310 onwards)

13.

Why was the [RF] incident judged ~~not~~ not to
have any ^{Dope} interest: (see hard H-N - 314/315)

14.

~~to the~~

Are details of the RF incident being "covered-up"
- (P. 207)
GB.

15.

Were screenshots from Paton Dawson (P. 211)
present in RF after 28 Dec 1980? -

16.

Was evidence of the incident removed
from British soil by the USAF and
~~transported to~~ taken to the Pentagon
via Germany? (P. 207) -

17. Was the book's Foreward cleared
by MOD? (AttB).

Section 40
Duplicate, J. so, please
destroy - file 1/20

MINISTRY OF DEFENCE
2nd P.U.S.
30 SEP 1997
WHITEHALL LONDON SW1
5179
CI No 25/1



PUS

PUS/A97/968
11/1

30 September 1997

CDS* CDP*
CNS* CSA*
CGS* 2nd PUS*
CAS* TLB Holders
VCDS* Agency Chief Execut

MINISTRY OF DEFENCE
2nd P.U.S.
30 SEP 1997
WHITEHALL LONDON SW1

Section 40 Copy to:
25/11/97 FS/DUS(R&F)
Section 40 DUS(CW)
Copy to: DEMO D Reg Pol
(* via CHOTS)

Copy to:
PS/Secretary of State*
PS/Minister(DP)*
PS/Minister(AF)*
USofs*
Press Secretary*
Special Advisers*

USE OF PUBLIC ASSETS

1. To judge from a recent case, there is a risk of misunderstanding over the uses to which public assets may be put and the basis of any "hire charge".
2. As a general principle, assets and other resources paid for from public funds are intended for use in the public service only. Government Departments must not use them to subsidise private organisations or individuals, nor the private activities of their own personnel. The only basis on which it is permissible for MOD, including the Services, to make assets or services available for private purposes is if the Department is reimbursed an appropriate charge, as determined by the relevant budget manager. This applies as much to the use of Service manpower as it does to the provision of equipment. The general principles behind, and rules on, the raising of charges are set out in detail in JSP 368, which is shortly to be reissued in revised form.
3. There is an important distinction between public and non-public funds held within the Defence community. The two are not interchangeable. A payment into non-public funds (such as a Service charity or mess fund) is not a proper substitute for paying the Department for the use of public assets.

30 SEP 1997
2/16/1

4. None of this affects existing guidance on Expenditure on Staff Benefits (DAO 1/94), on the public funding of certain sports within the Services, or on the generation of receipts through the exploitation of unavoidable spare capacity. But the unreimbursed use of public assets for private benefit is a misuse of Voted funds; is liable to attract adverse criticism from Parliament, the Press and the public; and, worst of all, casts doubt on the integrity of public servants, especially those who might appear to be beneficiaries.

5. I should be grateful if you would ensure that this guidance is circulated widely within your respective areas.

[Signed]

RICHARD MOTTRAM

CHAPTER 15

PUBLIC USE OF MOD PROPERTY

FOR SOCIAL, RECREATIONAL OR COMMERCIAL

Introduction

1501. This chapter outlines the action to be taken by budget holders in response to requests from members of the public, civilian organisations and companies to use MOD land and facilities for social, recreational or commercial purposes, principally in the United Kingdom.

1502. Such uses need to be carefully controlled and the purpose of this chapter is to provide some guidance on the respective roles of budget holders and the Defence Estate Organisation (Lands) (DEO(L)) in this process. This guidance does not, however, apply in those instances where the occupation and use of the MOD estate by a contractor is arranged under the terms of a Private Finance Initiative (PFI) deal. Questions relating to PFI opportunities involving MOD land and buildings should be addressed to the Private Finance Unit in the first instance.

1503. For the sake of uniformity, the term 'budget holder' has been applied in this chapter to mean all those officials (e.g. Commanding Officers and Heads of Establishments etc) with an appropriate letter of financial and/or managerial delegation from their senior budget holder or Agency Chief Executive relevant to estates business.

General policy

1504. It is MOD policy to allow the maximum use of its facilities for social, recreational or commercial purposes where such use is consistent with operational, security or safety requirements, with the interests of existing tenants and licensees, and where it does not unreasonably affect the local amenities, conservation interests and the environment. However, public or commercial use of land and buildings which could otherwise be disposed of outright should not be allowed, unless a short-term use will not interfere with the disposal process. (See Para 1546).

Overseas

1505. In overseas areas, notably Germany, while adhering to the principles of the guidance contained in this chapter, local variations may apply. Budget holders are advised to consult DEO(L) as soon as possible about the use of MOD facilities by non-MOD personnel, particularly approaches by

commercial organisations or traders. In Germany, under the terms of the Supplementary Agreement to the NATO Status of Forces Agreement, MOD is not allowed to make a financial profit by letting out properties for commercial use.

TAVRA property

1506. Applications to use TAVRA controlled property should be referred to the appropriate Association HQ and dealt with in accordance with TA Regulations, Chapter 11.

Applications from Other Government Departments

1507. If another Government Department (OGD) should apply to use MOD property for its principal business activities and is approved by the budget holder, the terms and resultant charges for such use, to be agreed between the budget holder and DEO(L), will be formalised by an exchange of letters between the OGD and DEO(L). Charges for OGDs should be assessed on the same basis as any other non-exchequer body. However, due to the indivisibility of the Crown, the normal insurance requirements may be waived.

Financial arrangements

1508. Actual charges for the use of MOD land & buildings, as advised by DEO(L), and for any additional identifiable expenditure likely to be incurred (e.g. heating, lighting, groundsman's wages) for a particular event, are to be set by the budget holder who is to pass this information, together with UIN details, to DEO(L) for inclusion in the licence fee or rent. DEO(L) will also levy such costs as necessary to cover the administrative expenses involved in drawing up the appropriate agreement. *telephones services*

1509. The Scouts, Guides and other similar youth organisations may be allowed use of small areas of land free of charge, but not buildings or equipment, for periods not exceeding one month (i.e. 28 days) on any one occasion. Such organisations may similarly have the use of sports/playing fields free of charge, but not pavilions or other buildings, for training and taking tests, for example in connection with the Duke of Edinburgh's Award Scheme. However, any additional expenditure incurred by MOD should be recovered.

1510. All income arising from the public use of MOD facilities for recreational, social or commercial purposes should be credited to IAC 11Z 2000 (rents & other charges) using the UIN of the relevant budget holder.

Insurance and indemnity requirements

1511. It is necessary to ensure that users of MOD land & buildings indemnify the Department against any costs arising from damage to its property or claims by third parties. In most cases it is also necessary for such users to reinforce these indemnities by means of insurance cover. The circumstances in which insurance cover is needed and other details of what is required are given in Annex A. Once the terms of a particular use have been established, it is normally the responsibility of DEO(L) (but see also para 1528) to ensure that the applicant has a valid insurance policy where necessary, or a renewal receipt for their proposed event.

Health & safety

1512. The policy and procedures by which the MOD ensures the maintenance of acceptable standards of health and safety throughout the organisation are set out in the MOD Health and Safety Handbook, JSP 375. Additionally, several pieces of legislation make explicit reference to visitors, whether non-MOD employees, contractors, or persons using part of the Defence Estate to operate a business (e.g. banks, hairdressers etc.), including inter alia:

- a. Section 3 of the Health & Safety at Work Etc. Act. 1974 (HSWA) imposes a duty on every employer and every self-employed person to conduct their business in such a way as to ensure that people not in their business are not exposed to risks to their health and safety whilst on the employer's premises.
- b. Section 4 of HSWA extends the general duty of Section 3 to people having control of premises to which certain visitors are admitted. An employer who fails to take reasonably practicable steps to protect visitors (such as customers in a shop, salesmen, delivery drivers, post office employees, contractors, factory inspectors etc.) from harm, is guilty of an offence under the Act and may be proceeded against accordingly. The employer may be prosecuted whether an accident has occurred or not.
- c. Under the Occupiers' Liability Act (OLA) 1957 the former common law "duty of care" owed by an occupier to all visitors was brought into statute and was further extended by the OLA 1984 to include persons other than visitors, i.e. trespassers.
- d. The Management of Health and Safety at Work Regulations 1992 place detailed requirements upon

employers who share sites to co-operate so far as health and safety is concerned. In particular this requires the sharing of information about the risks to health and safety of the work carried out by each. Additional responsibilities are placed upon the person in control of the site.

Access by members of the public to areas identified as dangerous

1513. The responsibility for safe public or any other access to MOD property rests with the budget holder for the facility concerned who should carry out a formal risk assessment in order to comply with obligations under the OLA 1957 & 1984, and HSWA 1974.

Dangerous activities

1514. Any application to carry out potentially dangerous activities or events involving substantial risk (e.g. abseiling, mountaineering, parachute jumping, gliding, sub-aqua, bungee jumping, use of assault courses etc.) either by commercial organisations or individual members of the public involving MOD property must be dealt with on a case by case basis by the budget holder. If the application is approved, the budget holder should refer it to DEO(L) who will consult with PL(LS) Claims for advice about the appropriate level of insurance cover and if any special conditions are to be incorporated in the licence. (See also para 2 of Annex A).

Metal detectors

1515. The use of metal detectors by members of the public or private companies on MOD land is prohibited, and consequently any applications received, no matter what the object of the search may be, should be refused. (See also Chapter 6, para 0617).

Damage to MOD property

1516. Before the use of MOD's property takes place, the budget holder and his property manager, in consultation with DEO(L) as necessary, should consider the need for a condition report to be drawn up on the property to be used. When such reports are required, they should be agreed by the prospective licensee/lessee before access is approved. Any subsequent damage to land, buildings, fittings, facilities and/or equipment included in the licence or lease should be reported by the budget holder (or property manager) to DEO(L) who will institute recovery in accordance with the terms of the licence or lease.

1517. In the event that any damage is caused to MOD property outside the terms of the licence or lease, the circumstances should be reported without delay by DEO(L) to PL(LS)Claims for any necessary action.

MOD flying facilities

1518. Instructions covering the civil use of MOD flying facilities are set out in JSP 360. In order to mitigate the risk of damage being caused to aircraft engines by the ingestion of small objects (e.g. stones, nails, pieces of wire, etc) which may be dropped on aircraft movement areas, the budget holder is to ensure that all individuals, clubs or other organisations permitted to use active airfields for any form of recreational, sporting or social activity are aware of the potential dangers from foreign objects and are to ensure that adequate arrangements exist to maintain airfield safety.

Specialised facilities

1519. Applications involving the use of specialised facilities e.g. compression chambers and deep diving tanks must be approved by the budget holder responsible for such facilities in the first instance. If approved, applications should be dealt with in accordance with the procedures detailed in para 1514.

Access to MOD land by universities etc. carrying out authorised research

1520. See Chapter 5, paragraphs 0519- 0521.

Archaeological excavations

1521. See Chapter 6, paragraphs 0614-0616.

Use of MOD facilities in controversial circumstances, for political purposes or for activities likely to cause a breach of the peace etc.

1522. Use of MOD facilities is not to be permitted for any purpose associated with a political party, a group having political associations or for large scale assemblies/rallies which in the judgement of the budget holder are likely to cause a breach of the peace, or result in unruly conduct.

Refusal of applications to use MOD land or buildings

1523. It may be necessary on occasions to refuse an

application to use MOD land or buildings, for example because of the reasons outlined in paras 1513, 1522, 1524d & 1525a/b, or because insufficient notice of an event has been given. To allow adequate time for applications to be processed including, where necessary, consultation with local authorities and/or the police, applications should not normally be accepted less than six weeks before the date of the proposed event. When an application cannot be accepted the budget holder should inform the applicant as quickly as possible and explain why the application has been refused.

Consideration of applications: Fire safety

1524. Consideration of any application should have regard to:

- a. The applicant or event organiser must be required to inform the budget holder of any flammable material that they wish to bring to the site (or intend to use on the site) in connection with their proposed event, other than common materials in small quantities, such as books, paper, etc.
- b. The Service Fire Adviser (SFA) will inspect the premises or facility to be used, taking into consideration:
 - i. any information given in accordance with sub-para a;
 - ii. the proposed use; and
 - iii. the numbers, ages and any disabilities of those attending the event.
- c. If, as a result of this inspection, the SFA is satisfied that the premises or facility is suitable for the proposed event and that it presents no undue fire risk, the SFA will advise the budget holder accordingly.
- d. If the SFA is not satisfied that the premises etc, are suitable for the proposed use, and cannot be made so by limiting numbers (see sub-para e below), or imposing conditions (see sub-para f below), then the SFA will advise the budget holder who in turn will reject the application.
- e. Where the premises etc, are considered suitable, the SFA will determine the maximum numbers to be permitted in rooms, premises or facilities, in accordance with Home Office guidance and bearing in mind the degree of familiarity that the

organisers, their stewards and the attendees may have with the premises, etc involved.

- f. Where it is considered necessary, the SFA may lay down conditions to reduce the risk of fire occurring or, in case of fire, to reduce the risk to persons or MOD property.
- g. The applicant or event organiser will be provided with copies of all relevant Fire Orders, Fire Plans and any conditions imposed by the SFA, before the event takes place.
- h. Where the numbers likely to attend an event are small, the event organiser must ensure that all are made aware of how to raise an alarm of fire, how to call the fire brigade and how to evacuate the premises, etc, safely.
- i. Where larger numbers are involved, and informing all those attending of the fire routines is impractical, then the event organiser must detail persons to act as 'fire stewards'. These persons must be made fully aware of the fire routines, such that they can raise an alarm of fire, call the fire brigade and assist attendees to evacuate the premises etc, safely.
- j. At outdoor events, the organiser must be given written instructions on how to call for assistance and from where this can be done, preferably by use of a map or plan. The budget holder will ensure that communications facilities for this purpose are readily available for use by the organiser or their stewards.

Other factors to consider

1525. In addition to fire safety, budget holders also need to take into account the following factors when considering applications to use the Defence Estate:

- a. The need to notify local authorities and the police. Organisers of motor sports or any other events which are likely to be noisy or attract a large attendance should be advised to consult the local authorities (including Parish Councils if appropriate) and the police and obtain their prior agreement to the event. Confirmation that this has been obtained must be produced. If objections are raised by either the local authority or the police, permission to hold the event must be refused unless the objections can be met.

- b. The assessed risk to individuals from using potentially dangerous facilities (e.g. assault courses), or particular land/buildings. (See also para 1513).
- c. The need to notify Public Relations Officers and/or Branches where the refusal of an application to stage an event may lead to adverse publicity (See also para 1523).

APPROVING APPLICATIONS: SOCIAL & RECREATIONAL USE

1526. Responsibility for approving applications to use MOD facilities for social and/or recreational purposes and, in consultation with DEO(L) about the charges for using land and buildings, for setting and arranging collection of the actual final level of charges, rests with the budget holder. DEO(L) will complete the initial formal agreement (e.g. licence) and ensure that, at least for initial applications, the applicant has a valid insurance policy where necessary.

1527. In those instances where the private use of MOD land and buildings involves Service personnel (including reserves, auxiliaries or cadets), MOD civilians or Service sponsored youth and family organisations, if not on approved encroachment terms (see Chapter 14), the procedures described in para 1526 will apply.

1528. Once the basic terms for a particular use have been agreed, the budget holder may, subject to DEO(L)'s concurrence, approve and licence further similar uses to take place on the same terms. In these circumstances, the budget holder will also be responsible for raising and collecting the appropriate charges for each event (consulting DEO(L) as and when necessary), and for ensuring that the applicant has a valid insurance policy.

Civilian model aircraft clubs

1529. Use of MOD property by clubs affiliated to the RAF Model Aircraft Association or other Service clubs (including clubs formed by units of the Sea Cadet Corps, ACF and ATC) as approved encroachments should be given priority over use by civilian clubs. Where civilian use is possible, applications may only be considered from clubs which are members of, or affiliated to, either the British Model Flying Association (BMFA), the Large Model Association (LMA) or the Model Pilots Association (MPA). Further information about the arrangements and use of sites by civilian model aircraft clubs is given in Annex B.

Motor, go-kart, motor cycle and cycle clubs.

1530. Applications may be considered only from clubs or organisations recognised by either the Royal Automobile Club, the Auto-Cycle Union or the British Cycle Federation. Applications must be forwarded through the national or area headquarters of the appropriate organisation to ensure that they comply with the standards of the governing body of the sport, including insurance requirements. Applications from clubs which are not so affiliated should be advised to take steps to obtain recognition.

Use of MOD-controlled firing ranges

1531. Instructions covering the civil use of MOD-controlled firing ranges are set out in JSP 403, Handbook of Defence Land Range Safety.

Paintballing

1532. See Annex F to Chapter 5.

Orienteering

1533. See Annex B to Chapter 5.

Shooting and fishing rights

1534. Shooting and fishing rights (i.e. sporting rights) over MOD land may be granted, subject to Service requirements, by the budget holder of the area in which they exist in consultation with DEO(L), except where the rights have been specifically reserved out of the purchase or lease of the land. Any sporting rights granted will not include the right to manage deer. The policy for deer management on MOD land is contained in Annex C to Chapter 5.

1535. Applications for sporting rights will be considered on their merits, taking into account Service needs and any relevant local factors. In normal circumstances the unit or establishment occupying the land will be given preference, but the grant of rights must be limited to that land, and will not be applied to adjoining MOD land occupied by other units or establishments, unless by mutual agreement of the respective budget holders and DEO(L), an extension of the rights onto the adjoining land is practicable. Where the sporting rights are not taken up by the occupying unit or establishment, the budget holder is responsible for ensuring that there is no infringement of the security of the unit or establishment by the licensee.

1536. Forms of permit for individuals exercising their shooting rights over MOD land, and for beaters, followers, guests etc, of shooting parties, are issued and signed by DEO(L).

1537. However, because DEO(L) staff are often distant from ranges and training areas, Range Commandants, Commandants of Training Areas and other officers and officials administratively responsible for such areas may sign permits, obtainable from DEO(L). DEO(L) however retains responsibility for advising the budget holder of the level of rental charges and for ensuring that individuals etc. hold adequate insurance cover.

1538 Where sporting rights are granted over areas not forming part of a unit or establishment, for example over large training areas, preference should be given to properly constituted Service syndicates.

1539. The granting of sporting rights by a budget holder will be effected on his behalf by DEO(L) through the completion of a formal agreement which will provide for payment of a full commercial rent.

1540. Irrespective of whether sporting rights are to be granted to a unit or establishment, a Service syndicate or a civilian organisation it is incumbent on the licensee to produce for inspection by DEO(L) evidence of insurance which satisfies the requirements set out in the appropriate form of agreement before the grant and/or the sporting rights can be concluded.

Waiver of rental charges

1541. The rent payable by a unit or establishment, or a Service syndicate for sporting rights may be waived provided that, for initial applications:

- a. The budget holder responsible for the management of the area in which the sporting rights exist submits to his senior budget holder (e.g.HLB) for approval a case certifying in writing that they cannot be let to any civilian organisation for one or more of the following reasons:
 - (1) Security considerations.
 - (2) Where the budget holder, having completed a formal risk assessment, considers that a member(s) of the general public would be at risk or would create a risk.

- (3) Pressure of use of the training area for training purposes authorised by the controlling or administering Headquarters would not allow sporting rights to be let commercially.
 - b. A formal agreement is completed.
 - c. A copy of the Service syndicate's rules and/or constitution and financial statement is lodged with DEO(L). These may be in draft initially if the syndicate is in the process of being formed.

1542. Waivers are only valid until the end of the financial year of issue. A new waiver must be authorised by the appropriate budgetary authority and forwarded to DEO(L), ideally, at least 6 weeks before the current waiver authority expires and be accompanied by:

- a. confirmation by the appropriate budgetary authority that the reason(s) detailed in para 1541 continue to preclude the grant of sporting rights to civilian organisations; and
- b. confirmation that the rules/constitution of the syndicate have not changed.

1543. Where appropriate, rental charges will be collected by DEO(L) on behalf of the appropriate budget holder in whose area the sporting rights exist, and credited to the UIN of the relevant budget holder.

1544. Where the Valuation Office Agency's Crown Property Unit pays Contributions In Lieu Of Rates (CILOR) for the sporting rights in question, the rent assessed by DEO(L) will be inclusive of rates, and a waiver of rent in such circumstances will therefore include a waiver of rates. If, however, the rates are separately assessed by the local rating authority, the budget holder or the syndicate as the case may be, will be liable for the payment of rates direct to the rating authority irrespective of whether or not the rent is waived.

APPROVING APPLICATIONS: COMMERCIAL USE

.....
 1545. The budget holder is responsible for approving applications for commercial use of MOD property under his control (see also paras 1504 and 1549-1551), and for maintaining a register of such uses, to include details of the terms and conditions of the formal rental agreement, all of which should be reviewed at least once a year. However, when a property has been formally accepted by the DEO for disposal, the budget holder, in consultation with DEO(L), must ensure that a commercial use, albeit short-term, will interfere with or jeopardise the disposal plan.

1546. Applications for commercial use fall broadly into the following categories:

- a. Category 'A': requests by commercial organisations to use MOD facilities for filming, exhibitions etc; where there is no direct benefit, or only limited benefit to MOD or its employees; and
- b. Category 'B': requests to set up shops, banks etc; for the use of Servicemen, MOD civilian employees and dependants of both.

The following considerations apply to each of these two categories:

CATEGORY 'A' USE

1547. It is the responsibility of DEO(L) to assess the appropriate level of charges (e.g. commercial rent) for using MOD land or buildings relative to market conditions, and to ensure that the applicant has a valid insurance policy. Uses expected to last for no more than 28 days will be controlled by means of a licence which should be completed by DEO(L). Uses expected to last for more than 28 days will be made the subject of a formal letting negotiated by DEO(L). If DEO(L) is requested to arrange a letting, the budget holder should specify any conditions which are required to be incorporated in the lease (e.g. responsibility for funding the maintenance and/or alterations to buildings to meet the user's requirements).

Requests from film and TV companies

1548. Applications from film or TV companies for permission to use MOD facilities should be dealt with by the budget holder in accordance with instructions issued by their senior budget holder or Agency Chief Executive. Additionally, DEO(L) Conservation should be consulted about requests concerning wildlife conservation or archaeology. Applications to use flying facilities for filming are dealt with in JSP 360.

1549. Charges for filming on MOD property are levied to ensure that MOD recovers its costs for any involvement and to maximise income where appropriate, mindful of Treasury and MOD guidelines. The budget holder, in consultation with DEO(L), will assess the appropriate level of charges (e.g. commercial rent) for using MOD land or buildings relative to market conditions. It is the budget holder's responsibility to assess the actual final level of charges mindful of all other relevant costs involved (e.g. use of equipment, manpower and utilities etc.) and of any other factors, e.g.

PR benefit to the Department. Once the terms of the filming have been established and DEO(L) is satisfied that the applicant/film or TV company has a valid insurance policy, a licence may be issued by DEO(L).

1550. Where commercial film companies or individual journalists, supported by D Info D and DEO(L) Conservation, apply for access to MOD land to make wildlife films or to write articles of benefit to MOD's image as a caring landlord, charges may be reduced by the budget holder from the normal full cost rate to a no-loss rate, where only the extra costs of MOD's assistance may be raised.

Exhibition of products

1551. The budget holder is responsible for approving requests from commercial organisations to use MOD facilities for the purpose of holding exhibitions of their products. DEO(L) is responsible for assessing the appropriate level of charges (e.g. commercial rent) for using MOD land or buildings relative to market conditions, for ensuring that the company has a valid insurance policy and for issuing a licence for the event. It is the budget holder's responsibility to assess the actual final charge to be levied mindful of all other costs involved and any other relevant factors, e.g. PR benefit to the Department, and subject to any instructions issued by their senior budget holder or Agency Chief Executive.

CATEGORY 'B' USE

1552. Where MOD provides land or accommodation of any sort for use by its contractors (e.g. open storage space, offices, on-site workshops etc) it is important to avoid the creation of a "business tenancy" protected by the Landlord and Tenant Act 1954 which would entitle the contractor to remain in occupation of the land or accommodation after termination of the contract. The fact that the contractor does not make any payment for the land or accommodation does not necessarily preclude the creation of such a tenancy.

1553. There are two types of arrangement which can provide the protection MOD seeks:

- a. A Licence - referable only to a relationship of employer/contractor.
- b. A Tenancy - i. for a fixed term of not more than 6 months, provided certain conditions are met; and

ii. for a longer fixed term contracted out of the Landlord & Tenant Act 1954 with the consent of the court.

1554. The budget holder should ensure that all arrangements relating to the erection of permanent or temporary buildings on MOD land are covered in a Licence, or Tenancy (or Lease). In any case where the need for any form of tenancy or licence arises, the budget holder should consult DEO(L) at the earliest opportunity. DEO(L) will be responsible for assessing and recovering the appropriate charges associated with the tenancy or licence, and the budget holder will be responsible for assessing any associated charges, for example heating and lighting,* that DEO(L) will need to reflect in the actual final charge.

*
Telephone
Services

Hairdressers, tailors & shoe repairers

1555. Unless purpose-built accommodation has already been provided in accordance with authorised scales, Service personnel should use the local commercially available facilities. If, however, no such facilities exist (for example if the establishment is isolated) a budget holder may (in consultation with the DHE Area Manager if Service Families accommodation is involved) approve the use of surplus accommodation which cannot otherwise be disposed of within establishments for hairdressing, tailoring or shoe repairing businesses.

1556. In instances where these traders operate from MOD premises under formal contract arrangements, charges will apply and can only be waived where a welfare need for the service they provide can be demonstrated. All applications for waivers should be sent by the budget holder to GF(Policy)1 in the first instance. Exceptionally, a site may be allocated on which the contractor may construct his own premises. (See also para 1567). Traders occupying MOD premises which are not subject to formal contract arrangements will be controlled by means of a lease, the rent for which will be assessed by DEO(L) having regard to all market factors.

Other private traders

1557. A budget holder may, in consultation with DEO(L), approve the letting of premises to other private traders. Exceptionally, a site may be allocated on which a private trader may erect his own premises. (See also paras 1563-1564). In the case of Service Families housing estates (in Great Britain), this responsibility rests with the budget

holder and local DHE Area Manager in consultation with DEO(L). DEO(L) is responsible for taking tender action, for

granting the tenancy, its management and for collecting the rent. Exceptionally, when it is clearly financially advantageous and politically acceptable to do so, DEO(L), in consultation with the budget holder and DHE Area Manager, may dispense with tender action and arrange for a private treaty letting.

1558. The tenders received will be considered by the budget holder (and the DHE Area Manager if Service Families accommodation is involved) and DEO(L). They will examine not only the rent offered but also the standard of service proposed and the general level of prices and charges. Subject to such examination, the highest tender is to be accepted unless there is good reason for not doing so. In this latter case, approval must be sought from the appropriate contracts mentor before a lower tender is accepted.

1559. If the highest tender received represents, in DEO(L)'s judgement, an uneconomic rent for the use of the premises mindful of the maintenance and incidental expenses which would be incurred by MOD and the service and facilities provided, but it is nonetheless considered by the budget holder (and local DHE Area Manager if appropriate) that the letting of the premises in the manner proposed would provide a useful service to the establishment, the budget holder (and DHE Area Manager if necessary) should seek advice from their senior budget holder or Agency Chief Executive under the terms of their letter of delegation.

1560. Before any letting is advertised and before an existing trader is allowed to extend the range of goods or services which he is licenced to provide, the budget holder should ask NAAFI Headquarters, Amesbury, Wiltshire whether NAAFI, given reasonable notice, could provide the same goods or service. If NAAFI (or, where applicable, the CVWW within the constraints of their terms of trading) are able to meet the request, they should be invited to do so.

1561. The Services Sound & Vision Corporation (SSVC) enjoys a similar privileged trading position to NAAFI in respect of audio/visual goods, and the agreement of the SSVC's Head Office, at Chalfont Grove, Gerrards Cross, Bucks should first be obtained before any licence or letting agreement is granted in this field of business.

1562. The Inland Revenue has asked to be provided with details of private traders in MOD establishments. A copy of

all licences issued to private traders will therefore be sent by DEO(L) to the Taxpayers Service Division, Chief Inspector of Taxes (Public Department), Ty Glas Road, Cardiff CF4 5ZD.

1563. If a budget holder decides to withdraw permission to engage in private trading under the terms of an agreement he should inform DEO(L) who will take the appropriate action. If it proves difficult to regain possession of the premises DEO(L) should report the matter in detail to DEO(L) HQ Policy & Management as soon as possible.

1564. Any proposal to alter MOD premises to make them suitable for a private trader must first be approved by the budget holder, DEO(L) (and the DBE Area Manager if Service Families housing is involved) and, depending on the estimated cost, be supported by an Investment Appraisal.

1565. Any non-publicly funded development (or change of use) on MOD land requires formal planning consent under the Town & Country Planning Acts. Both the budget holder and DEO(L) must be consulted before action is taken by a private organisation to obtain planning permission from the Local Planning Authority.

Banks and sub-post offices

1566. Special considerations apply to facilities made available to banks, for Automatic Teller Machines and to sub-Post Offices which become available for letting, and budget holders should consult DEO(L) about applications to use/operate these facilities.

Travelling shops

1567. Casual visits to MOD establishments by travelling shops are not normally permitted except where roads on married quarter estates have been adopted by the local authority and are maintained by them in which case no objection can be made. If, however, roads are not adopted (see Chapter 12), travelling shops with a Local Authority licence to trade will only be permitted on the establishment with the permission of the budget holder, who should advise DEO(L) when permission has been given. DEO(L) will assess the fee to be charged and, subject to the budget holder's agreement, issue the trader with a licence.

INSURANCE REQUIREMENTS

SOCIAL, RECREATIONAL & COMMERCIAL USE

1. Insurance cover is mandatory when MOD facilities are to be used for all social, recreational and commercial activities except where para 5 below applies. In each case the user's insurance policy must cover claims of a minimum £1,000,000 sterling (or local equivalent) for any one incident.

2. In most cases £1,000,000 sterling (or local equivalent) worth of insurance will suffice. There will be occasions however where this sum is not adequate (e.g. where the nature of the activity is particularly dangerous or high value property or equipment is being used). In such cases the user will be required to provide additional cover. Advice on this aspect should be addressed via DEO(L) to PL(LS)Claims 1.

3. The cover required for the above should be in the form of a standard public liability policy as issued by the leading insurance companies.

4. DEO(L) is responsible for examining the insurance policy to ensure that cover has been underwritten for the sum required and for determining that endorsements, exclusions and conditions attached to the licence or lease do not have the effect of limiting the indemnity. (See also para 1528). Where a suitable policy already exists, a cover note or an endorsement extending the policy to cover the risks assumed under the licence or lease may be accepted instead of the actual policy.

5. Strict insistence on the insurance cover normally required when MOD property is used for non-MOD purposes may be relaxed in those cases where use is for recreational or social activities only and where:

- a. the assessed fire risk on land or buildings (or part of a building where the activity is restricted to part only, and the part is capable of separate insurance and fire is unlikely to spread to the remainder of the building) to be used for the event as assessed by the SFA does not exceed £15,000;

- b. the number of persons involved (participants and spectators) is not expected to exceed 100;
- c. less than 50 persons wish to use a substantial facility where the fire risk is small (e.g. an indoor swimming pool); and where adequate supervision in accordance with Health & Safety legislation exists;
- d. no material third party risks exist; and
- e. no entry fee to the event will be charged by the organisers.

Although insurance is not mandatory under these conditions, organisers of events should be advised that it is in their own interests to effect third party cover because the Secretary of State accepts no responsibility for any claims arising from the use of MOD premises.

6. It is the responsibility of the budget holder to ensure that:

the event organisers are provided with copies of the relevant Fire Orders and Fire Plans, together with any specific requirements of the SFA; that the contents of Fire Orders are brought to the attention of all users or, where this is impractical, they have sufficient persons trained to carry out the supervisory duties described in detail in para 1524 above.

7. Where local authorities carry public liability policies there is no need for separate insurance cover in respect of licences which they conclude for departments or organisations which they administer (e.g. police, fire or education services), but see para 4 above. This does not however extend to organisations who claim support from, or sponsorship by, a local authority unless that local authority confirms that the organisation is covered by their policies. In all cases the relevant indemnities referred to in para 1511 will be enforceable in the event of loss or damage.

8. The Sports Council is not required to support an indemnity with a policy of insurance if use of a facility is granted for an event organised by the Council on its own behalf, but the Council will retain liability for costs arising from third party claims, damage to property, repayment for any services provided etc. This dispensation does not extend to Regional Sports Councils or local sports clubs or organisations even where there may be sponsorship by the Sports Council.

USE OF MOD PROPERTY BY CIVILIAN MODEL AIRCRAFT CLUBS

1. Arrangements for the use of sites by civilian model aircraft clubs should be made on an annual basis where it is desired and can be allowed. Sites may be used by clubs on a rota system controlled by the area sub-committee of either the British Model Flying Association (BMFA) - formerly the Society of Model Aeronautical Engineers (SMAE) - the Model Pilots Association (MPA) or the Large Model Association (LMA) after consultation with the appropriate budget holder. The area sub-committee will accept responsibility for:

- a. liaison with the budget holder and/or DEO(L) to ensure that use of a site by a club does not interfere with other authorised users and is in compliance with any conditions imposed by the budget holder or their senior budget holder or Agency CE, or DEO(L);
- b. collection of fees from member clubs.

Radio frequencies

2. The increased use of radio frequencies on ranges and training areas for simulation and targetry increases the likelihood of inadvertent operation by other users of the frequency spectrum. The frequencies to be used by model aircraft operators at or on specific MOD establishments or sites must be cleared beforehand at either national or local level with the appropriate budget holder.

Noise control

3. Model aircraft flying carries a risk of prosecution under the noise control legislation. The BMFA, MPA and LMA are responsible for informing affiliated clubs of the restrictions and penalties which the legislation applies. When clubs propose to fly within 1,000 metres of a place of interest frequented by the public the organisers must discuss the proposal with the local authority and, where appropriate, the National Park Authority. DEO(L) will require proof of such consultation before issuing a licence. If either Authority objects to the event being held consent should be refused. If they agree, subject to conditions, those conditions will be incorporated in the licence. For all events the following conditions will be incorporated in the licence:

- a. Each model aircraft should be fitted with a muffler to the engine or engine exhaust port unless the location is such that no noise nuisance (i.e. unwanted sound) will arise on adjoining civilian land;
- b. Flying is to be restricted to between 1000 hours and 1800 hours (or 30 minutes before lighting up time, whichever is the earlier). On airfields removed from developed property these hours may be from 0900 hours to 2100 hours on weekdays and 0900 hours to 1900 hours on Sundays. No flying will be allowed on Sundays where it would cause a noise nuisance to those participating in a service being held in a place of worship;
- c. No launching or flying of model aircraft is to take place within 500 metres of an occupied house, school, hospital or other noise sensitive development, or safeguarded areas; and
- d. People flying model aircraft must comply with all statutory codes for the minimisation of noise from model aircraft.

3. For a major event attracting many spectators the limits in c. may be extended at the discretion of DEO(L) to prohibit launching or flying of model aircraft within a radius of 1,000 metres. No model aircraft over 7.5kg in weight will be permitted unless it has a CAA exemption certificate. Specific permission to operate such aircraft must be obtained from the appropriate budget holder in each case where such models are to be used, and the licence annotated accordingly.

MOD INTEREST IN "UFO" SIGHTINGS

The Ministry of Defence has no interest, expertise or role with respect to "UFO/flying saucer" matters, or the question of the existence or otherwise of extraterrestrial lifeforms about which we remain open-minded. To date, however, we remain unaware of any evidence which proves that these phenomena exist.

The Ministry of Defence examines any reports of "UFO" sightings it receives solely to establish whether what was seen might have some defence significance; namely is there any evidence that the UK Air Defence Region might have been compromised by a foreign hostile military aircraft.

The reports are examined, with the assistance of the Department's air defence experts as required. Unless there is evidence of a potential military threat, and to date no "UFO" sighting has revealed such evidence, we do not attempt to identify the precise nature of each sighting reported to us. We could not justify expenditure of public funds on investigations which go beyond our specific defence remit. We believe that rational explanations could be found for the "UFO" sightings reported to the MOD if resources were devoted to so doing. From the types of descriptions we receive aircraft or natural phenomena probably account for most of the observations.

PRESS LINES - "THE UNINVITED" - NICHOLAS POPE



X GENERAL LINES

The Ministry of Defence has no interest, expertise or role with respect to "UFO/flying saucer" matters, or the question of the existence or otherwise of extraterrestrial lifeforms about which it is open-minded. To date, however, the MOD remains unaware of any evidence which proves that these phenomena exist.

"ALIEN" ABDUCTION

Investigations into claims of any form of abduction are a matter for the civil police. The police, however, can only take the matter forward and investigate if there is evidence to support the allegation.

X MR NICHOLAS POPE

Mr Pope was a desk officer in the Secretariat (Air Staff) 2a section from 1991-1994 and at that time he was an executive officer. Sec(AS)2a is the focal point for handling queries directed at the MOD in connection with "UFO" sightings. At the time Mr Pope worked in the section there were no staff working on this subject full-time and this remains the case. The work represents a small part of the overall duties of the section.

"THE UNINVITED"

The comments contained in the book "*The Uninvited*" are the personal views of Mr Pope and do not represent nor reflect the views of the Ministry of Defence. All Ministry of Defence personnel wishing to publish a book which draws on their official experience, uses information obtained in the course of their duties, or which expresses views on official matters, are required to seek departmental approval to do so. Clearance to publish does not imply MOD approval of, or agreement with, the contents.

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"You Can't tell the
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Section 4 Outside Interests and Appointments

4.1 Introduction

You must not engage in any outside appointments, occupations or activities that:

- would require attendance during working hours, or impair the efficient execution of your duties; or
- might conflict with the interests of the MOD; or
- would be inconsistent with your position as a public servant.

The holding of executive directorships or undertaking executive work for public and private companies (except under authorised secondment or loan arrangements) is generally prohibited.

Permission to become an executive director of a small "family type" private company may, however, be granted by senior line management provided there is no conflict with the principles outlined above.

Chapter 3
Annex J

4.2 Advisory work

Before accepting an invitation to act in an advisory capacity for a company you must apply for permission to CM(IR&C)CU1 through your line manager. Permission will not normally be granted where the consultative work:

- is in your special field of activity;
- has a connection with your special duties;
- is on behalf of a firm that is in a contractual, or other special, relationship with the MOD.

Other Government Departments. Before undertaking work for another Government Department in an official capacity you must apply for permission to your senior line management. For payment for such work see para 4.4.

Foreign Governments. You must apply for permission to CM(IR&C)CU1 before undertaking work for a Foreign Government.

Professional Associations. If invited to hold office in a professional association you must consult your senior line manager. Permission to accept the office is dependent on maintaining reticence when discussing public affairs, particularly those concerning the MOD. The line manager may withhold permission if:

- there is a conflict of interest between the association and the Government; or
- holding the office impinges on official time; or
- holding of office is inconsistent with any of the rules set out in this volume.

Outside appointments cannot be taken into account in posting decisions, nor is special leave allowed to facilitate the activity.

Section 6 Disclosure of Information

6.1 Principles governing disclosure of information

This section describes the principles governing the public disclosure of information by serving or former members of the Department and sets out the rules that apply those principles to specific cases. The activities governed by this section are:

- public lectures and speeches, interviews with or communications to the press or other media, film, radio and television appearances and statements to non-Governmental bodies, including MOD-sponsored conferences and seminars;
- books, monographs, articles, letters or other text, including supposed fiction;
- theses for degrees, diplomas or MOD-sponsored fellowships;
- participation in outside study conferences, seminars and discussions.

You must not make comment on, or make disclosure of:

- classified or "in confidence" information;
- relations between civil servants and Ministers, and advice given to Ministers;
- politically controversial issues;
- material covered by copyright, unless prior permission has been obtained. Particular care must be taken where the origin of the material is obscure;
- information that would conflict with MOD interests or bring the Civil Service into disrepute;
- information that may jeopardise the commercial interests of the MOD or companies or organisations collaborating with the MOD;
- information that would undermine the security or other national interests of collaborating countries;
- anything that the MOD would regard as objectionable about individuals or organisations;

You must not publish or broadcast personal memoirs reflecting your experience as a Government official, or enter into commitments to do so, while in Crown employment.

6.2 Greater openness in Government requires:

- the fullest possible exposition to Parliament and the public of the reasons for Government policies and decisions once these have been announced; and
- improving public understanding about the way the processes of Government work and the factual and technical background to Government policies and decisions.

Ministers are responsible for the exposition of Government policies and decisions. Staff must avoid being drawn into public discussion on justification of Government policies.

6.3 Seeking permission

You must obtain authority, before taking part in any outside activity involving:

- the disclosure of information obtained in the course of official duties;
- the use of official experience;
- the public expression of views on official matters.

*Chapter 3
Annex M*

The procedures for obtaining permission are set out in Annex M to Chapter 3.

You are responsible for seeking this authority in sufficient time to allow proper consideration. Failure to obtain permission before undertaking any such activity is a disciplinary offence.

Elected officials of a recognised trades union or staff association do not need to obtain MOD authority if they are publicising their association's or union's views on an official matter which, because it directly affects the conditions of service of members, is of legitimate interest to them. This exemption does not apply to the (probably rare) case where the official duties of the union or association representative as a public servant are directly concerned with the matter in question;

You do not need permission to take part in activities organised by, or on behalf of, unions or staff associations, although conduct in public should still be consistent with the principles set out above.

Paragraph 6.1

6.4 International organisations

When serving in an international organisation, or with visiting forces, you must observe the rules and regulations of that body. You must consult Defence Information Division (D-INFOD) wherever material concerns the UK, or in any cases of doubt.

6.5 Former members of staff

After leaving the Department you must obtain official sanction from the MOD before publishing any information gained as a result of your official duties.

6.6 Press announcements

Official communications to the Press are made by the public relations staff, or other duly authorised personnel. You must not comment on issues of a politically controversial nature.

6.7 Broadcasts and media interviews

If you are approached directly about participation in a radio or TV programme, or about co-operating in the production of a programme you must report the matter in accordance with the detailed instructions in the Annex M to Chapter 3. A member of the Defence Information Division or a duly authorised officer must be present at all press interviews.

*Chapter 3
Annex M*

6.8 Release of information at MOD conferences, seminars, etc

Sponsors of MOD conferences and seminars, at which classified information is to be discussed, must obtain approval from HQ Sy 2 before issuing invitations.

6.9 Political conferences

You must obtain the permission from a senior line manager before attending conferences of a political nature in an official capacity.

6.10 Outside seminars and study conferences

If you receive an invitation from a non-governmental body to participate in a study, conference, seminar or discussion you must seek prior permission from:

- Press Secretary and Chief of Information if serving in Ministry of Defence Headquarters;
- Publication Clearance (Scientific and Technical), (Section of HQ Sy(S&T)2) if Procurement Executive or DERA personnel (for clearance of material);
- the TLB holder or his or her delegated representative, if working outside MOD HQ.

In any case of doubt you must consult D Def Pol. You must submit texts in advance in accordance with the procedures set out in the Annex M to Chapter 3.

6.11 Outside organisations

You do not need prior approval to take part in the proceedings of the following institutes:

- International Institute for Strategic Studies (IISS).
- Royal Institute of International Affairs (RIIA).
- Royal United Services Institute for Defence Studies (RUSI).

Your participation is, however, subject to the following conditions:

- if nominated by the MOD to participate in a study, conference or seminar on defence problems you are encouraged to make as useful a contribution as possible but, if you are in doubt, you should consult D Def Pol;
- when participating in a discussion, you must be aware that your remarks may be reported and publicised: you should avoid conflict with MOD or Government policy;
- you must not reveal classified or commercially sensitive material.

6.12 Questionnaires

You must not:

- complete outside questionnaires if it involves disclosing detailed and significant information about official duties. If in doubt you must consult the security officer or the appropriate publication clearance authority;
- take part in your official capacity in surveys or research projects, even unattributably, if they deal with attitudes or opinions on political matters or matters of policy.

6.13 Disclosure to others

Instructions are contained in the relevant security manuals about disclosure of information to:

- MPs;
- foreign governments or foreigners;
- committee members, consultants and defence lecturers;
- contractors.

*MOD MAN 4
Chapter 11*

6.14 Defence Press and Broadcasting Advisory Committee (DPBAC)

Defence Advisory Notices are addressed to national and provincial newspaper editors, to radio and television organisations, and to some publishers or periodicals and books on defence and related subjects. (DA Notices are issued and amended on the authority of the DPBAC). The Secretary of the DPBAC is available at all times to advise on questions that arise on the application of a DA Notice to some particular set of circumstances. Any advice requested by the Press as a whole on the publication of items of information which appear to come within the scope of a DA Notice should be referred to the Secretary DPBAC.

MP's interviewed:

24 Oct 83 - Sir Patrick Wall -
writes PG no: Rendlesham F. - asking to release

Michael Richmond (96)

24 Jul 86

reports + docs on similar
unexplained incidents.
archive - John Stanley

MOD.

19 June 84

Section 40

Section 40 (OSB) to

Section 40

(jamaica)

G.B. Spink vs Michael
Partillo.

1. PG re Ren. Forest - Anthony Nicholas Soames

2. of David Davis (priv 5/dec '86) - no time GCHQ monitored UFOs for each of the last
ten yrs. incl '86. P201.

PM memo 28 Jul 82 + hard Chavelli reply - (copy in DAS Sec.)

(from cos) hard Hill-Norton - writes PG 14 Oct 97. re: Halbi
memo + landed craft in Rendlesham Forest. Reply hard Gilbart.

28 Oct 97 - when this allegation to the effect that nuc. weapons had
been stored at RAF BxW in violation of UK-US Treaty were true.
hard Gilbart replied. "... policy ... neither to confirm nor deny".

Same date asked if "a UFO allegedly aimed a beam at the
nuclear weapons area on the Saffron installations (reference made to
Wendbridge). .. hard G replied "No evidence to suggest MOP need.
any such reports.

23 Oct 97 - hard H-N. re instruction for evacuation at
High Point Prison between 25 x 30 Dec.

16 Oct 97 hard H-N - correspondence with hard Gilbart -
re. Col Halbi Memo.

British airspace and "landed" near Woodbridge.' It seems to me that if the Ministry of Defence have to refer to the press for information, and do not investigate these cases to a point where a positive explanation is made, how then can they conclude that a UFO did not land near Woodbridge?

Nick Pope suggests the Ministry of Defence did not investigate the incident, but some department certainly did, for I do not believe Britain would allow the United States complete control over an incident that occurred on British territory. However, witness Jim Penniston, who had top-secret clearance when he was stationed at RAF Bentwaters, informed me that Britain was unaware of 99 per cent of what the Americans got up to on the Suffolk bases. According to some locals who lived near the installations the Americans did as they pleased.

As early as 24 October 1983, Member of Parliament Sir Patrick Wall addressed the Secretary of State for Defence regarding Lieutenant Colonel Halt's memorandum and its release. One question he asked Minister John Stanley in a written Parliamentary Question was whether he would now release reports and documents concerning similar unexplained incidents in the United Kingdom. Needless to say, Stanley's reply, though long-winded, basically referred to these reports as being of no concern from a defence standpoint. Since then, of course, there have been several parliamentary questions asked about the Rendlesham Forest incident.

→ On 24 July 1996, ~~about 11:00 AM~~ **REDACTED ON ORIGINAL** asked Her Majesty's Government to respond to questions about the Rendlesham Forest incident:

Mr Redmond: To ask the Secretary of State for Defence (1) what responses his Department made to the report submitted by Lieutenant Colonel Charles Halt relating to events in Rendlesham forest in December 1980; what interviews were held; and if he will make a statement. (2) Who assessed that the events around RAF Woodbridge and RAF Bentwaters in December

1980, which were reported to his Department by Lieutenant Colonel Charles Halt, were of no defence significance; on what evidence the assessment was made; what analysis of events was carried out; and if he will make a statement.²

Nicholas Soames, Minister of State for the Armed Forces at the Ministry of Defence, replied: 'The report was assessed by the staff in my Department responsible for air defence matters. Since the judgement was that it contained nothing of defence significance no further action was taken.'

Should there be an incident involving UFO activity, especially if it concerns military personnel, we know that certain government agencies are interested, but what about world leaders, where do they come in, are they in the loop? One would certainly imagine so. However, as a result of my investigations on this subject, I am convinced the majority of world leaders are not briefed about the full nature of the UFO/ET situation – if at all. Most Western leaders usually serve only one or two terms in office and as such it would not be necessary to burden them with ET politics. File PREM 11/855, obtainable from the Public Record Office, proves that not even Winston Churchill was in the loop. The Prime Minister's personal minute dated 28 July 1952 is directed to the Secretary of State for Air, Lord Cherwell. Churchill queried:

What does all this stuff about flying saucers amount to? What can it mean? What is the truth? Let me have a report at your convenience.

It took ten days for the Air Ministry to reply to Churchill's concerned request, and the reply did not come directly from Cherwell himself, although he wrote privately to the Prime Minister agreeing with the following report.

² WA 423.

attracted the attention of Lord Hill-Norton who posed a question in the House of Lords.

On ~~27 October 1977~~ Hill-Norton asked Her Majesty's Government:

Whether staff at Highpoint Prison in Suffolk received instructions to prepare for a possible evacuation of the prison at some time between 25 and 30 December 1980 and, if so, why these instructions were issued.⁶

Lord Williams of Mostyn replied:

I regret to advise the Noble Lord that I am unable to answer his Question, as records for Highpoint Prison relating to the period concerned are no longer available. The governor's journal is the record in which a written note is made of significant events concerning the establishment on a daily basis. It has not proved possible to locate that journal.

According to a local police spokesman, Highpoint Prison used to be an RAF training camp before it became a prison. Initially, it was known for its sloppy security and was notorious for many prison escapes, but since then the security has been stepped up. I could not understand why the government would want to evacuate a prison, but realized it had to involve something of major importance for the government to risk transporting hundreds of prisoners to another location. But was it anything to do with the Rendlesham Forest incident? I decided it was time to talk to George Wild.

Wild not only confirmed the story, but also added that Highpoint was not the only prison to receive the briefing. It turned out that another Suffolk prison was also put on standby for an evacuation. This was the Hollesey youth correction centre, a few miles from Woodbridge. Wild explained that these were ideal establishments to use in an emergency because they are so well isolated,

⁶ QA 216.

especially Highpoint. I locals would have been safety was as important

It was only later, v kindly sent to me, the prison evacuations. A from a friend of hers, centre were told to be alert concerned somet might affect national s a letter from a prisor claimed to have seen approximately 9 p.m. that the prison was Brenda on his release prison officers' files. I

George Wild sp standby was 27 Dece connected with the government were nc night, but were of occurred on the thi they need to evacu: invasion or an attac would be ideal for p sensible to secure p: RAF installations s they were preparin posed by alien con would be used as is

Bentwaters an experiencing unusu approximately thi home to the Roy: several years ago, l

investigate the Rendlesham Forest incident, the Embassy denied any knowledge of it. On 13 August and 22 August 1984 respectively, Mark Birdsall received written replies to his requests for information from the Embassy's chief warrant officer, A. B. Rowley, US Navy Operations Coordinator, to this effect. Since the US Embassy was instructed to deny the near-nuclear accidents, it stands to reason we cannot trust their denial in this matter.

Not even the former Chief of Defence Staff, Lord Hill-Norton, was privy to information regarding the Rendlesham Forest incident. When he tabled a written question to the House of Lords on 14 October 1997, concerning Halt's memorandum and a landed craft in Rendlesham Forest, Lord Gilbert responded with the following: 'The memorandum, which reported observations of unusual lights in the sky, was assessed by staff at the MOD responsible for air defence matters. Since the judgement was that it contained nothing of defence significance, no further action was taken.'¹³

It is worth noting that Lord Gilbert refers only to 'unusual lights in the sky' when in fact Colonel Halt's memorandum mentions an actual metallic object. How the Ministry of Defence dismisses the Rendlesham Forest incident as having no defence significance remains a complete mystery. (a) We either have a very stupid defence system; (b) they do not know how to deal with it; (c) the Americans were/are in control of the situation; (d) another British department is overseeing the UFO agenda; or (e) the evidence is being suppressed for other reasons. I am not convinced that our great British defence system would fall into category (a). Therefore, it leaves little doubt that it must fall into one of the other categories or all of them for that matter.

On 28 October 1997 Lord Hill-Norton asked Her Majesty's Government to respond as to whether allegations to the effect that nuclear weapons had been stored at RAF Bentwaters and RAF Woodbridge in violation of UK/US treaty were true. Lord Gilbert replied, 'It has always been the policy of this and previous

¹³WA 169.

Comments - Halt's

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was surrounded by hundreds of women and children who began living in disgustingly filthy conditions at a makeshift peace camp situated outside the perimeter fence. Top bodyguard and covert operator Jacqueline Davis spent several weeks under-cover at Greenham Common. She recalls being disturbed in the middle of the night by a Ministry of Defence police officer urinating on her face. It seems this was one way they relieved their boredom, another was to smear faeces on the tent poles. There has been much speculation that Greenham Common was none other than a front for Bentwaters, where the real missiles were stored. One wonders just how different the Rendlesham Forest case might have turned out had the forest surrounding the Suffolk bases been overrun by the Greenham Common protesters.

Lord Lewin, Admiral of the Fleet and the Chief of Defence Staff in 1980, was a great supporter of the United States Air Force in Europe. In fact, Lord Lewin visited RAF Bentwaters on several occasions and eventually retired to live near Woodbridge, where he died a couple of years ago. Apparently Lewin was also a supporter of nuclear weapons and argued the need for Britain's cooperation with NATO on this very subject.

Although no high-ranking American officer will openly admit that nuclear weapons were deployed at Bentwaters, there is a clue perhaps: it seems that RAF Bentwaters carried out exercises that still remain classified. On 30 June 1998 Member of Parliament Matthew Taylor posed a question to the House of Commons regarding the USAF and an exercise carried out in the United Kingdom:

MR MATTHEW TAYLOR: To ask the Secretary of State for Defence what was the scenario of the exercise, Proper Watch, in 1989; on what dates and where it took place; if the United States Department of Defense took part; and if he will place a copy of the results of the exercise in the Library.⁵

⁵ Written Answers 130.

DR REID: Exercise Proper Watch was carried out in May 1989. The exercise was a response to the crash of the Challenger nuclear weapons. The United States carried out the exercise. A classified report was produced. The reasons my hon friend gave to the hon Member for the exercise are in column 470, and under the heading 'Access to Government Information'. I will place the report.

Based on all the evidence, it seems that the continuing cover-up to the exercise was an incident. Could it be be a cover-up of nuclear weapons? I asked Nick Brown about this issue.

The Ministry of Defence were of no defence significance and investigated UFO activity. This whole business as

Much has been made of the initial incident, but which was an isolated case of radiation.

George Wild is a resident of North Yorkshire. Several years ago, he was in the prison of 27 December 1980. He was a prison officer at Armley. He attended officers' seminar that was held in York. He struck up a conversation with a man who claimed to have received information to evacuate the building during that night. Furthermore, the man was a national security. The

DR REID: Exercise Proper Watch took place at RAF Bentwaters in May 1989. The exercise tested the procedures in place for responding to the crash of a US transport aircraft carrying nuclear weapons. The United States response forces participated in this exercise. A classified report on the exercise does exist, but for the reasons my hon friend the Under-Secretary of State for Defence gave to the hon Member on 31 July 1997, Official Report, column 470, and under Exemption 2 of the Code of Practice of Access to Government Information, I am not prepared to release the report.

~~Based on all the evidence it seems obvious that there is a continuing cover-up to hide the details of the Rendlesham Forest incident.~~ Could it be because there really was a threat to the nuclear weapons? I asked Nick Pope if he thought the incident was a defence issue.

The Ministry of Defence has consistently said that these events were of no defence significance. As somebody who has researched and investigated UFOs for the MOD I can tell you that I regard this whole business as being of extreme defence significance.

Much has been made of the radiation readings concerning the initial incident, but what if there was a threat more terrible than an isolated case of radiation?

George Wild is a resident of Osset, a small market town in West Yorkshire. Several years ago he told UFO researchers he had heard that Highpoint Prison in Suffolk was to be evacuated on the night of 27 December 1980. Before his retirement Wild had been a senior prison officer at Armley Prison in Leeds, and it was during a prison officers' seminar that he first heard the story. Apparently, he had struck up a conversation with a prison officer from Highpoint who claimed to have received instructions that they might have to evacuate the building due to a possible incident that could occur late that night. Furthermore, the officers were told it was a matter of national security. The evacuation never took place but the report

Section 40

to end atomic dances
 S. HAWKE - takes moved
 to Admiration. (1971) - RAF Bandwidth
 disc. active radar str
 1980.

25/86
 27/28 Dec

waiting on incident
 1970s/80s.
 His 9/11
 photo being taken by
 Major event
 UK

"Kane should be
 a perfectionist"
 book should help
 bring about a reckoning.
 ... will definitely
 cause some to wonder
 whether book has been
 written with official
 blessing...
 ... others look with
 suspicion, and that view
 is a conspiracy....

Check book:
 Skycrash

1. UFO sightings occurred on consecutive nights 2nd 8D.
 2. (unimportant)
 3. 3 impostors in the green room formed perfect triangle
 4. Some incident is taken radio active readings.
- have rec. weapons
 been stored at
 8 (in violation
 of UK Treaty.
 Gilbert neither
 confirm nor deny.
 also

Articles -
 Nick Pope

Whoseat May
 7th 1989 UK

Broni! -
 looking for
 "leaders... to
 announce the truth
 about..." P. 589

Convinced of
 cover-up
 (P. 322)

(P. 152 events)
**Roadleham
 Forest.**
 over 300 air
 from Xmas 80

interest

28 Oct 97 -
 P. 304
 Nuclear weapons
 held Hill Norton (Rtd CDS) at 8.
 P. 313 - 1. News that
 Roadleham Forest

Section 40

(Sunday Times)

Nick Pope (current
 MOD)

Sir Patrick UK Wash.
 24 Oct 83 re. Lt Col
 Hall's memo not release

has proceed before
 P. 314 Ralph Nagos (Aus)

retd 77 - ex UFO desk - novel
 assembly hand. Jones & incident.

97 Air Marsh Sir Peter Haversley
 Sends from another room,
 names of planes / Princes + the para normal

Section 40

P. 303:
 Separation - G/A.

- MOD - M.R.F.
- a. do not know how to deal with it
 - c. the US are/were in control of it
 - d. and to Dept. is overseeing the UFO Agenda
 - e. the evidence is being suppressed for other reasons.

one does not want to believe they would lie
 interested MPs -
 Martin Redmond
 - 24 Jul 96
 Sir Patrick Wall -
 24 Oct 83

of David Davis
 no. times GCHQ
 monitored UFOs.

RAF Bantwater + Woodbridge.
 closed 1993

Quote: RAF Bantwater
 deployed nuclear weapons P. 139 -
 Server stockpiling 301
 "if no weapons stored here"
 Message at RAF B. security deployed
 a stockpile of nuclear weapons
 US + UK cover-up

GCHQ -
 Martin Redmond
 - a few weeks before
 death
 if GCHQ interested, explains why MOD isn't seriously

although often pitched at a fairly low level,
 clear that thorough research has been conducted
 and many witnesses, other ex. US servicemen, interviewed.

Allegations - involvement US + UK agencies including GCHQ interest.

- Allegation that MOD actions influenced by the fact nuclear weapons stored at base (6)
 when it was in the UK/US interest to keep it from becoming an issue.

Spoke to MT. at charity function

Copy Docs - end of book

Chaplin - Defending the Realist.

Brit Govt. etc. + Lord Hill - M.

P. 316 - Ref. Michael Portillo "knows a lot better" - was he
ever briefed? - (4 Jul 00)

Pope - 39, 103, 280 - Apr. 94 - checked with Haslar.

GC HQ - is it involved in the "UFO agenda" - speculation, conspiracy,
p. 290-292. (Matti Redmond - pg oral - few weeks before death 291.
↳ claims GC HQ.

294 - R. Forest file - M. Pope's explanation

297 - Criticism of **Section 40**

298 - Claim that MOD must have investigated incident.

Reply to Churchill - 300

X 307 - Briti claim continues to be a cover up "because there
→ was a threat to the nuclear weapons" - (Q is this correct).

Where they now. Messrs at R. B. Watson.

"Leader"

389 - Hope someone will stand up to announce "truth" about

Rendlesham Forest incident

Aoltran - Browni - la beannat? mag. Itol Gossip UK.
"You can't tell the people".

Who's the file.
Who's invited to
the party.

Readlesham Forest - described as a "cover-up"
↳ UK's Roswell (info. on Roswell - P.16)

Acknowledgements - first page - NP for "previous contributions".
(Q: do we have the Readlesham Forest file?)

Ack - xi/xii - Retired USAF personnel (if any current USAF).

Ack - xiii - for assistance - **Section 40**

" - xiii - MOD Air/MDA/library.

Forward Nick Pope XIV.

claims - serious defence + national sig. issues
at stake (COMMENT)

public denied access to all but a few files - until
Brit gets "eagerly assisted" Freedom of Info. Act.

Suggestion: Govt. involved in conspiracy to keep truth from the public

Readlesham F. file - not available to public

xvi - replies to letters from public, P.G.'s

xvii - this book will make people wonder if it was written
with official blessing Pope wants to:

Major players - largest US reber. xv - 1 cenry RAF.

Intro - MOD claim UFOs of "no defence significance"

" P. 5 - Escort round **Section 40** - sig at Colchester Bks.

14 - RAF W. Drayton.

NOTES

1. All meetings/conferences held in MOD HQ Buildings **MUST** be sponsored by a resident of the building in which the meeting/conference is to take place. That sponsor will be held responsible for ensuring that all the requirements of both national and local security regulations are met during the period of the meeting/conference.
2. When arranging accommodation for meetings/conferences for members in excess of six persons, the sponsor will ensure that details of all those attending the meeting/conference, who do not possess a pass giving unrestricted access to the building in question are sent to the MGS Control Room in that building at least **TWO CLEAR WORKING DAYS** prior to the meeting date. Forms are available for this purpose on demand from the MGS Control Room or Conference Room Booking Offices, as appropriate.
3. Where escorts are necessary for those not permitted unrestricted access to the building, the sponsor will ensure that these are provided by resident staff from the building in question. ie. MOD Main Building escorts must be provided for meetings/conferences in that building. Non-residents cannot escort uncleared visitors.
4. Escorts are to ensure that non-MOD Pass holders are not left alone in Conference Rooms. As a result, the sponsor will ensure that all non-MOD Pass holders are advised that they should not arrive for meetings before the advertised time for the meeting/conference. Alternatively, the sponsor should arrange for an MOD Pass holder/building resident to be in attendance at an appropriate time to receive the visitors.
5. Sponsors must ensure that for meetings/conferences dealing in classified information that no such information is left in unoccupied rooms and that suitable arrangements are made for the continued integrity of both information concerned and the physical security of the room itself, when unoccupied.
6. The Meeting/Conference Sponsor must ensure that prior security approval has been granted to any overseas nationals that are to attend - see MOD Manual 4, paragraph 3028. MOD Sy 5c/IVCO should be consulted in cases of doubt on this subject.

FOCUS ARTICLE ON UFOs

A reporter from Focus called today (25/10/00) to say they are going to run a book review about Nick Pope's latest book -*Operation Lighting Strike* and another book which is by Georgina Bruni and is called *You can't tell the people*. To balance the article they would like to include a piece on the MOD's official line on 'UFOs'.

Georgina Bruni is not an employee of the MOD. Her book is to be published by McMillan Publishing and is about a well known UFO incident in Rendlesham Forrest in December 1980. She is an associate of Nick Pope and he has written the Foreword for her book. She is holding a book launch in Henry VIII wine cellar in Main Building on 14th November where she will be promoting her book and "showing articles of interest from the incident". Focus (amongst others not known) have been invited. Nick Pope will also be there and will presumably be promoting his own book to. The reporter said Nick Pope also suggested to him that Georgina and himself could dress up as Mulder and Scully from the X-Files TV programme and have their photograph taken for Focus. It is interesting to note that in Nick Pope's first book - *Open Skies, Closed Minds*- which is based on his time working in Sec(AS), he compares himself to Fox Mulder.

The Focus reporter **Section 40** CHOTS DCC(FOCUS)3 wishes to come up to talk to us. He is looking to write about 1000 words about the MOD's position on 'UFOs' and as Georgina Bruni's book is about Rendlesham Forrest, he would like to include a paragraph about our position with regard to that incident.

* Note: Cellar booked 16 Nov.

Section 40 probably PCMU2.

- Sec 3 Page 2. DCOS(C) HLB.
Budget Mgr.

Section 40

Thank you. As discussed, please keep in touch with **Section 40** unless he disagrees we should work up a note to Ministers to include b/g on Pope; Rendlesham Forest; procedure for access to HVIII Wine Cellar & why we are not denying access; with appropriate lines for DCC.

Please keep me informed of developments.

Section 40

27/10

DEPARTMENT OF THE AIR FORCE
HEADQUARTERS 81ST COMBAT SUPPORT GROUP (USAF)
APO NEW YORK 09755



REPLY TO
ATTN OF:

CD

13 Jan '81

SUBJECT:

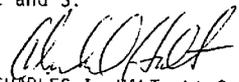
Unexplained Lights

TO: RAF/CC

1. Early in the morning of 27 Dec 80 (approximately 0300L), two USAF security police patrolmen saw unusual lights outside the back gate at RAF Woodbridge. Thinking an aircraft might have crashed or been forced down, they called for permission to go outside the gate to investigate. The on-duty flight chief responded and allowed three patrolmen to proceed on foot. The individuals reported seeing a strange glowing object in the forest. The object was described as being metallic in appearance and triangular in shape, approximately two to three meters across the base and approximately two meters high. It illuminated the entire forest with a white light. The object itself had a pulsing red light on top and a bank(s) of blue lights underneath. The object was hovering or on legs. As the patrolmen approached the object, it maneuvered through the trees and disappeared. At this time the animals on a nearby farm went into a frenzy. The object was briefly sighted approximately an hour later near the back gate.

2. The next day, three depressions 1 1/2" deep and 7" in diameter were found where the object had been sighted on the ground. The following night (29 Dec 80) the area was checked for radiation. Beta/gamma readings of 0.1 milliroentgens were recorded with peak readings in the three depressions and near the center of the triangle formed by the depressions. A nearby tree had moderate (.05-.07) readings on the side of the tree toward the depressions.

3. Later in the night a red sun-like light was seen through the trees. It moved about and pulsed. At one point it appeared to throw off glowing particles and then broke into five separate white objects and then disappeared. Immediately thereafter, three star-like objects were noticed in the sky, two objects to the north and one to the south, all of which were about 10° off the horizon. The objects moved rapidly in sharp angular movements and displayed red, green and blue lights. The objects to the north appeared to be elliptical through an 8-12 power lens. They then turned to full circles. The objects to the north remained in the sky for an hour or more. The object to the south was visible for two or three hours and beamed down a stream of light from time to time. Numerous individuals, including the undersigned, witnessed the activities in paragraphs 2 and 3.


CHARLES I. HALT, Lt Col, USAF
Deputy Base Commander

DEPARTMENT OF THE AIR FORCE
HEADQUARTERS 81st COMBAT SUPPORT GROUP (USAF)
APO NEW YORK 09755



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CHARLES I. HALT, Lt Col, USAF
Deputy Base Commander

TAKEN FROM 'YOU CAN'T TELL THE PEOPLE'
BY GEORGINA BRUNI

FOREWORD

BY NICK POPE

I work at the Ministry of Defence, where between 1991 and 1994 I did what must be one of the most bizarre jobs in the department. Essentially, my task was to evaluate the several hundred UFO sightings reported to the MOD each year and to determine whether there was evidence of any threat to the defence of the United Kingdom. Each sighting was carefully investigated and I was able to determine that somewhere between ninety and ninety-five per cent could be attributed to the misidentification of ordinary objects or phenomena. There remained, however, a hard core of sightings that defied conventional explanation and involved what appeared to be structured craft of unknown origin, capable of manoeuvres and speeds beyond the abilities of anything in our inventory – prototype craft included. The best such cases were ones involving trained observers, such as police officers, airline pilots and military personnel, or ones where the sightings could be correlated by photographs, videos or radar tapes.

The MOD's public position on the UFO phenomenon is that it is of 'no defence significance'. But my official research and investigation turned up numerous cases that seemed to contradict such a conclusion: RAF jets had been scrambled to intercept mystery craft tracked on radar; civil and military pilots were having close encounters with UFOs; unidentified craft the size of jumbo jets were flying over military bases. Such incidents led me to speak out publicly about the UFO phenomenon and warn that there were serious defence and national-security issues at stake, given that our sophisticated air-defence network was being routinely penetrated by these unidentified craft.

Although there have been attempts to portray me as a maverick, I'm certainly not the only person within the establishment to think along these lines. There have, for example, been several dozen UFO-related questions tabled in parliament over the last few years and there are plenty in the RAF and at the MOD who share my concerns. Despite this, there is a curious and infuriating tendency in certain quarters to ignore the best evidence. There are a number of possible reasons for such an attitude: ufology certainly attracts more than its fair share of cultists and crackpots and this may have led some people to dismiss the entire phenomenon, thereby throwing out the baby with the bathwater. It's also possible that narrow-mindedness is to blame, as certain individuals refuse to contemplate possibilities that would challenge deeply held belief systems. Others would doubtless suggest a more sinister explanation: the idea that some within government are involved in a conspiracy to keep the truth about UFOs from the public is widely held among ufologists.

While investigating UFO sightings for the government I had access to a massive archive of over two hundred relevant files, dating from the early forties. These contained accounts of previous UFO sightings and the subsequent official investigations, together with public correspondence and more general policy work. Until Britain gets its eagerly anticipated Freedom of Information Act, the public is denied access to all but a handful of these files. Yet even those that are currently available at the Public Record Office in Kew contain more than enough to challenge the idea that UFOs are of 'no defence significance': many of the documents are stamped 'Secret' and show just how seriously the subject is taken by those charged with the defence of the realm.

One file that is certainly *not* available to the public attracted my attention more than the others. It seemed to offer the most tantalizing clues yet that some UFO sightings really did involve something truly exotic and not entirely benign. This was the file on the Rendlesham Forest incident and this book tells the story of this fascinating case.

Even the most basic information about this incident is

extraordinary; a series of UFO encounters took place in Rendlesham Forest in Suffolk, between the twin bases of RAF Bentwaters and RAF Woodbridge. Though nominally RAF bases, they were actually United States Air Force facilities and most of the witnesses to these events were USAF personnel. The official report on these incidents was submitted to the MOD by Lieutenant Colonel Charles Halt, the deputy base commander, who was himself a witness to some of the events. His memorandum described a glowing object, triangular in shape and metallic in appearance, which was seen manoeuvring through the forest and at one point even appeared to land. Nearby farm animals were sent into a frenzy. Subsequent investigation revealed three strange indentations on the forest floor in the clearing where the craft was seen to land and to damage the trees at the edge of the clearing. Radiation readings were taken from the area and peaked in the indentations. This initial incident, together with later UFO sightings involving spectacular displays of light, was witnessed by numerous military witnesses and correlated by radar evidence.

These events alone, one might assume, would contradict any idea that UFOs are of 'no defence significance', yet this is precisely the position that the MOD takes on this incident. On several occasions when members of the public have written to the MOD or when questions have been tabled in parliament, the department's response has been to describe the event as involving the sighting of 'unusual lights in the sky' or 'unexplained lights'. This has prompted some to argue that there is an official policy to downplay the events, because even Halt's memorandum – which has been in the public domain for some years – makes it *abundantly* clear that there was much more to this incident than just lights in the sky. One person who has confirmed that, contrary to the official line, these events were of great defence significance is Admiral of the Fleet, The Lord Hill-Norton. Lord Hill-Norton is a former chief of the defence staff and chairman of the NATO military committee, so there can be few people better qualified to offer an informed view on this case.

Extraordinary though these events are, much of the story remained untold until now, despite diligent research from ufologists,

coupled with considerable pressure from various MPs and peers. This book changes everything and tells as full a story as currently possible of the incidents themselves and the no less extraordinary aftermath of these events. Georgina Bruni has uncovered a wealth of new material which finally blows the lid off an event that might, in time, come to be regarded as a turning point in human history. This is certainly a book that will challenge people's worldview and dent the reputations of certain institutions and individuals. Parts of it will leave an unpleasant taste in the mouth and will lead to some awkward questions for certain people. I have no doubt that many of those caught up in these events will regard this as long overdue, because some of these people have undeniably suffered as a result of what happened, and if some of this suffering could have been prevented, it is only right that there should be a reckoning. This book, as well as setting the record straight about what actually happened at Rendlesham Forest, might help bring about such a reckoning.

Georgina Bruni, it has to be said, does not fit the public image of a ufologist – indeed, she would not classify herself as such. Trained as a private detective she has been a freelance investigative writer who specializes in exposing the activities of cults. But she is also a successful businesswoman who organizes social functions, promotes celebrity clients and runs an Internet magazine. She is well connected and mixes freely with politicians, diplomats and other key movers and shakers. It is this that has enabled her to access information, track down witnesses and elicit informed comments that have eluded other researchers. Few aside from Georgina would have been able to obtain comments on the UFO phenomenon from former Prime Minister Baroness Thatcher, or arrange a face-to-face meeting with Gordon Williams, the retired USAF major general who commanded RAF Bentwaters/Woodbridge at the time of the incident. This unprecedented access, together with the fact that the MOD gave Georgina a guided tour of the Woodbridge base during her research, will doubtless cause some to wonder whether this book has been written with official blessing, as a way of finally releasing

the full story of this incident. While this goes too far, it would certainly be true to say that Georgina has persuaded most of those involved in the events to speak out about what happened in a way that will bring this information into the public domain. While this certainly doesn't make the book an official venture, it does mean that it contains much of the information that would be contained in any official history of the incident that were to be written.

I believe this interesting, disturbing and well-researched book will come to be regarded as the definitive account of the Rendlesham Forest incident. But aside from appealing to the general public, it is my hope that it will be widely read by politicians, civil servants and the military and that it will serve as a briefing document for the establishment in the continued absence of any detailed and definitive official comment on these events.

Nick Pope is a civil servant at the Ministry of Defence, where he is a higher executive officer – a rank broadly equivalent to that of a major in the army. Best known for his official research and investigation of UFOs, alien abductions, crop circles and other paranormal phenomena, he is recognized as a leading authority on such matters. He is the author of Open Skies, Closed Minds; The Uninvited; Operation Thunder Child and Operation Lightning Strike.

I could only see shadows, but the man asking the questions wore a black overall-type uniform.

G. BRUNI: How long were you in the room?

A. BUSTINZA: Forever! They just kept on asking repetitive questions. They told me I had been chasing lights. I kept saying, 'No, we saw something else,' but they kept repeating, 'You don't get the picture, do you? You saw a light and that light was a lighthouse beacon.' I said, 'No, it wasn't a beacon,' and that's the moment the guy came over to tell me 'Bullets are cheap and a dime a dozen.' At that stage I just wanted to get out of there so I said, 'OK, it was a beacon.' They then said, 'Let's go over this again.' They wanted to make sure I knew it was a beacon.

G. BRUNI: Can you describe the tunnels you were in: were they narrow or wide?

A. BUSTINZA: They were wide enough to get a truck through. There were tunnels all over that base but we weren't supposed to talk about them. They would take you from point A to point B. They were accessible through the security area.

G. BRUNI: What were they used for; did any lead to the North Sea?

A. BUSTINZA: As far as I know they had been built in case of a nuclear attack or for an emergency. They were escape routes. I don't know where they all led to.

G. BRUNI: What happened after you were released from the interrogations?

A. BUSTINZA: I was upset after being treated so bad, I mean I was a sergeant with the United States Air Force. I considered going AWOL. The only comfort I got was when Major Zickler called us into his office and briefed us. He said that any information we gave would be confidential. I felt comfortable with him and my lieutenant. Not one of us would talk about it afterwards. Sometimes we would get ridiculed, guys going on about UFOs, but we had to take it, we couldn't discuss it. There was a gag order on that incident and we were told that what we saw was a lighthouse beacon. There were many nightmares after that.

During the ensuing days Bustinza was debriefed by Base Commander Colonel Ted Conrad and summoned before Wing Commander Colonel Gordon Williams. Conrad gave him a lesson on how to deal with the press, should they start asking questions, and Williams apparently told him that he did not want to personally know anything about what had happened and informed him that it was a matter for the people who were dealing with it. Of course, Colonel Williams had to be careful that he did not get caught up in the drama, it was in his best interest to leave it to the AFOSI to investigate.

When Bustinza returned to his duties three days later, he was assigned to the swing shift with D Flight. It was during this time that his patrol was assigned to guard a C-130 aircraft that had landed on the Woodbridge base. It was not unusual for C-130s to land at Woodbridge, they were constantly arriving and departing, but they seldom needed top-aid security. This was presumed to be the very aircraft that was alleged to have transported the video film and photographs of the UFO to the USAFE headquarters at Ramstein Airbase in Germany. Former Master Sergeant Ray Gulyas told me: 'Captain Verrano was given a video film taken by a military wife living on Woodbridge base. He was instructed to give it to the pilot of a plane that was waiting for it.' Of course, whilst Bustinza was on his three-day break other flights had arrived which needed security. These aeroplanes were said to have flown in from Washington with the purpose of transporting specialists to investigate the landing sites. It seems that the evidence was quickly removed from Britain to the safety of the headquarters in Germany, later to be transported to the Pentagon. One wonders if Britain's defence departments were ever informed of these goings-on.

Not long after the incident, Adrian Bustinza was sent on temporary duty assignments to other bases around the world. On his return to Bentwaters he joined a special team as a guard of honour for Major General Walter H. Baxter, who replaced Lieutenant General Bazley as commander of RAF Mildenhall. After the incident most of the witnesses appear to have been transferred to other

GCHQ

Britain and America had already sealed their friendship when they signed an agreement in 1940 which stipulated that they would share their secrets with each other. It was during the early 1940s that Britain's secret Government Code and Cipher School reorganized itself and changed its name to the Government Communications Headquarters (GCHQ), as it is still known today. Following this changeover another momentous deal was made between Britain and America. This was known as the BRUSA Agreement, an intimate pact that would further cement relations between the two countries and would require joint cooperation in handling super-sensitive material. In 1947 it became known as the UK/USA Agreement, and the Canadian, Australian and New Zealand code-breaking agencies were invited to become second parties. Britain's GCHQ was now a first party with the National Security Agency (NSA). As both agencies specialized in intercepting and decoding communications worldwide, part of the special agreement was that they had the right to set up listening posts on each other's territory. Indeed, soon after GCHQ moved into their new home in Cheltenham, the NSA moved next door. The NSA also set up offices in London. By 1951 they had seven establishments in British-controlled territories. Meanwhile, Britain's GCHQ set up a unit in Washington DC.

The UK/USA Agreement proves that Britain and the United States of America work closely together when it comes to international security. But what is important is that the agreement is between two very secret agencies, the National Security Agency on the American side and the Government Communications Headquarters on the British side. It stands to reason, therefore, that the Rendlesham Forest incident, which involved the USAF in Britain, would surely be of interest to both agencies.

Having realized the significant role of GCHQ, I learnt that Robin D. Cole, head of investigations for the Gloucestershire UFO Group, had come to the conclusion that this same agency are involved in the UFO agenda. Cole lives in Cheltenham, only a few miles from GCHQ. In August 1997 his detailed report on a UK UFO incident, alleging interest from GCHQ, went out live on the

television main evening news. At 9 a.m. the following morning Cole received a telephone call from Cheltenham Special Branch asking if they could pay him a visit. Within ten minutes they arrived at his door, barely giving him time to set up a recorder that he managed to hide from view. 'I thought no one would believe me,' he said. Apparently, the reason given for their visit was to enquire about the activities of certain British UFO researchers. They wanted to know where they got their funding, and if they had terrorist connections. In other words, were terrorist groups funding them? Cole was not convinced that this was the real reason for their visit and suggested it was due to his public reference to GCHQ.

GCHQ are very much concerned with government intelligence operations but deny any involvement with UFOs. Cole discovered that Martin Redmond MP had addressed GCHQ's possible monitoring of UFOs in a Questions and Answers debate in the House of Commons. Redmond asked the Right Honourable David Davis, Minister of State for Foreign and Commonwealth Affairs

If he will list by month for each of the last ten years and this year [1996] the number of occasions on which the Government Communications Headquarters has monitored unidentified flying objects.

Unfortunately, Redmond died a few weeks later and consequently a reply was not forthcoming. Cole wrote to Ministry of Defence employee Nick Pope, who during 1991-94 was appointed to secretariat (Air Staff) 2a. Cole wanted to know if he had had any liaison with GCHQ on any matters relating to UFOs. On 11 February 1997 Nick Pope replied:

As you may know, it has been the long-standing policy of successive Governments not to comment on the operations of the intelligence and security agencies. I intend to maintain that policy. I am sorry to have to send what I know will be a disappointing reply, but I am sure you will appreciate that this can be my only response on such matters.

In his quest for the truth Cole also wrote to the director of GCHQ, Mr D. B. Omand, asking what tasks GCHQ had undertaken with regards to the UFO phenomenon. Surprisingly, Omand's response (dated 15 January 1997) was considerably more informative. Cole paid special attention to Omand's words '... we hold no information from our *normal* work which would shed any light on the debate whether UFOs have or have not ever been detected.'

I would not normally reply to a letter of this kind, given it is our firm policy not to comment on intelligence operations. In this case, however, I would not want to leave you with any impression that we are concealing work on UFOs. We are not engaged in any way whatsoever in any monitoring for suspected UFOs, and we hold no information from our normal work which would shed any light on the debate whether UFOs have or have not ever been detected. So a nil return from us.

As with America's NSA, the GCHQ are an intelligence-gathering unit who supply information to other government departments, which include MI5 and MI6. Because they work so closely with the NSA, one would assume they would be aware if there was any breach of security resulting from unidentified aircraft. But if the very mention of their name prompts a visit from Special Branch, it is no wonder that government employees refuse to be coerced into discussing GCHQ business. Cole questions why, with the end of the Cold War, would GCHQ be expanding their operations. I do not think this is directly related to the UFO situation for although the Cold War is over the threat of terrorism is greater than ever. Whilst I am against a cover-up concerning the UFO agenda, I am equally glad we have an intelligence force capable of suppressing terrorism. However, Cole is positively convinced GCHQ are involved in investigating UFOs, and claims to have been given inside information to that effect. If this is the case, then that would account for the Ministry of Defence's lack of interest in the matter.

One has to imagine what reaction Lieutenant Colonel Halt's

memorandum must have had on the Ministry of Defence employee when he received it that morning. This was not the usual civilian UFO report from Mr and Mrs Average that inevitably arrived on his desk from time to time. This was an official report signed by a deputy base commander serving with the USAF at an RAF installation in Britain. Surely the employee in DS8 would think it important, if only because it was accompanied by a covering letter from an RAF officer, who clearly made a point that they were UFOs. It is obvious that the recipient of this memorandum would not simply file it away without checking with a higher department. The question is, what was that department? There had only ever been vague references to a department dealing with air-defence matters of this nature, namely DI-55, but it has never been officially acknowledged by the MOD.

Whoever was in charge of assessing the Rendlesham Forest incident at the Ministry of Defence must have thought it was too important to follow it up with Lieutenant Colonel Charles Halt or Squadron Leader Donald Moreland. In a situation as delicate as this, the most logical step would be to contact the wing commander at RAF Bentwaters or, if the incident was of greater concern, his superior at RAF Mildenhall. If, on the other hand, the matter was of little concern, Moreland might have received a courtesy reply to his letter, if only to inform him that it was of no defence significance. But the Ministry of Defence continue to remind us that it was more than two weeks after the events when Halt wrote the memorandum. Why did it take two weeks to consult the Ministry of Defence? You would think that the wing commander would have contacted Her Majesty's Government immediately, rather than wait for the lower ranks to deal with it. But Colonel Halt claims the reason the events were not reported to the Ministry of Defence sooner was because the British liaison officer, Squadron Leader Donald Moreland, was on holiday. But that seems like a lame excuse because Moreland has since confirmed that he returned to the base approximately seven days prior to the memorandum being written.

In Nicholas Redfern's book *A Covert Agenda* there is a conversation with Nick Pope, which took place in 1994 while Pope was still

Lord Hill-Norton - 22 Sep '97

I have just received your reply (I presume that the illegible squiggle is your signature) to my Question for Written Answer of 31 July, about Colonel Halt's report on an incident at RAF Woodbridge, in 1981.

You have not answered my question, which was '... Did the MOD reply to the Memo from Lt Col Halt ...', so I shall have to put it down again in a different form. The answer must be, simply, Yes or No. I need the formal reply for the dossier which is being prepared.

You may wish to know that his Memo, which has been in the public domain for 15 years, covers a great deal more than 'lights in the sky'. Five books have been written about the incident, of which the latest, published two months ago, is *Left at East Gate* by one Larry Warren, who was one of the enlisted men sent to investigate the violation of British Air Space.

Lord Gilbert replied to Lord Hill-Norton's letter on 16 October 1997:

Ministry of Defence Whitehall

Dear Lord Hill-Norton,

Thank you for your letter of 22 September concerning the alleged events at Rendlesham Forest of December 1980.

From Departmental records available from that period we have found no evidence to suggest that this Department contacted Lieutenant Colonel Charles Halt following receipt of his memo of January 1981 recording 'Unexplained Lights' in the area in December 1980. Some 16 years after the event we can only conclude, therefore, that it was not considered necessary to make further enquiries in the light of the lack of any evidence to suggest that the UK's Air Defence Region had been compromised by unauthorized foreign military activity.

It was then, and is still, the case that MOD does not routinely contact witnesses who submit reports of 'unexplained' aerial sightings. Follow-up action is only deemed necessary if there is corroborating evidence to suggest an unauthorized incursion of the UK Air Defence Region or other evidence of a matter of defence concern.

I hope this clarifies the position.

On 22 October 1997 Lord Hill-Norton replied to Lord Gilbert's letter:

Thank you for your letter of 16 October (it took five days to get here!) about my Question and Colonel Halt's Memo. It was good of you to take the trouble to reply.

I do not want to go on and on, but because you are new to this particular matter I would like to put you more fully in the picture. Your officials, and those (perhaps the same individuals) of previous Administration, have sought to pretend that Col Halt's report was only about 'unexplained lights in the sky', but as I said in my letter of 22 September it was about a good deal more than that.

So that there is no possibility of further misunderstanding I attach a copy of the Memo in full, and I beg you to read it yourself. From this you will see that he reported that an unidentified object breached UK Air Space and landed in close proximity to the US/RAF Air Base. He gives considerable detail about what happened at the time, and subsequently, together with physical evidence of an intrusion.

My position both privately and publicly expressed over the last dozen years or more, is that there are only two possibilities, either:

a. An intrusion into our Air Space and a landing by unidentified craft took place at Rendlesham, as described.

or

b. The Deputy Commander of an operational, nuclear armed, US Air Force Base in England, and a large number of his enlisted men, were either hallucinating or lying.

Either of these simply must be 'of interest to the Ministry of Defence', which has been repeatedly denied, in precisely those terms. They, or words very like them, are used again in your letter and I believe, in the light of the above, you would not feel inclined to sign your name to them again.

I could give you a great deal more evidence in similar vein, not only about this incident but about many others, but on this occasion I will spare you. I ought, however, in all fairness let you know that the routine denials by the Ministry - usually the

ubiquitous Ms Phillips [sic] – will very soon become extremely damaging to its general credibility in this field.

Lord Hill-Norton did not receive a reply.

If it were not so serious one might be amused by Lord Gilbert's reply. The fact that the MOD does not routinely contact witnesses who submit reports of 'unexplained' aerial sightings, unless there is corroborating evidence to suggest it is a matter of defence concern, is preposterous when relating it to the Rendlesham Forest incident. Lord Gilbert seems to have paid no attention to the fact that the report was made by a USAF officer who was referring to an incident that occurred on the perimeter of a NATO base in Britain and – what is more – it contained nuclear weapons! No wonder Lord Hill-Norton lost his patience. It only proves what the ufologists have been saying all along, that the governments of the world will not admit it is of any concern until a UFO lands on the White House lawn.

On 5 July 2000 I questioned former Secretary of State for Defence Michael Portillo on the Rendlesham Forest case. Although he was aware of the incident, he pointed out that it was before his time. When I suggested that due to his former position he must have been briefed about the case and UFOs in general, and asked if there was anything he could tell me, he grinned and said, 'I know a lot but I tell a little.'

When I first began more involved than were incredibly con information at hand might have been giving the administration (the subject begin to (false story) would incorrectly. The o amnesia, which caused Using either of these was meddled with. designed to be used military. Scientists aware that the subject undergoing hypnosis memories in or

Some of the witnesses at AFOSI, and there Larry Warren even and kept in custody and Jim Penniston. Could it be that there are indications that agenda. If the Rer



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Weird World with Nick Pope

From Hot GossipUK
<http://www.hotgossip.co.uk>

Welcome to the October column, and another roundup of news and views from the world of ufology, the paranormal, and defence issues. Operation Lightning Strike

My new book, Operation Lightning Strike, is published on 2 October by Simon & Schuster. Although entirely self-contained, it's a sequel to Operation Thunder Child, which is published in paperback on the same day. The new book is about alien invasion, and is part science fiction, part politico-military techno-thriller and part non-fiction, as it incorporates some real information about UFOs and the way in which the Government would respond to a national emergency...

full story: <http://www.hotgossip.co.uk/pope.html>

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London Calling By Nick Pope

For September 2000-09-25
 By Nick Pope



It's been a while since my last column, so apologies for keeping readers waiting. Fortunately, I have some interesting stories and scoops:

New Book From Timothy Good

Tim Good's new book, *Unearthly Disclosure*, is published on October 5 and promises to be controversial. The subtitle is *Conflicting Interests in the Control of Extraterrestrial Intelligence*, and the book features a wealth of new material from all around the world. Animal mutilations, alien bases, testimony from witnesses and government/military insiders, astounding photographs - it's all here. This is a wide-ranging book that is a "must-have" for ufologists. *Unearthly Disclosure* is published by Random House and costs \$16.99.

New Book On The Bentwaters Case

Georgina Bruni's long-awaited book on the Bentwaters case is published on November 10 and will make the incident as well-known as Roswell. Now I know that's a big claim, but I've read the book (and written the foreword), so I know what's coming. Georgina has spent over three years researching this case, and has uncovered a wealth of new witnesses, documents and other data on this extraordinary case. There is testimony from politicians, government and military officers, police and intelligence personnel. The book is entitled *You Can't Tell the People* and is published by Sidgwick & Jackson. It costs \$17.99 and contains a massive 440 pages.

My New Book

It's strange that while major British publishers haven't released any UFO titles for a while, three such books should come along within weeks of each other. As well

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as Tim Good and Georgina Bruni, I have a new book out, published on October 2. Operation Lightning Strike is actually a novel, but one that blends fact and fiction. I've told a story about an alien invasion, but mixed in information that comes from my official research and investigation into UFOs and abductions, carried out at the British Ministry of Defense. I've also incorporated knowledge about government and military crisis management doctrine which I picked up during the Persian Gulf War, when I worked in the Air Force Operations Room. Because of this, for legal reasons we couldn't use the standard disclaimer stating that the book is a work of fiction and the events imaginary, but had to design a special form of words that would fit the unique circumstances. Operation Lightning Strike is a direct sequel to Operation Thunder Child, although it's entirely self-contained. It's published by Simon & Schuster UK and costs #10. It should also be available at the usual Internet book sites. I'll be saying more about this book in an exclusive interview in the November/December edition of the British UFO Magazine.

UFO Magazine UK Conference

Talking of UFO Magazine, they held their annual conference in Leeds on September 15, 16 and 17. This is always the biggest date in the calendar as far as British ufology is concerned, and this year was no exception. ufocity.com's very own Peter Robbins was there, speaking about the Bentwaters case with Larry Warren, and updating the audience on developments that have taken place since the publication of their own book on the case, Left At East Gate. Martyn Stubbs and L.L. Wille spoke about some of the extraordinary NASA footage that has raised so many questions about what may be "out there", while Dr Bob & Ryan Wood spoke about new documentary evidence that they believe validates theories about the existence of Majestic 12. Dr Steven Greer spoke about his disclosure program. UK researcher David Cayton spoke about animal mutilations in Britain, while Christopher Martin - author of Intruders in the Night - spoke about some of his UFO experiences and showed some of his extraordinary video footage. Retired police officer Alan Godfrey spoke about his classic 1980 UFO encounter, while Russel Callaghan, Graham Birdsall, Nicholas Redfern and myself also spoke. A full report will be in the November/December edition of UFO Magazine. Check out www.ufomag.co.uk for more details.

UFOs - The Government Debate

On January 18 1979 a historic debate took place in the House of Lords, one of the two British Houses of Parliament. The subject of the debate was UFOs, and now a book has been published setting out what happened. Entitled UFOs in the House of Lords, 1979, this interesting and important book is published by two Publishing (i.e. The Stationery Office) and costs #6.99. There's no commentary or analysis - it's just a transcript of the proceedings themselves - albeit an abridged version. It's well worth a look and is an important part of ufological history that's not as widely known as should be the case.

Moon Landings Faked?

If speculation about NASA faking the moon landings is of interest to you, you may want to check out a new video, What Happened on the Moon? Personally, I don't have much time for such claims, but I like to use this column to draw people's attention to new theories, books, videos etc, without restricting this list to things that I like, or with which I agree. After all, people can make up their own minds. So if you're interested in this, and in material on the Face on Mars, check out www.aulis.com for more details.

Crop Circles In The News

Colin Andrews seems to have become public enemy number one in certain quarters for having suggested that all complex pictograms are hoaxed, and that only the basic circles are formed by a genuine phenomenon - involving the Earth's magnetic field. He's suggested that 80% of formations are made by people, with only 20% being genuine. But in Britain one national newspaper still gives much space to the phenomenon and allows pro-ETH views to be aired. On August 10 the Daily Mail printed an article by Colin Wilson (author of Alien Dawn), entitled Why I Still Believe That Aliens Created Crop Circles. On September 1 the same newspaper devoted a double page colour spread to showcasing the most spectacular formations of the year. Interest here remains high. This won't go away.




Nick Pope is the author of Open Skies, Closed Minds, The Uninvited and Operation Thunder Child. His UK publishers are Simon & Schuster UK, while his American publishers are The Overlook Press (hardback) and Dell Publishing (paperback). All books should be available at the usual Internet sites.

With thanks to Nick Pope

[London Calling Archive](#)

[Feature Articles Archive](#)



[UFOcity.com™](#)

LOOSE MINUTE

D/DAS(Sec)64/1

13 December 2000

DCCS

Copy to:
D News
PCB(Air)

PROPOSED FEATURE IN 'FOCUS' ON MR NICK POPE 

Reference: D/AUS(CM)/4/27 & 7/7 dated 10 November 2000

1. We spoke about this late last month and I am grateful that, following sight of AUS(CM)'s minute at reference, you decided not to publish the feature in the December edition of FOCUS. I agreed to write to you stating why we believe that it would be unhelpful to publish the article at any time in the future. **Section 40**

Section 40

2. I attach at Annex a number of points of detail about the accuracy/potential interpretation of the feature article. Overall, however, our objection to publication stems from our discomfort over the promotion of someone who, in the words of AUS(CM), has a "long history of sailing close to the wind in using his official position to further his public interest in UFOs".

3. While the article may be of interest to some, there is no shortage of material on such issues in the public domain – including from Mr Pope himself. The MOD has a clearly stated position on UFO matters and I cannot see any advantage in provoking yet more debate on this issue through the publication of a feature on Mr Pope in the Department's in-house magazine.

Section 40

DAS AD4(Sec)

MB8247

Section 40

Column 1

Paragraph 2.

This could be taken to imply that Mr Pope has time on his hands in D Fin Pol. I am sure this is not the case!

Paragraph 4.

What does the term "Pope's coming out" mean?

Paragraph 5

Mr Pope was an Executive Officer during his time in Sec(AS).

Box at bottom of Column 1

In view of MOD's limited interest in UFO's it is not considered helpful to encourage a debate in the Department's own magazine.

Comments on Mr Pope's answers to questions

"Why, did you discover something of significance?"

Mr Pope's answer could be taken to imply that MOD is covering up its findings. This is not the case.

"Could these files ever find their way into the public domain?"

Mr Pope's reply that when the Freedom of Information Act comes into effect 200 files may become available is misleading. We are seeking advice as to what effect the Freedom of Information Act might have on the release of files to the public, but as far as we are aware there are no plans to release the files before the 30 year point.

"It is said that the US Air Force covered this up. Do our Forces have the same attitude?"

His reply could be taken to be an unfair dig at former colleagues in Sec(AS).

"Some of the sightings you mention must surely be prototype aircraft in one form or another, and you must have been told to back off?"

Again, Popes's reply implies that MOD is party to some sort of cover up.

"Are you considered a trouble-maker?"

Far from accurately representing the Department's position, he has sought to embellish the truth at almost every turn.

Feature

Beam us up Nick



Are aliens visiting our world? And are our MOD colleagues taking an interest? In our search for the truth (which is presumably out there) **Craig Cabell** met the man who claims to be MOD's Fox Mulder. Cue the spooky music . . .

ONCE upon a time Nick Pope had a job in Secretariat (Air Staff) 2. That is the Main Building-based directorate that deals with issues such as diplomatic clearance for flights overseas, policy and presentational aspects of military low flying, and, rather more strangely, MOD's interest in UFOs.

When his time at Sec(AS)2 was up, the self-described UFO investigator was posted to the rather more mundane territory of finance, but this did at least allowed him the time to write and publish two non-fiction books based on the UFO reports he received while in Sec(AS) 2. Later and more sensationally, two science fiction novels followed, billed by the publishers as the 'zany marketing office' of 'the only way the truth can be told'.

The market is the remarkably large number of people out there, mostly sci-fi enthusiasts and conspiracy theorists, but including a few more rational types who keep an open mind. For many their interest is fuelled by TV's X-Files basic premise: 'the truth is out there'. Mulder and Scully have certainly given Pope's media rollercoaster ride a powerful boost.

Conspiracy theorists have constantly accused the MOD of covering up the facts of alleged UFO sightings, and Pope's 'coming out' has labelled him a hero amongst UFO enthusiasts.

UFOs in the skies

Pope's job, though, was never secret, and it was a lot less sexy than that of fictional FBI agent Fox Mulder. In essence the higher executive officer logged calls, filed letters and wrote back to members of the public who believed that they had seen UFOs in the skies over Britain.

Somebody had to do it and somebody still does after all, if the taxpayers want to report strange sightings to their military, they deserve the courtesy of a reply. But even Pope admits that most such UFO reports were the fruit of fertile imagination; stories along the lines of 'I've seen strange lights over the airport. What could they be?'

What do you think?

Do you believe in aliens and flying saucers? Have you seen a UFO? Should we consider them a threat, or are those who believe in them on the lunatic fringe? Write to us!

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Not surprisingly, perhaps, (for this man likes publicity) Nick Pope gave his consent to a frank interview in a dark and mysterious location. OK, so it was Champagne Charlie's wine bar in Whitehall, but it could have been a hangar on an abandoned nuclear air base.

You claim that working in Sec (AS)2 changed your life. Is that true?

"Yes, it is. By working there, I have had my eyes opened, my mind opened and my life changed. I came in a sceptic and went out a believer."

Why? Did you discover something of significance?

"If my interpretation of the data is correct, yes. However, I can see that it would be presentationally difficult for the MOD to discuss craft that I believe are in our airspace and perform manoeuvres and travel at speeds a generation ahead of us. I'm talking about things that are not in the inventory of any air force in the world. There are craft that run rings around ours."

Could these files ever find their way into the public domain?

"It may be that there are some files that won't find their way into the public domain. The moment you say that though, people will scream 'cover-up, conspiracy', and that is not the case."

At present, under the two Public Record Acts, around 35 government UFO files are available for scrutiny at the Public Records Office. When the Freedom of Information Act comes into effect, a further 200 or so files may become available. Clearly this is going to be of interest to the UFO lobby and certain areas of the media.

And will you then write another non-fiction book about UFOs?

"I will return to the theme of UFOs and alien abduction as non-fiction. People will be hear-

ing more from me. I want to write an update to my first book, *Open Skies, Closed Minds*."

Obviously it is going to include more ambiguous statements about alleged UFO sightings. Can you prove anything.

"It's difficult investigating a UFO incident that happened say, last week, much more so something that happened over 50 years ago."

By saying 50 years ago you are referring to the Roswell incident where an alleged UFO crashed in New Mexico?

"Something crashed." **It's said that the US Air Force covered this up. Do our Forces have the same attitude?**

"I have personally found that the military and particularly the Royal Air Force are more open-minded than civil servants."

There are many scientific explanations for strange phenomena.

"Yes, but I'm not interested in lights in the sky. The cases that interest me are when there are military witnesses when pilots have seen something, when something has been traced on military radar and when jets have been scrambled. Those are what I call the real UFO cases."

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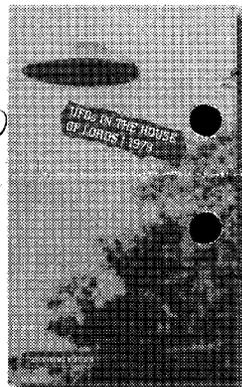
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"It has been reported that the United States and the USSR signed a pact in 1971 to swap UFO information, but the pact stated that they were to keep the rest of the world in the dark."

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THERE were saucers in the chamber as well as the tearoom of the House of Lords in January 1979 when the peers discussed UFOs. The debate was recorded in Hansard, and the verbatim account is now available through the Stationery Office as part of their Uncovered Editions series.

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"I must emphasise that the Ministry of Defence examines any UFO reports received to establish whether they reveal anything of defence interest," said Lord Strabolgi. "but nothing in the reports examined has ever given cause to believe that they represent alien spacecraft. There is nothing to have a conspiracy of silence about."

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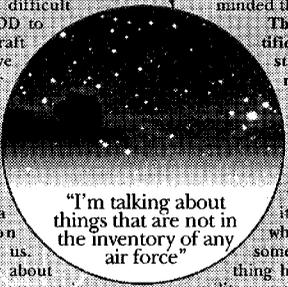
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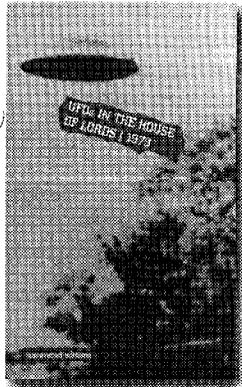
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LOOSE MINUTE

D/DAS (Sec) 64/3

22 November 2000

D News

Copy to: DCC(RAF)

REQUEST FOR INFORMATION ON UFOs

Reference: D/DAS(Sec)64/1 dated 13 November 2000

1. A member of my staff has been contacted by Craig Cabell from FOCUS, who is planning to include a review of Ms Bruni's book in the December issue. There will also be a review of Mr Nick Pope's latest book "Lightning Strike" and Mr Cabell has requested that DAS (Sec) provide a few paragraphs about MOD policy on UFO's and the events at Rendlesham Forest to accompany the reviews.
2. As the book is critical of MOD there are obvious press sensitivities. It seems prudent therefore, to pass this information to FOCUS through yourself and I attach an appropriate statement that I hope the magazine will feel able to print in its entirety.
3. May I make one final point; the November issue of FOCUS prints an advertisement for Mr Pope's book "Operation Thunder Child" which describes him as the "British Government's advisor on UFOs". I would be grateful if this title is not used in the Review to describe Mr Pope and the advertisement is not printed again with that text.

Signed on CHOTS

Section 40

DAS AD4(Sec)

MB8247

Section 40

MOD STATEMENT

The Ministry of Defence examines any reports of 'unexplained' aerial sightings it receives solely to establish whether what was seen might have some defence significance, namely, whether there is any evidence that the United Kingdom's airspace might have been compromised by hostile or unauthorised air activity

Unless there is evidence of a potential threat to the United Kingdom from an external military source, and to date no 'UFO' report has revealed such evidence, MOD does not attempt to identify the precise nature of each reported sighting. We believe it is possible that rational explanations, such as aircraft lights or natural phenomena, could be found for them, but it is not the function of the MOD to provide this kind of aerial identification service. We could not justify expenditure of public funds on investigations which go beyond our specific defence remit.

When the Ministry of Defence was informed of the events which are alleged to have occurred at Rendlesham Forest/RAF Woodbridge in December 1980, all available substantiated evidence would have been looked at in the usual manner by those within the Department responsible for air defence matters. The judgement was that there was no indication that a breach of the United Kingdom's air defences had occurred on the nights in question and no further investigation into the matter was deemed to be necessary. Although a number of allegations have subsequently been made about these reported events, nothing has emerged over the last 20 years which has given us reason to believe that the original assessment made by the Department was incorrect.

→ file

© DAILY TELEGRAPH
16/11/00



citycomment

Down to the sea in the PFI

35

THE snappily-named private finance initiative is a fantastic wheeze, all the time it's working. Up go the schools and hospitals as quickly as government

spending comes down, with the risks transferred to the private sector. Projects once on the government's balance sheet, move off it, far from the prying eye, in much the same way as the fortune of Geoffrey Robinson, a big PFI fan, vanished offshore.

The sums involved are not piffling though as the Ministry of Defence's latest deal shows. It plans to spend £950m of taxpayers' money over the next 25 years with a newly formed consortium, AWSR Shipping Ltd.

The consortium will build, manage and crew six roll-on, roll-off ferries, ensuring they are shipshape for duty should testosterone ~~tone~~ go to war.

Geoff Hoon, the Defence secretary, says these are not "warlike" vessels, like a destroyer, but neither are they your typical booze cruise boats.

There was a three-year scrap for Mr Hoon's millions, including rival bids from big guns such as BAE Systems and Danish shipping group Maersk. Yet, AWSR, comprising three private companies — Andrew Weir, Bibby Line and Houlder Overseas Engineering — and quoted tiddler James Fisher, undercut them. Perhaps it was their offer to keep the boys from Harland & Wolff gainfully employed.

As private companies, three of them are not obliged to tell us anything. The consortium's first task is to finance a \$250m shipbuilding contract and take the construction risk. Given the sums involved, it's odd that they are making just £10m a year between them.

The MoD says they bring the necessary shipping expertise to the party. Weir's and Bibby's shipping operations lost £5m each last year, partly due to rising freight rates and falling oil prices. Indeed, the best bit of Weir's business last year was selling mortgages to the people of Zimbabwe.

The MoD has done its due diligence and the word from naval command is that there is no way this is going to be a roll-on/roll-off contract. But what happens if the AWSR vessel springs a leak, and the consortium fails? The MoD won't say.

INDEPENDENT
16/11/00

PANDORA

pandora@independent.co.uk

Strange goings-on at the Ministry of Defence, where security was ~~is~~ even tighter than usual on Tuesday night for a gathering on the subject of UFOs. It's true. A very high class of punters graced the Henry VIII Wine Cellar in the chilling Whitehall edifice for the launch of a book on the subject by the socialite authoress Georgina Bruni, entitled *You Can't Tell the People*. Now, not telling the people is something of a speciality at the MoD, whose official line on this kind of thing is that UFOs are of "no defence significance". So what is going on? It seems that the launch was, cunningly, also a fundraiser for the British Limbless Ex-Serviceman's Association, making the request for a venue a bit hard to refuse. But just in case any one was getting the wrong impression, a friendly leaflet entitled "PLEASE READ IMMEDIATELY" was given out on entry to spell out the situation. At the bottom, in bright red, it added: "The agreement to use the wine cellar does not therefore indicate in any way whatsoever any official sanction/endorsement of the book entitled *You Can't Tell the People* nor any of the contents therein." Oooh, touchy or what?

Section 40
For Section 40
DAS Sec 4

DAS4A(SEC)

From: DAS4A(SEC)
Sent: 14 November 2000 15:19
To: HQSy2(h)A; D News RAF; DASDD
Subject: RE: UFOs
Importance: High
Sensitivity: Confidential

UNCLASSIFIED

HQSy:

Our original understanding (following DAS4(Sec's) interview of the party sponsors) was that no members of the press were to be present at the party. When the guest list was received it included the names of a number of media representatives. DAS4(Sec) contacted the party sponsor once more and was told that these people (media representatives) were attending in a "private" capacity. Under the circumstances the presence of cameras and recording equipment appears unnecessary!

Section 40

-----Original Message-----

From: HQSy2(h)A
Sent: 14 November 2000 14:37
To: D News RAF; DAS4A(SEC); DASDD
Subject: UFOs
Importance: High
Sensitivity: Confidential

UNCLASSIFIED

Ladies and Gentleman,

Subsequent to my telephone conversations with a representative of D News RAF and **Section 40** of DAS, I need written confirmation that still cameras, video cameras and cassette recorders are to be prohibited from the function parading under the BLESMA banner taking place in the Henry VIII wine cellar tonight.

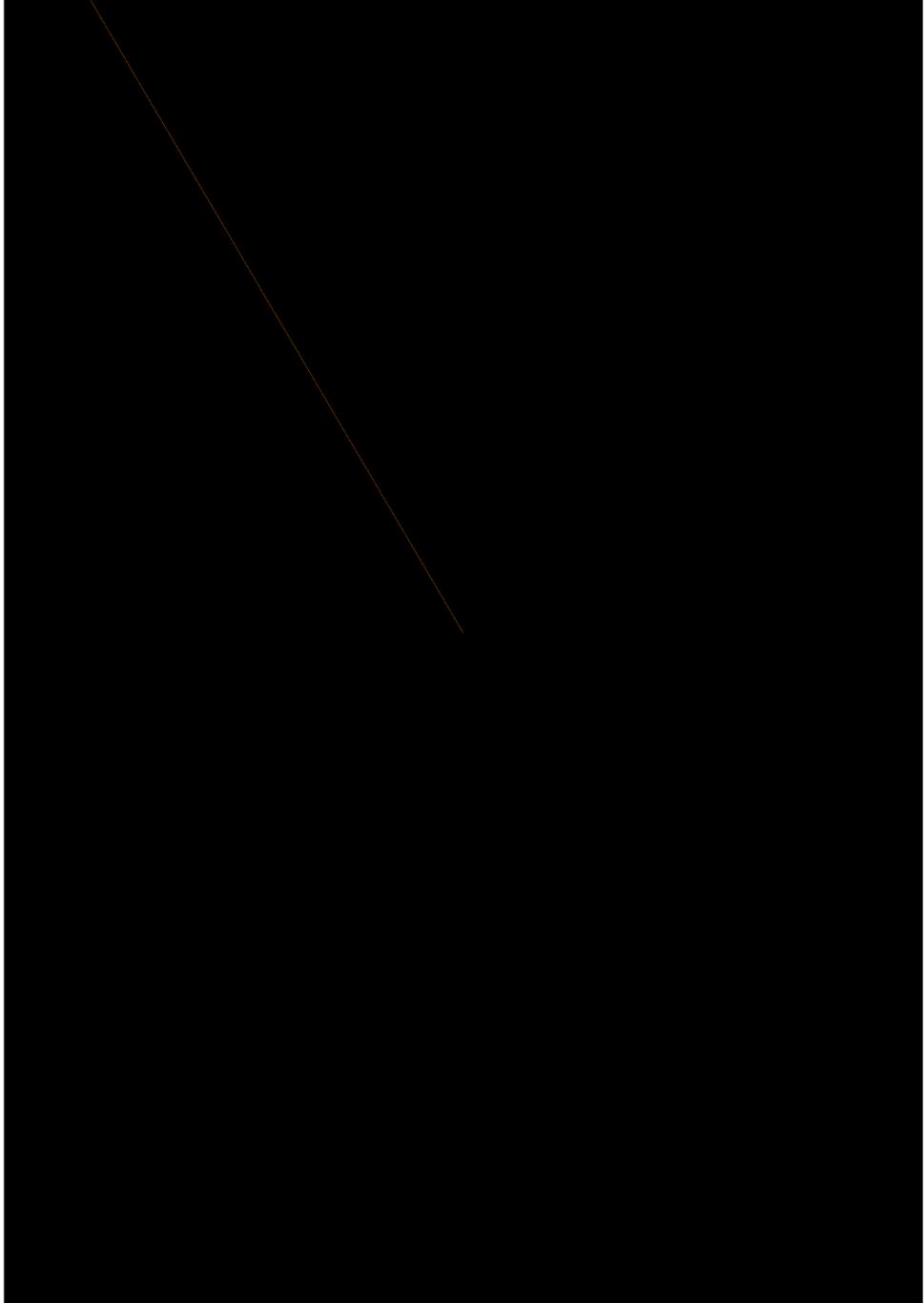
From where I am sitting I need someone to state whether this is a publicity event to which the media have been officially invited (in which case D News staff will accompany the many representatives of the press and television and full access will be granted). The alternative is to state that this is a private function with no press coverage in which case cameras and recording equipment will be taken into custody at the main entrance.

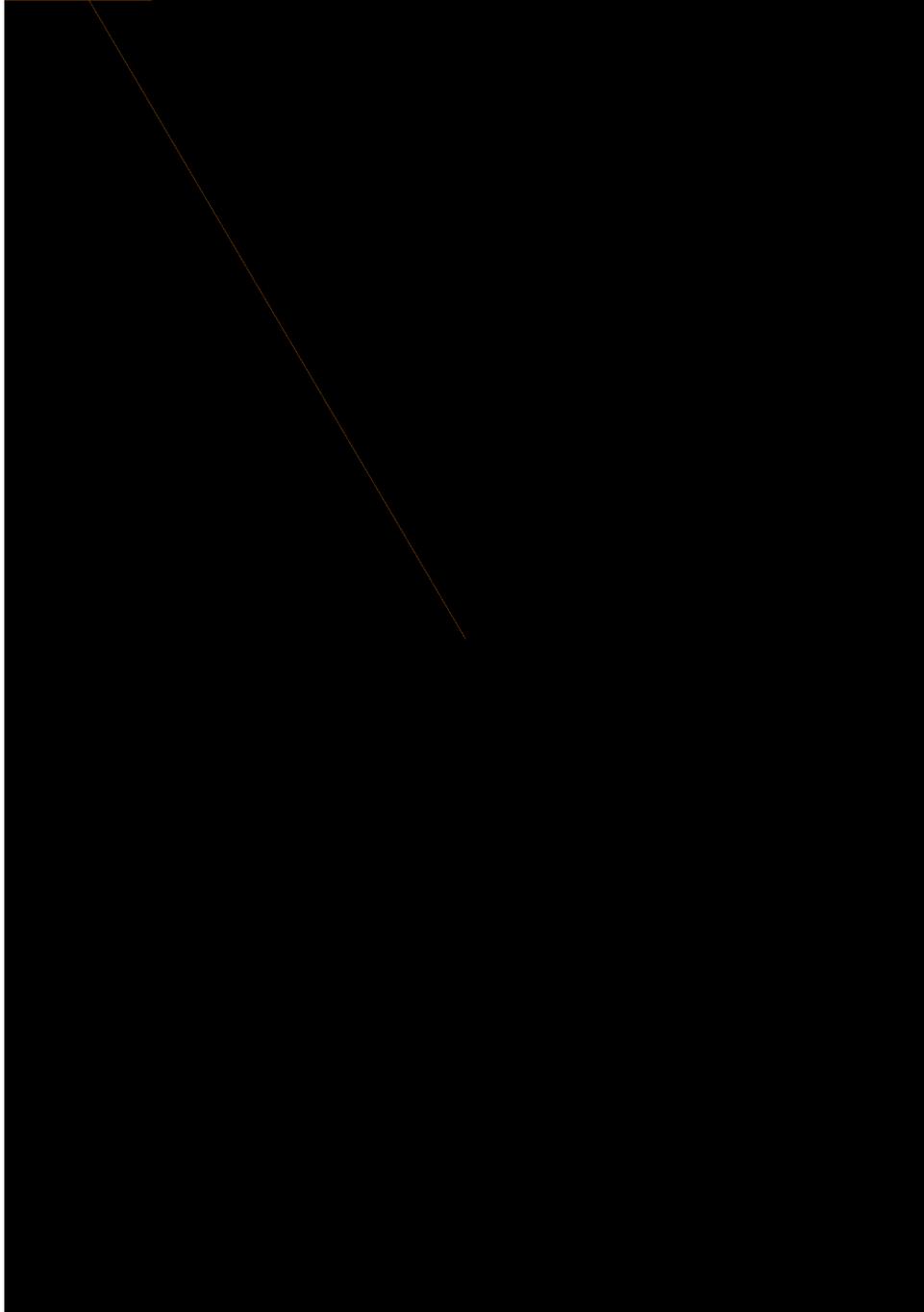
A swift reply would be appreciated as the MGS need to be briefed.

Regards **Section 40**

Section 40
 HQSy2(H)A
 MB0184 **Section 40**

Section 40







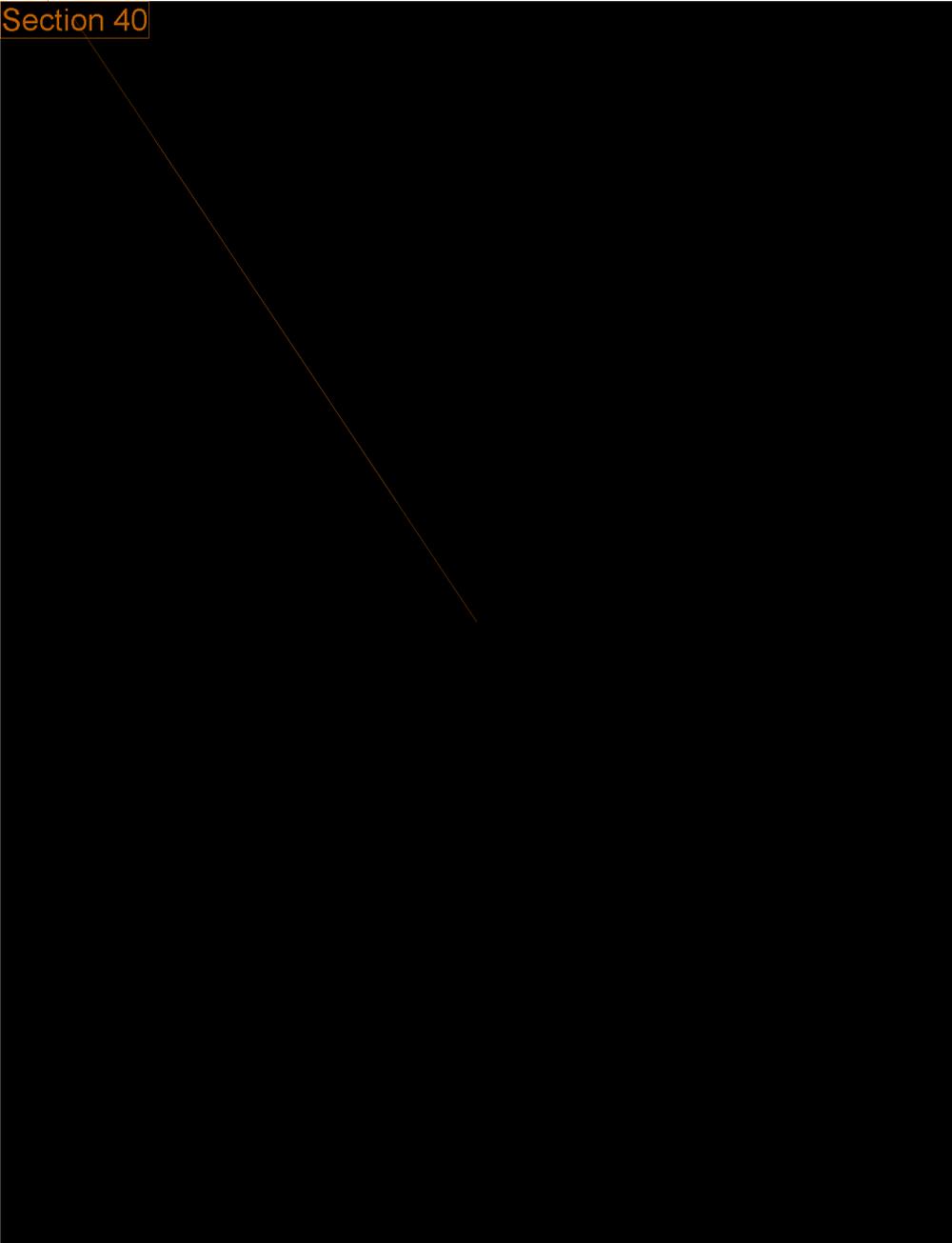
From: Section 40 AS 4a(Sec)
MINISTRY OF DEFENCE
Secretariat (Air Staff)
Room 8243, Main Building, Whitehall
LONDON SW1A 2HB

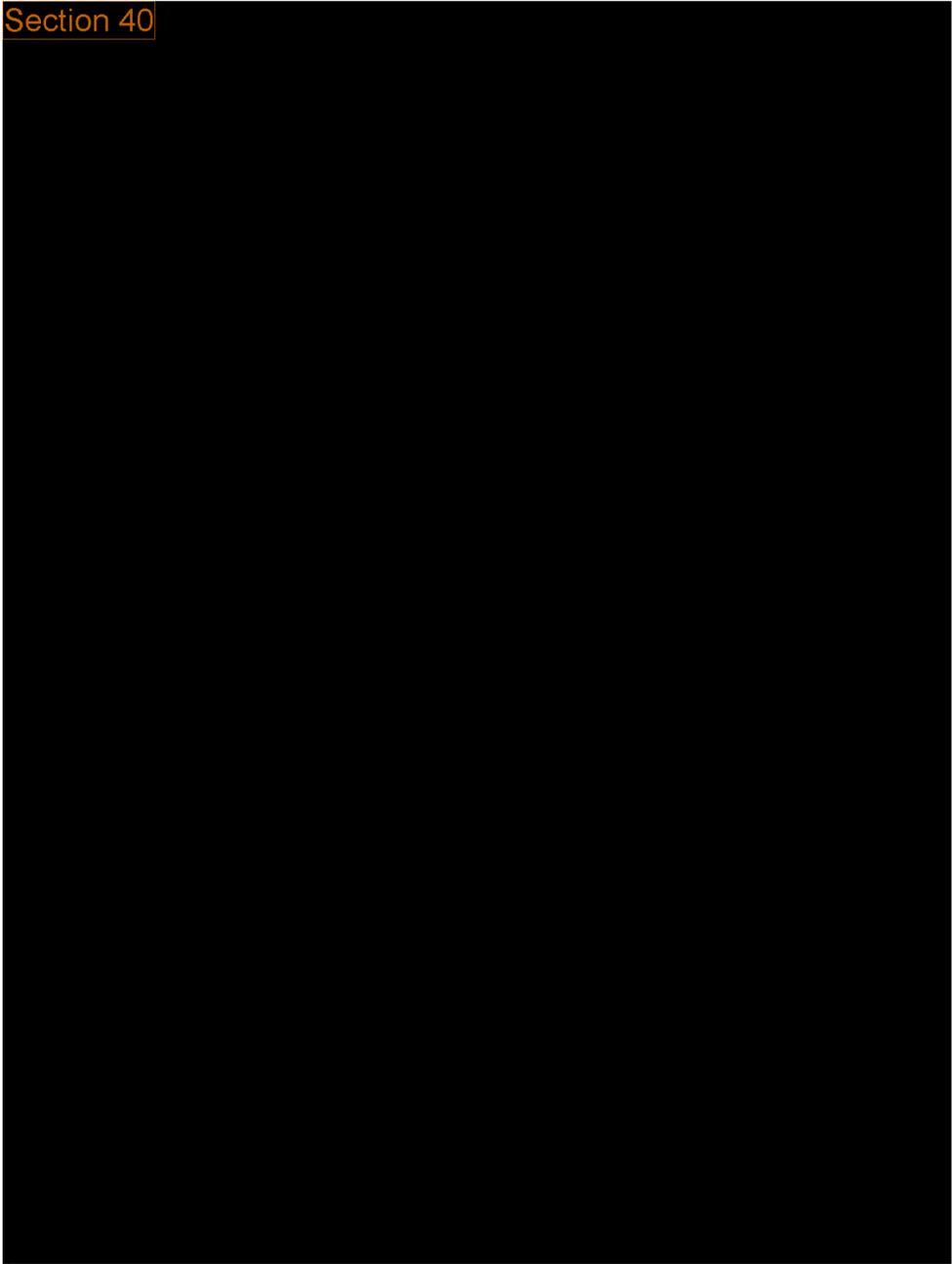
Telephone (Direct dial) Section 40
(Switchboard) 020 7218 9000
(Fax) Section 40
CHOTS - DAS4A(SEC)

FAX MESSAGE

TO: Section 40 - Head First Branch (Air)
SUBJECT: Minute from AS (com)
DATE: 15 Nov 00.
NUMBER OF PAGES INCLUDING THIS COVER: 3

Section 40





MODE = MEMORY TRANSMISSION

START=15-NOV 12:28

END=15-NOV 12:29

FILE NO. = 095

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-SECRETARIAT (AIR STAFF) -

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- ***** -

Section 40



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 Secretariat (Air Staff)
 Room 8243, Main Building, Whitehall
 LONDON SW1A 2HB

Telephone (Direct dial) Section 40
 (Switchboard) 020 7218 9000
 (Fax) Section 40
 CHOTS - DAS4A(SEC)

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Section 40
HQSy2(h)A
MB0184 **Section 40**

DAS4A(SEC)

From: DAS4A(SEC)
Sent: 14 November 2000 08:23
To: HQSy2(h)A
Subject: HENRY VIII PARTY ON 14 NOV
Importance: High

Section 40

I do think you need to speak briefly to the DCC [about the use of cameras inside the MB]. Although DAS(Sec) comments are relevant DCC has the lead. An informal sounding (by me) indicated that they do not regard the occasion as a "publicity event" and, as you will know, that is in keeping with our feelings on the subject.

Section 40

DAS4A(SEC)

From: HQSy2(h)A
Sent: 14 November 2000 15:39
To: DAS4A(SEC); D News RAF; DASDD
Subject: RE: UFOs
Sensitivity: Confidential

UNCLASSIFIED

Thank you one and all. D News RAF has confirmed that this is not an official publicity event. Accordingly all cameras, tape recorders and James Bond spy kits will be removed by the MGS and handed over to the event sponsor for safe keeping at the main entrances.

Cheers, **Section 40**

Section 40

HQSy2(H)A

MB0184

Section 40

-----Original Message-----

From: DAS4A(SEC)
Sent: 14 November 2000 15:19
To: HQSy2(h)A; D News RAF; DASDD
Subject: RE: UFOs
Importance: High
Sensitivity: Confidential

UNCLASSIFIED

HQSy:

Our original understanding (following DAS4{Sec's} interview of the party sponsors) was that no members of the press were to be present at the party. When the guest list was received it included the names of a number of media representatives. DAS4{Sec} contacted the party sponsor once more and was told that these people (media representatives) were attending in a "private" capacity. Under the circumstances the presence of cameras and recording equipment appears unnecessary.

Section 40

-----Original Message-----

From: HQSy2(h)A
Sent: 14 November 2000 14:37
To: D News RAF; DAS4A(SEC); DASDD
Subject: UFOs
Importance: High
Sensitivity: Confidential

Ladies and Gentleman,

Subsequent to my telephone conversations with a representative of D News RAF and **Section 40** of DAS I need written confirmation that still cameras, video cameras and cassette recorders are to be prohibited from the function parading under the BLESMA banner taking place in the Henry VIII wine cellar tonight.

From where I am sitting I need someone to state whether this is a publicity event to which the media have been officially invited (in which case D News staff will accompany the many representatives of the press and television and

full access will be granted). The alternative is to state that this is a private function with no press coverage in which case cameras and recording equipment will be taken into custody at the main entrance.

A swift reply would be appreciated as the MGS need to be briefed.

Regards, Section 40

Section 40
HQSyz(HYA
MB0184 Section 40

UNCLASSIFIED
RESTRICTED/UNCLASSIFIED

UNCLASSIFIED
MANAGEMENT

RESTRICTED/UNCLASSIFIED
MINISTRY OF DEFENCE
TEMPORARY ENCLOSURE JACKET

MOD Form 174D
(Revised 5/99)

REGISTERED FILE No. D DAS(sec) / 64 / 1		DIVISION / DIRECTORATE / BRANCH: DAS(sec)	
Enclosure Jacket No 1			
DATE OPENED (Date of First Enclosure) Nov 2000			
SUBJECT: UFOS - USE OF MOD FACILITIES TO PROMOTE BOOK HENRY VIII A NOV 2000 WINE CELLAR			
Referred to	Date	Referred to	Date

USER NOTES

1. A MOD Form 262A (File Record Sheet) must be raised for each new Temporary Enclosure Jacket (TEJ) created. The TEJ should also include a minute sheet.
2. When a TEJ is incorporated into the parent file it should be placed in the file in date order (according to the date of the last action on the TEJ) and allocated an enclosure number.
3. The file minute sheet should be annotated to record the enclosure number of the TEJ along with details of the number of enclosures contained within it. The TEJ record sheet (MOD Form 262A) should be annotated to record the date on which the TEJ was incorporated into the parent file (JSP 441, paragraph 4.13 refers).

UNCLASSIFIED
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UNCLASSIFIED
RESTRICTED/UNCLASSIFIED

MODE - MEMORY TRANSMISSION

START-13-NOV 14:31

END-13-NOV 14:31

FILE NO. = 224

NO. COM ABBR/NTWK STATION NAME/ TELEPHONE NO. PAGES PRG.NO. PROGRAM NAME

001 OK Section 40

001/001

-PCMU2

-----PCMU2-----

Section 40

(see MOD Manual 2, Paragraphs 0410 to 0415)

Sponsors of meetings/conferences should read carefully the notes on the reverse of this proforma

Subject of Meeting: BLESMA FUNDRAISING PARTY

Place of Meeting, and Room Number KING HENRY VIII WINE CELLAR

Date(s) of Meeting 14 Nov 2000 Time of Start 18:00

Convenor's name, branch, official address and telephone number

Section 40

PCMU2 Room 2294 MAIN BLDG
PCMU2 Room 2156 MAIN BLDG

Section 40

Door of entry NORTH/SOUTH

NAME and INITIALS and RANK (of Serving personnel)	Departmental or Business Address	Does the visitor need to be escorted vide paragraph 2154-6 of MOD Manual 4 (YES or NO)	For use of staff at Reception Desk	
			Conference Pass No. Issued.	Returned
Section 40		Yes.		
		Yes		
		?		

PTC

CERTIFICATE

I have read the rules on the reverse of this proforma and I understand I am responsible for ensuring security regulations are observed at the meeting. no classified material is left accessible and non pass holders are not on

Classification

Caveat

Covering

Facsimile Transmission Cover Sheet

Transmission Details		Document Details
Serial Number:	Date and Time of Transmission:	Reference:
From: Section 40	Fax Number:	Subject: BRESMA FUND RAISING PARTY - KING HENRY VIII WINE CELLAR
Section 40 DAS Sec	Fax Number: Section 40	
		Total number of pages including this cover sheet: 2.

Authorizing Officer	Transmit Operators
Rank, Name and Appointment:	Rank/Grade and Name:
Signature:	Signature:

Message/Remarks:

Section 40

Please find attached some last minute addresses to our guest list. Other than **Section 40** the others are not members of the media but my personal friends who will be assisting on the evening

Regards

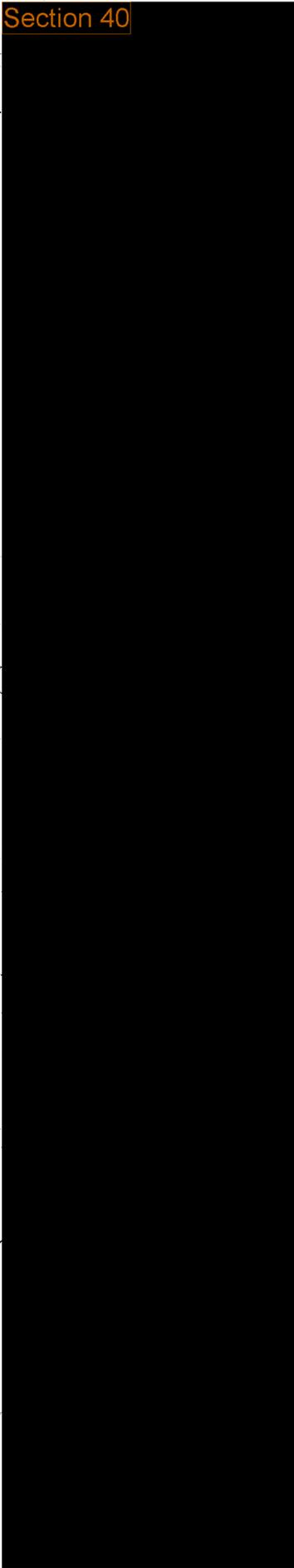
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Covering

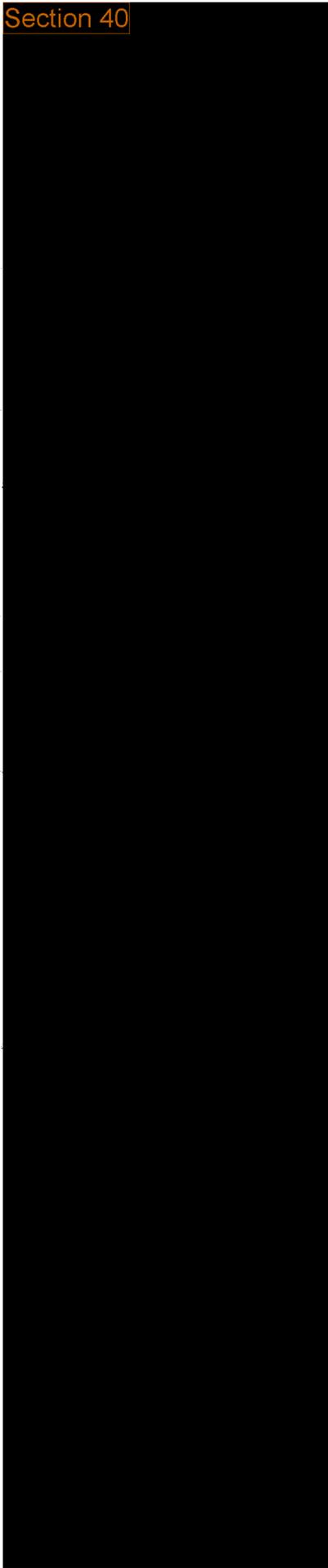
Caveat

Classification

Section 40



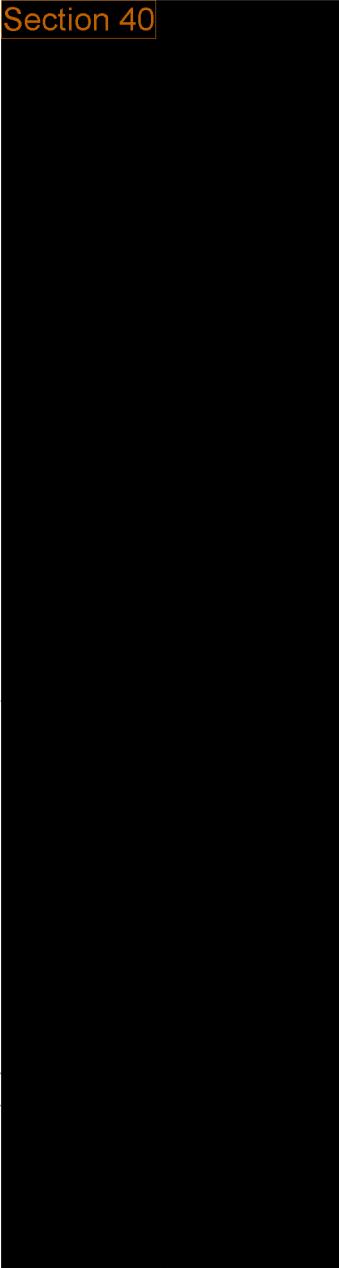
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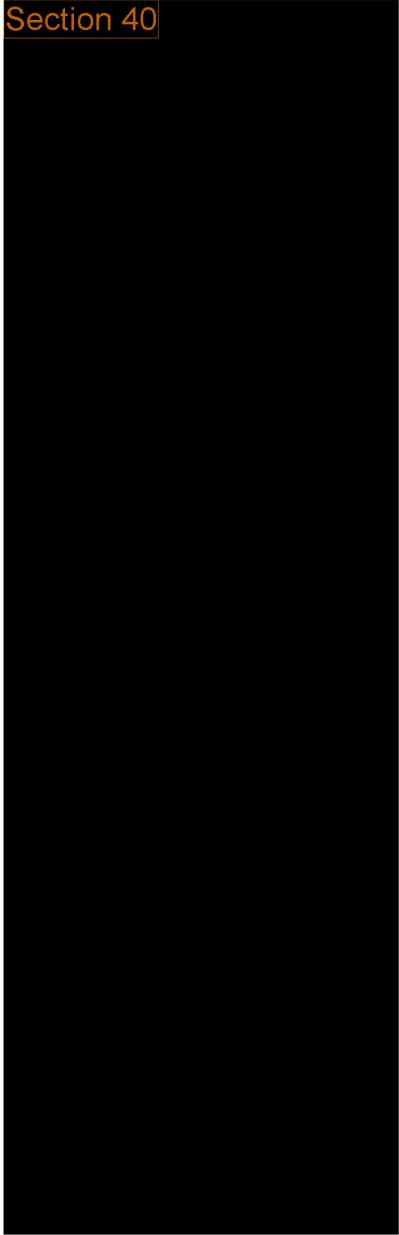
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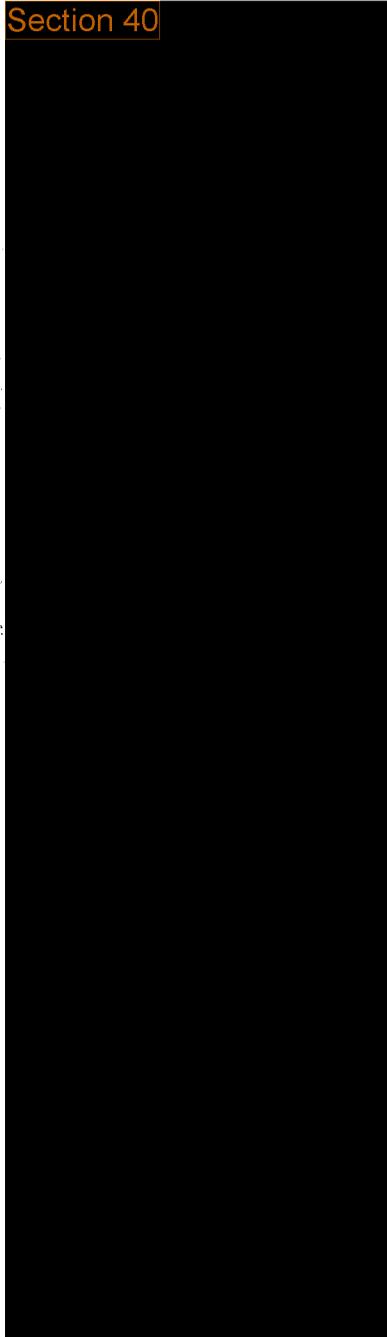
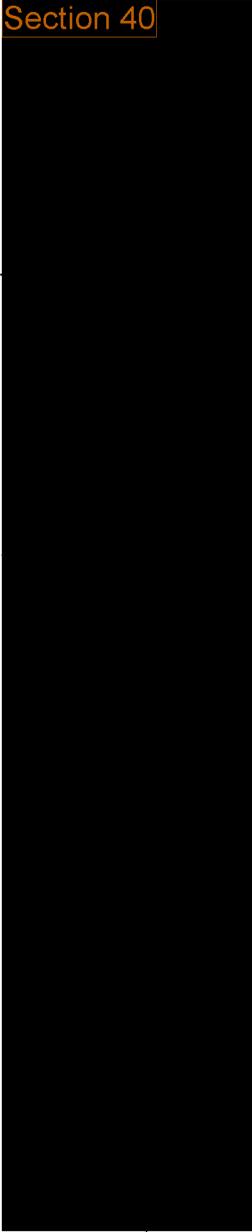
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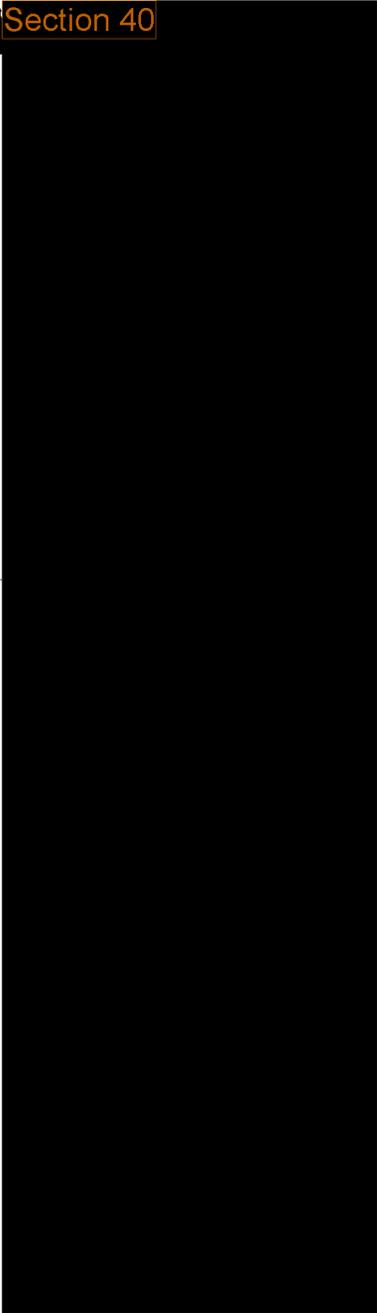
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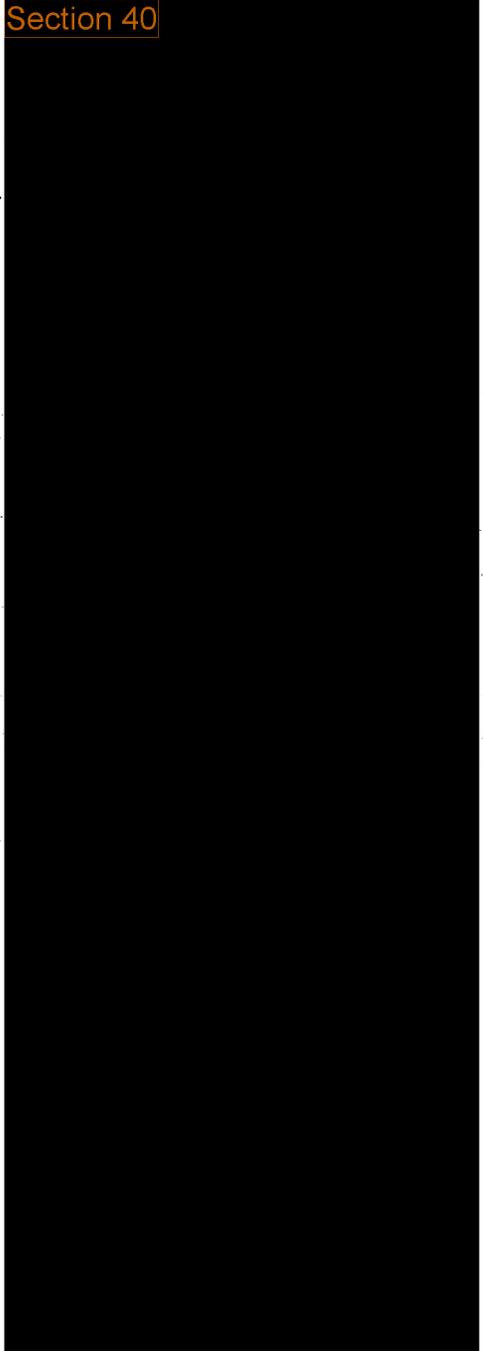
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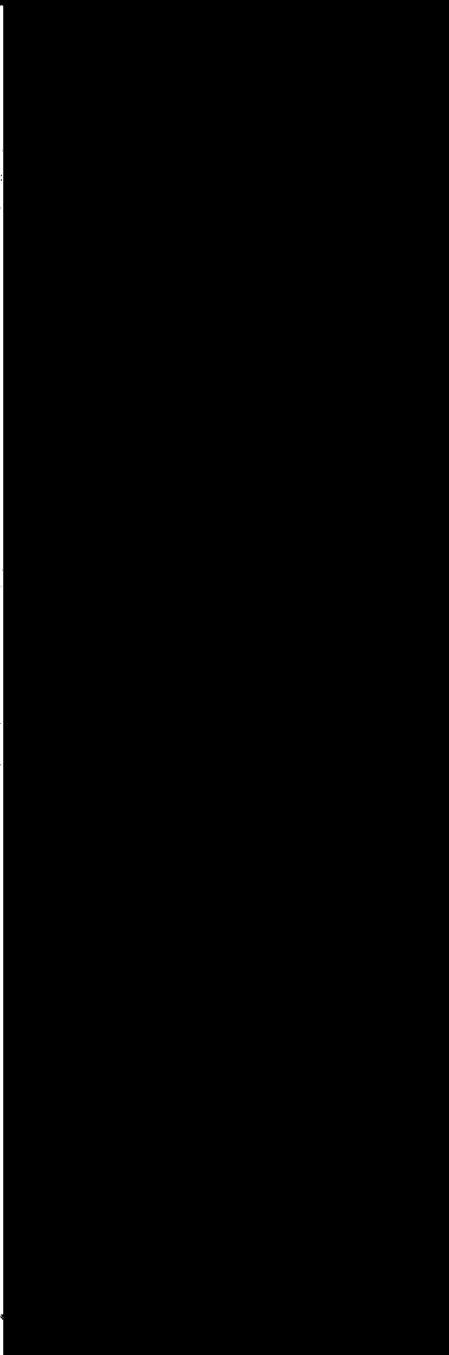
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Section 40



Section 40



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Section 40

List

Section 40

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ADD THESE
NAMES PLEASE

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LOOSE MINUTE

D/DAS(Sec)/64/1

13 November 2000

PS/USofS

copy to:

PS/2nd PUS

PSO/ACAS

DG CB&F

DCCS

D News

D Fin Pol

Hd of AHB(RAF)/PCB(Air)

HQSy2(H)A

'UFO's': USE OF MOD MAIN BUILDING FACILITIES TO PROMOTE A BOOK ON 'UFOs'

Issue

1. Whether action should be taken to prevent a private party in the Henry VIII Wine Cellar in Main Building which is being used to promote a book by Georgina Bruni "You Can't Tell the People - the Definitive Account of the Rendlesham Forest UFO Mystery".

Recommendation

2. Given the assurances that have been obtained from the organisers and Mr Pope, and following discussions with DCCS, it is considered that this event should be permitted to take place. Action to cancel this declared private function, would undoubtedly generate adverse criticism.

Timing

3. Urgent. The Henry VIII Wine Cellar has been booked for the evening of Tuesday, 14 November.

Background

4. On the inside cover of her book Georgina Bruni is credited with being the founder of an Internet magazine (Hot Gossip UK) and "researcher into the unexplained". The book itself concerns a well known 'UFO' incident alleged to have occurred in

Rendlesham Forest in Suffolk over the Christmas period in 1980. The book is critical of MOD actions and policy and makes the accusation that the UK establishment is perpetuating a "cover-up to hide the details of the Rendlesham Forest incident". The Foreword to the book has been written by a serving MOD civil servant, Mr Nick Pope, who is the author of several books on the subject of UFOs, including one loosely factual account of his employment within Sec(AS) (now DAS(Sec)). In respect of the publication of the Foreword, the degree of compliance with DCI Gen 313/99, "Clearance Procedures for Dealing with the Media and Other Public Speaking and Writing", is being examined.

6. The prime aim of the party is to raise funds for the British Limbless Ex-Serviceman's Association (BLESMA). It is understood that a retired RAF officer and the book's author will speak at the party, as will Mr Pope. Copies of the book will be on sale and the proceeds are to go to BLESMA. The party's sponsors have supplied a guest list that includes the names of a number of press representatives, from television, radio, the newspapers (including the Times and Mirror Group) and at least one 'UFO' publication.

6. DAS(Sec) is the Departments' focal point for correspondence relating to 'UFOs'. MOD's interest in 'UFOs' is limited to whether alleged sightings might have any defence significance; namely, if they provide evidence that the United Kingdom's airspace may have been compromised by hostile or unauthorised air activity. DAS(Sec) became aware of the party when contacted by a reporter from FOCUS magazine who had been asked to cover the event. The sponsors have given assurances that:

- a statement will be read out at the start of the event which states that use of the Wine Cellar is not to be taken as official endorsement of the book;
- Ms Bruni has been discouraged from mentioning this event on television;
- Ms Bruni and Mr Pope will not appear at the event dressed as characters from "The X-Files (as has been rumoured).

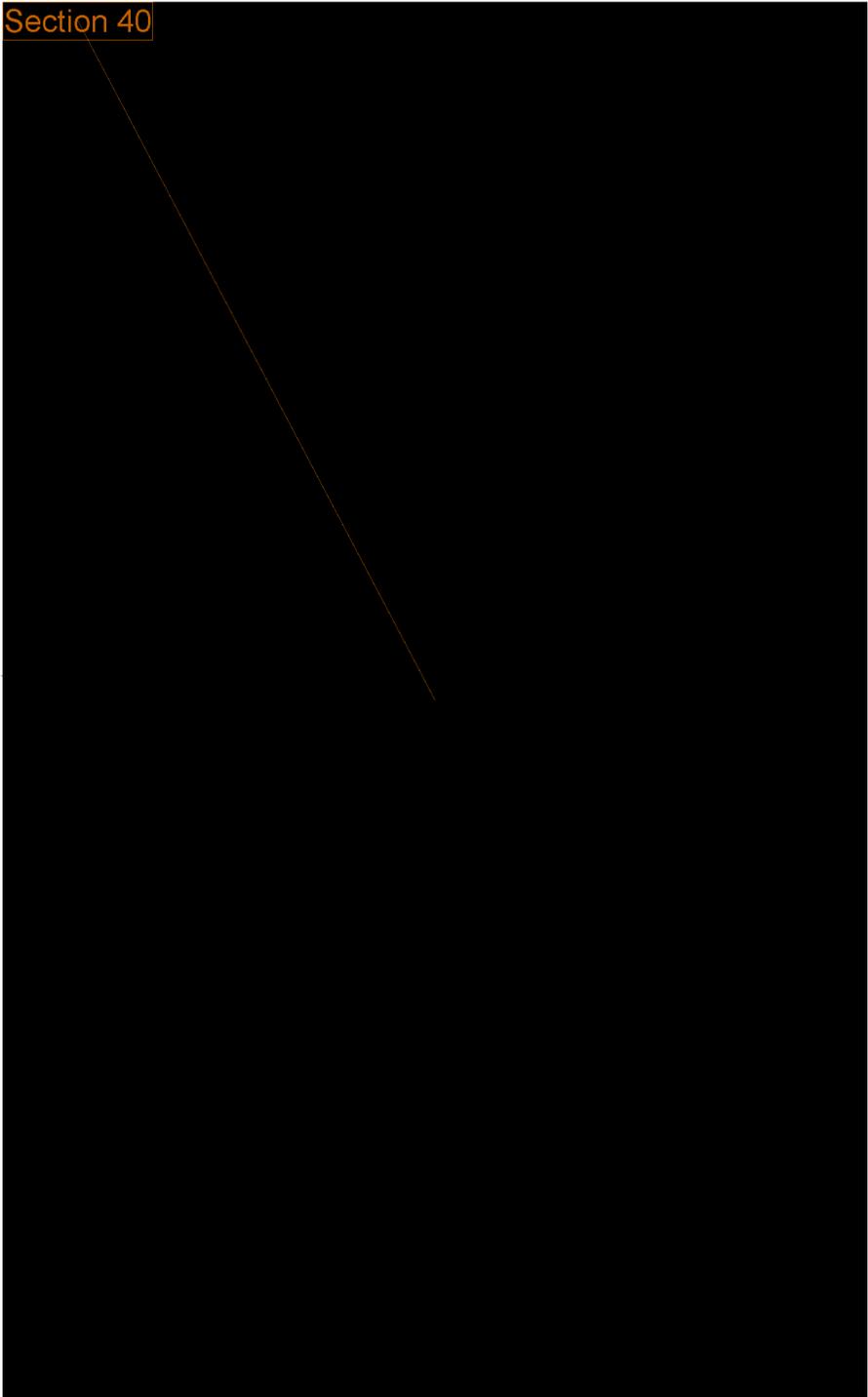
Presentation

7. A number of media representatives have been invited by the sponsors, albeit some in a personal capacity, to attend this function. It is entirely possible that the subject will feature in the press later this week. On the basis that this is a charitable occasion, and in the light of the above assurances, cancellation of the event or denying access to individuals on the guest list, in particular those from the media, would doubtless lead to speculation that MOD does indeed have "something to hide".

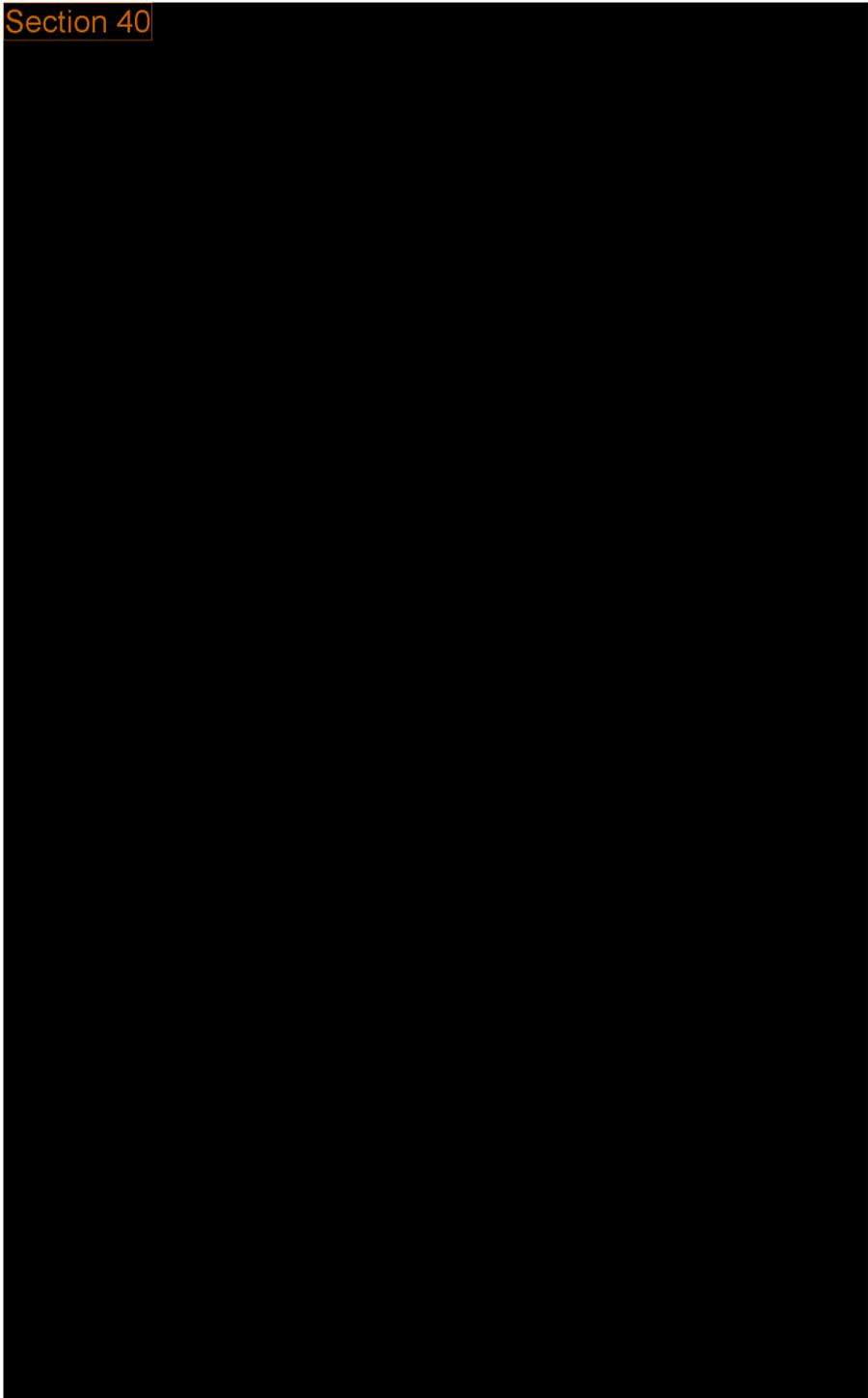
8. This matter has been discussed with DCCS who concurs that it is better to let the event take place. As the suggestion may be made that promotion of the book on MOD property implies some form of official support, the press lines (Attached) seek to address this and related matters.

Signed **Section 40**
Section 40
DDAS
MB7257 **Section 40**

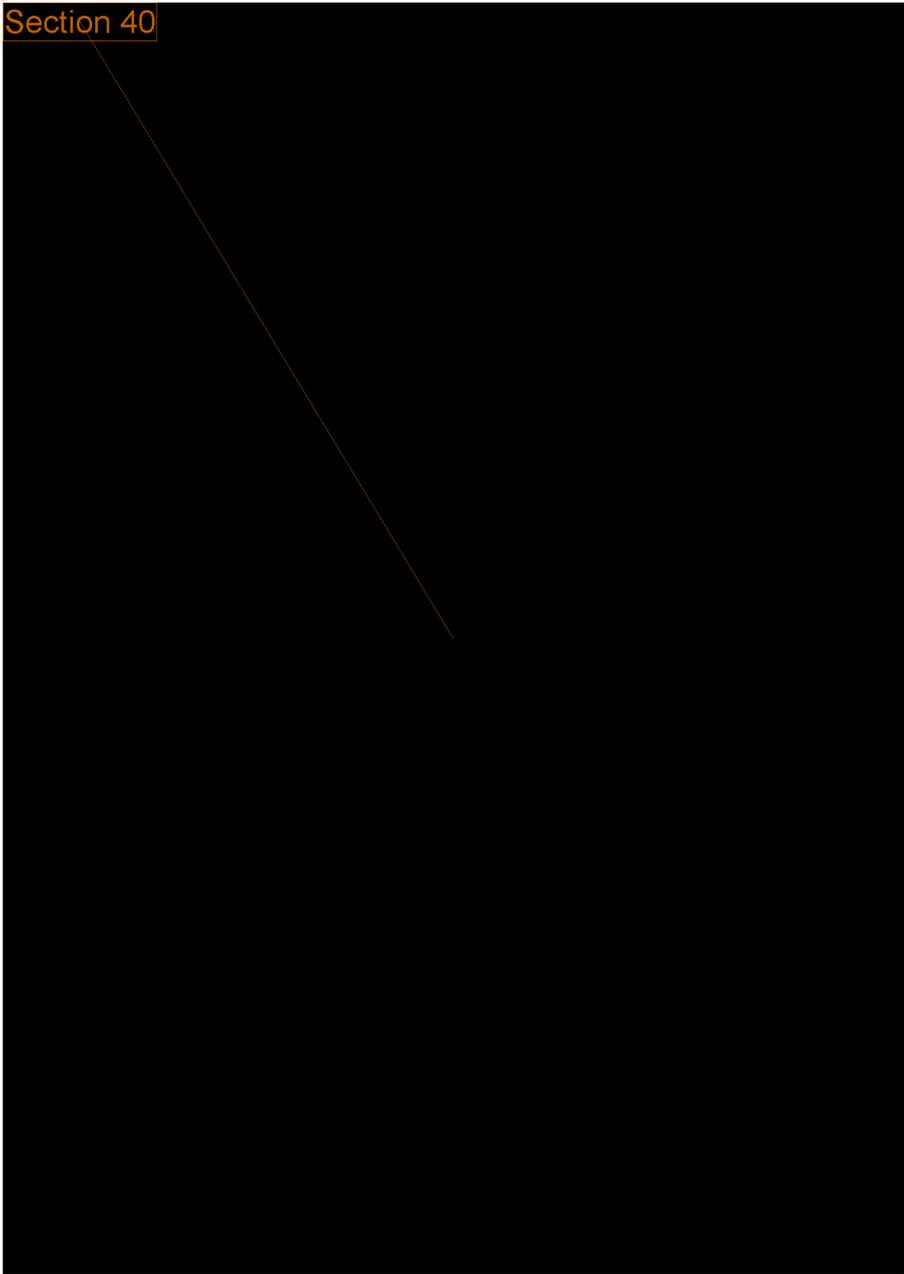
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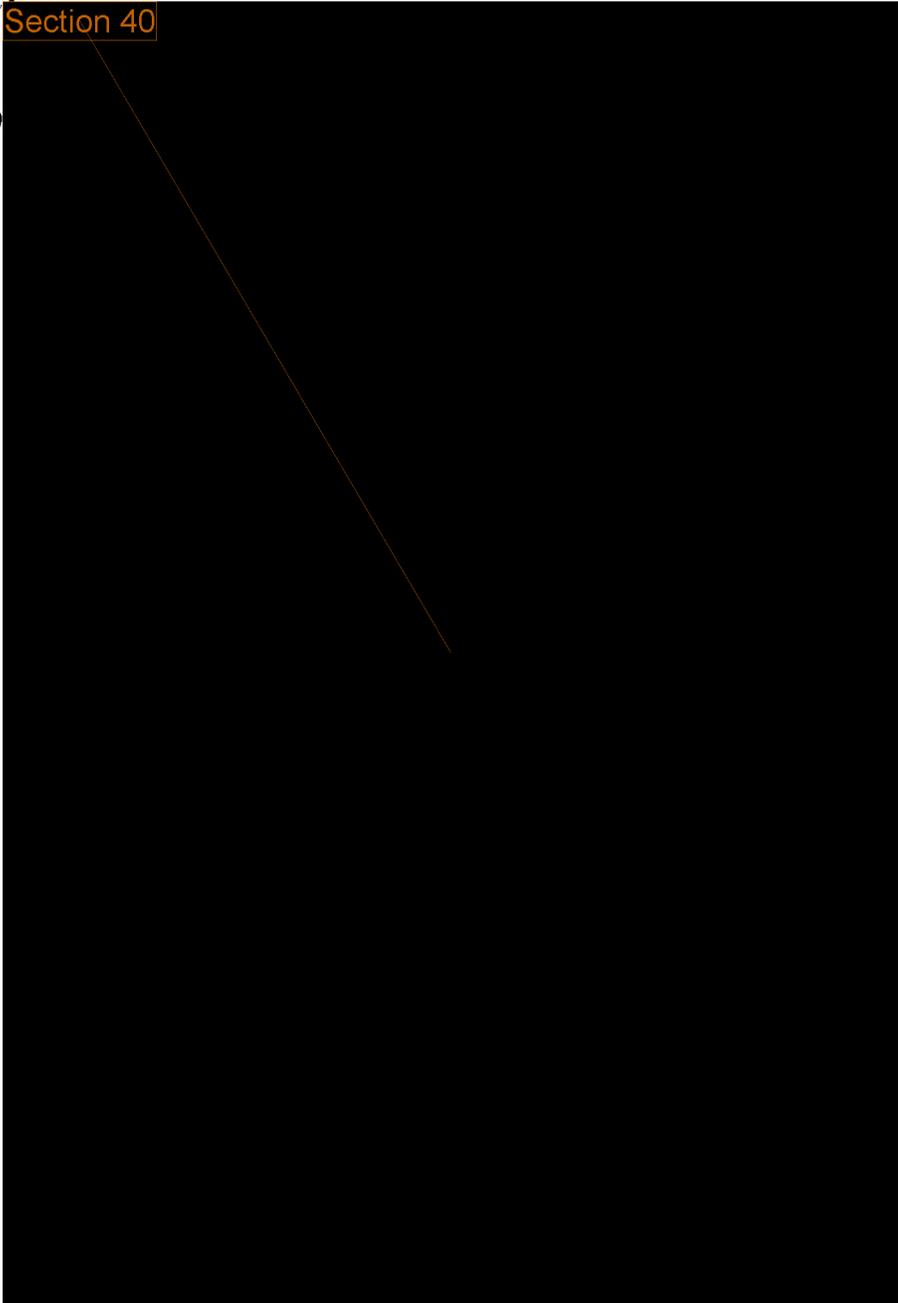


Section 40



INVESTOR IN PEOPLE

Section 40



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NEWS BRIEF

DATE: 9 NOVEMBER 2000

SUBJECT: PUBLICATION OF A BOOK ON 'UFO'S'

SOURCE BRANCH: DAS 4a(Sec), Section 40

PRESS OFFICER: Sqn Ldr Section 40 D News RAF

BACKGROUND 

"You can't tell the People - the definitive account of the Rendlesham Forest UFO Mystery" by Georgina Bruni is to be published on 10 November. The Foreword is by Nick Pope, a MOD civil servant and former member of Sec(AS), now DAS(Sec). The book, and its Foreword, may attract press interest because of the views expressed and the fact that the Foreword was written by a serving member of MOD.

The book concerns a well known alleged 'UFO' sighting in Rendlesham Forrest, Suffolk around the Christmas period in 1980. The book alleges a continuing cover-up by the UK of the detail of the alleged incident. The Foreword to the book, which is critical of MOD policy and actions, was not cleared with the Air Historical Branch prior to publication. This issue is being pursued separately.

Nick Pope has written four books about 'UFOs'. Three are works of fiction but the first, "Open skies, closed minds" (published in 1996) is loosely based on his time in Sec(AS). Nick Pope's most recent book, "Operation Lightning Strike" was published in October 2000. An advertisement for the book (published in the November 2000 edition of FOCUS) describes him as "the government advisor on UFOs".

KEY MESSAGES

- The MOD's only interest in reports of alleged 'UFO' sighting is whether there is any evidence that the United Kingdom's airspace might have been compromised by hostile or unauthorised air activity. Unless there is evidence of a potential threat to the United Kingdom from an external source, MOD does not attempt to identify the precise nature of each reported sighting.

- We believe that rational explanations, such as aircraft lights or natural phenomena, might be found for alleged 'UFO' sightings, but it is not the function of MOD to provide this type of aerial identification service. To date MOD remains unaware of any evidence to prove that these phenomena exist.
 - Ms Bruni is a private individual and, as such, is perfectly entitled to express the views published in this book.
 - There is no cover-up. The fairly limited number of papers MOD holds on the subject of the alleged incident are on a file. Under the provisions of the Public Records Act of 1958 and 1967, that file will be released to the Public Records Office 30 years from the date of the last action taken. In this case that will mean the file will be released in 2024.
 - Mr Pope is a civil servant in the Ministry of Defence. The position taken in the Foreword on the subject of the alleged incident in Rendlesham Forest, and on 'UFOs' generally, is his own and does not reflect that of MOD.
 - Mr Pope is not "the Government advisor on UFOs". DAS4a(Sec) (formerly Sec(AS)2a) is the focal point for handling queries sent to MOD about alleged 'UFO' sightings. The work represents a small part of the overall duties of the section. Mr Pope left his post in Sec(AS) in 1994.
-

KEY POINTS

- This [the Foreword] is an internal matter. The views expressed [in the Foreword] by Mr Pope are a matter for him and his line manager to discuss.
- The [Rendlesham Forest] file is unclassified and mostly contains letters from members of the public, the MOD reply, and copies of newspaper clippings.
- When MOD was informed of the alleged events at Rendlesham Forest/RAF Woodbridge in December 1980, all available substantiated evidence would have been looked at in the usual manner by those within the Department responsible for air defence matters.
- The judgement was that there was no indication that a breach of the United Kingdom's air defences had occurred on the nights in question and no further investigation into the matter was deemed to be necessary.

- Although a number of allegations have subsequently been made about these reported events, nothing has emerged over the last 20 years which has given us reason to believe that the original assessment made by the Department was incorrect.

DAS4A(SEC)

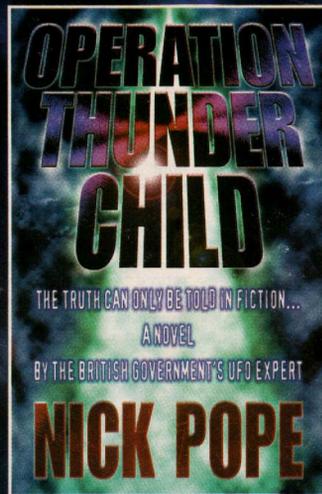
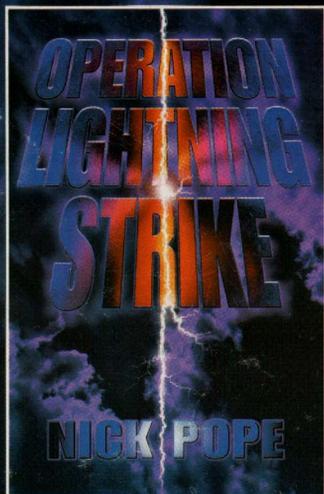
From: DAS4A2(SEC)
Sent: 09 November 2000 17:47
To: D News RAF
Cc: DASDD; DASAD4(SEC); DAS4A1A(SEC); DAS4A(SEC)
Subject: PUBLICATION OF A BOOK ON 'UFOs' - UPDATED NEWS BRIEF
Importance: High

D News RAF **Section 40**

Following further discussion of the Brief I am submitting an updated version. Key Messages now has an additional bullet on the MOD interest in the subject and an amendment to the bullet on "expertise/explanation".

Section 40

From the Top 10 bestseller and the government advisor on UFOs



**comes two books that tell truths so startling and secret,
they can only be told as fiction**

OUT NOW



From: Focus - November 2000 Edition

focus - Nov. 00



focus

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File Note

'UFO' EVENT TO BE HELD IN THE KING HENRY V111 WINE CELLAR ON 14 NOVEMBER

1. At my invitation, **Section 40** the sponsor of this event visited my office at 11:30hrs on Tuesday 7 November 2000. He was accompanied by a colleague **Section 40** **Section 40** who, it transpired, is co-organiser of the event.
2. I introduced myself, outlined my responsibilities and touched on concerns over some of the criticisms in the book (including in the Forward, written by Nick Pope) levelled against MOD and the US authorities.
3. They mentioned that the event was intended as a fundraiser for the British Limbless Ex-Servicemens' Association (BLESMA). This was one of several charity fundraising events that they had organised under the auspices of an organisation called "Apollo", including in the Wine Cellar. **Section 40** mentioned that he had been involved in fundraising since 1991.
4. The two were at pains to point out that this was a charitable event, albeit it was the first they had organised with a theme - a book promotion. Copies of the book will be on sale at the event, with profits going to BLESMA. They mentioned that they had had support from the author, Georgina Bruni, previously and they gave the impression that they did not know Nick Pope particularly well. They emphasised that their only agenda was fundraising.
5. In response to questioning, **Section 40** gave me the following assurances:
 - a statement will be read out at the start of the event which states that use of the Wine Cellar is not to be taken as official endorsement of the book;
 - there is to be no media representation, other than a reporter from FOCUS, the Department's in-house journal;
 - Ms Bruni has been discouraged from mentioning this event on television;
 - Ms Bruni and Mr Pope will not appear at the event dressed as characters from "The X-Files" (as has been rumoured).
6. Finally, they agreed to give me a copy of the guest list by cop 9 November.

Section 40

8/11/00

DAS AD4 (Sec)

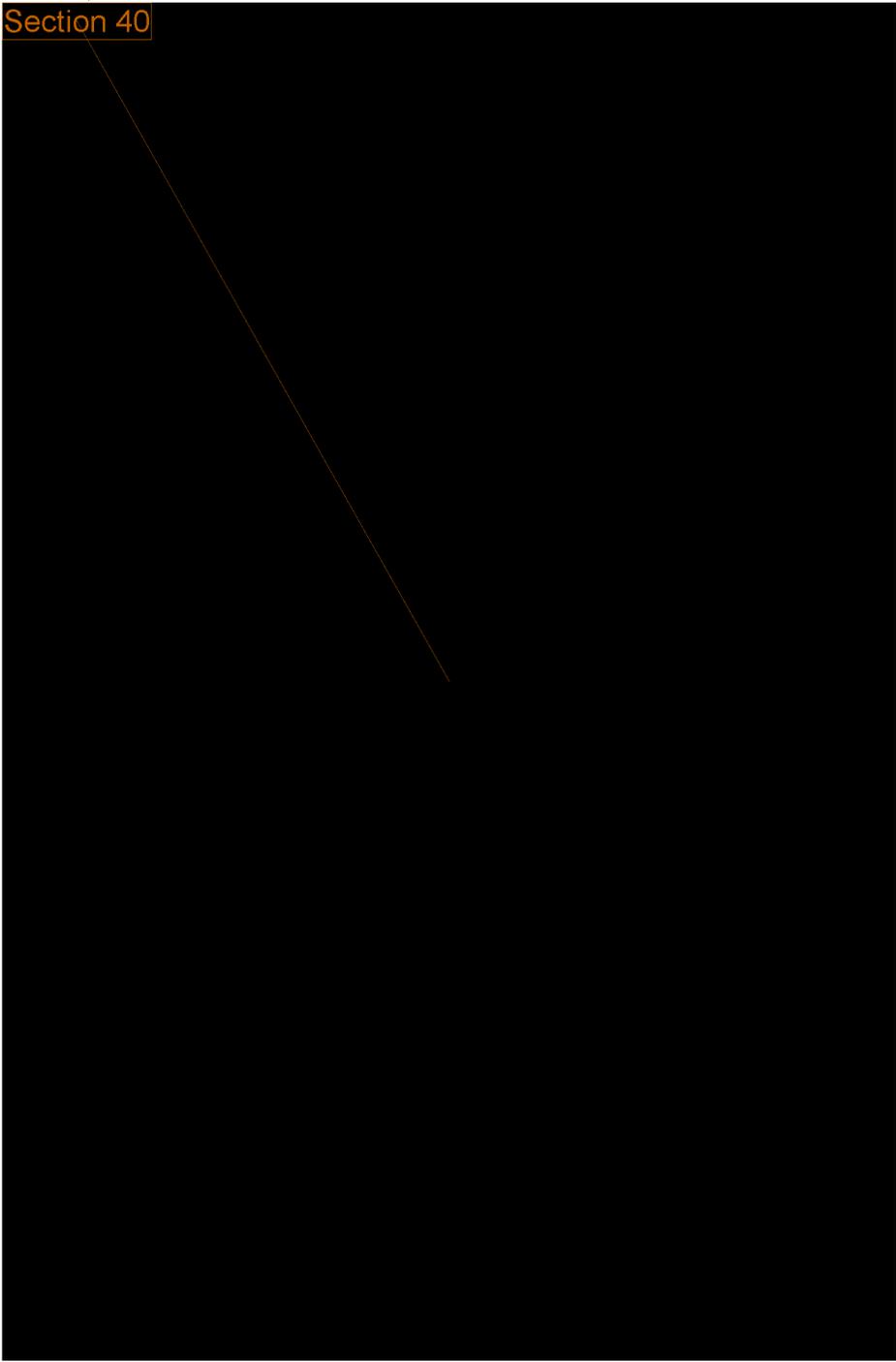
IMPORTANT NOTE

The use of the Henry VIII Wine Cellar on MoD premises for this evening's event has been agreed solely on the basis that all profits will be donated to the British Limbless Ex-Servicemen's Association (BLESMA).

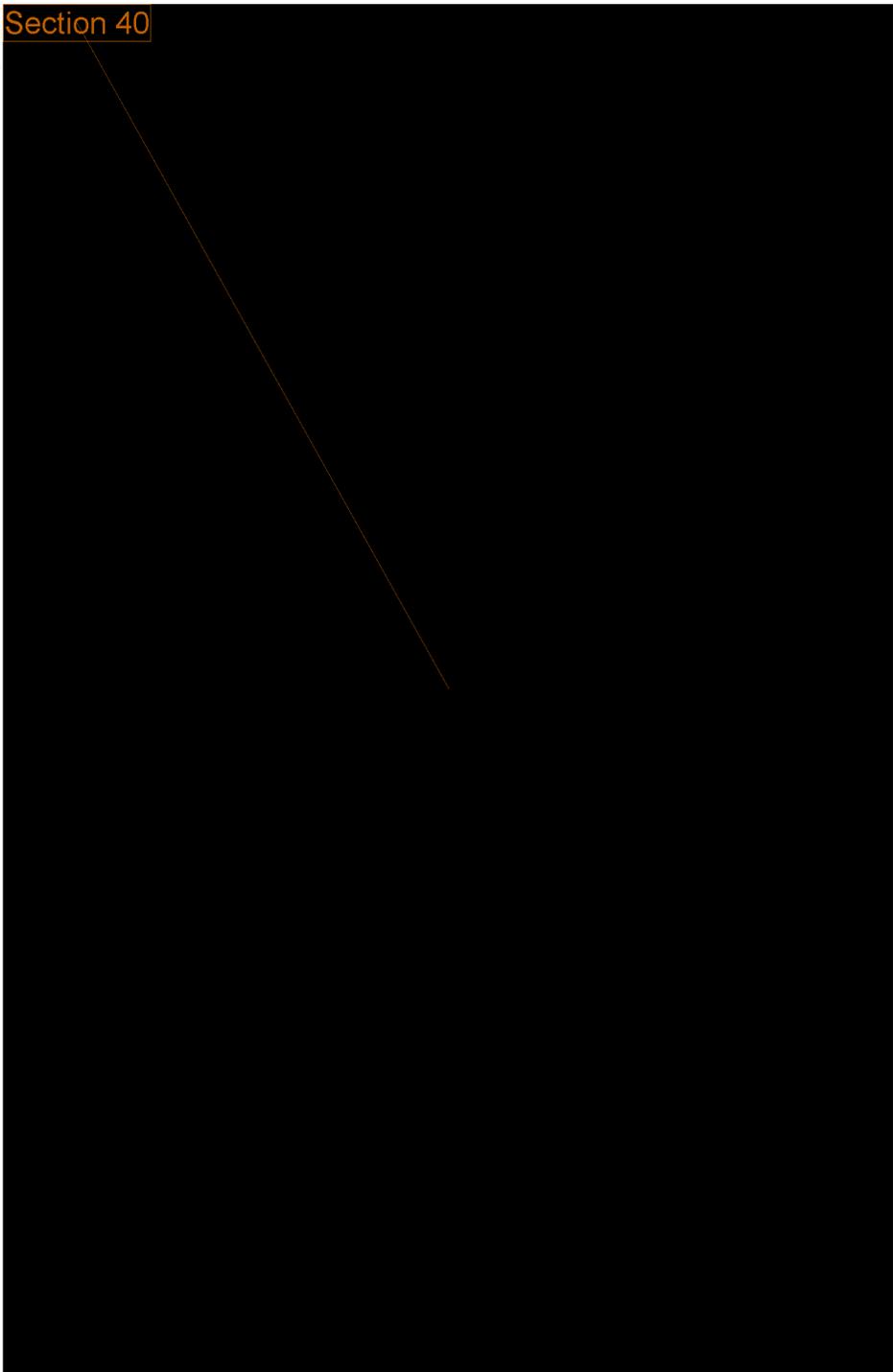
The agreement to use the wine cellar does not therefore indicate in any way whatsoever, any official sanction / endorsement of the book entitled "You Can't Tell the People" nor any of the contents therein.

Spoken **Section 40**

DC x h (legal) - this document
has no legal status.



Section 40



Weird World

with Nick Pope



Welcome to the November round-up of news, views and gossip from the weird and wonderful world of UFOs and the paranormal.

Mussolini UFO Revelation

Italian researchers Roberto Pinotti and Alfredo Lisoni have uncovered papers from the Italian government, revealing that Mussolini took an active interest in the UFO phenomenon, following a series of sightings in the Thirties (including a case from 1936 where a cigar-shaped UFO was seen over an air base at Mestre, and another case where an object described as an "air torpedo", with windows, flew over another military establishment. Mussolini ordered a covert investigation into these matters and intelligence analysts said that the incidents seemed genuine. Mussolini was concerned at the possibility that the UFOs were secret British or French aircraft, in which case his entire air force would have been rendered obsolete. The fact that he later threw in his lot with Hitler suggests he concluded that the UFOs weren't operated by the air forces of his enemies. Check out www.cun-italia.net for more details. These revelations came just months after the Italian Air Force gave a presentation at the San Marino UFO conference organised by Roberto Pinotti, and held on 3 - 4 June this year (see my July column and my article in the July/August issue of UFO Magazine for further details). It just goes to show what can happen when ufologists forge a relationship with government and military officials, instead of demonising them as the bad guys of ufology, up to their eyes in cover-ups and conspiracies.

Roswell High

It sounded as if it was going to be tacky nonsense: three American high school kids in Roswell, who happen to be aliens in human form. Surprisingly, Roswell High is actually a pretty good series, and handles in an entertaining and at times poignant way the aliens' quest to discover their own identity, whilst trying to stay one step ahead of the authorities. Teen angst meets ufology, and yes, there's some romance thrown in too. It's worth a look, as are the books that accompany the series, and would make a good Christmas present for ufologists and sci-fi fans alike. There are five books available, each costing £5.99, published by Pocket Books.

UFO Magazine

The November/December edition of UFO Magazine went on sale at the end of October, and should be in the shops now. It contains the usual fascinating mixture of features, interviews, reviews and photographs, including a full report on the 19th Leeds International UFO Conference, where the speakers included Larry Warren, Peter Robbins, Martyn Stubbs, Dr Steven Greer, Dr Rob Wood, Ryan Wood and L. L. Wille. Check out their website at www.ufomag.co.uk for further details.

Near Earth Objects Task Force Report

In my last column I commented on the publication of the Near Earth Objects Task Force report, which gives a scientific assessment of the threat posed to the Earth by comets and asteroids, and makes detailed recommendations for action. The issue was raised formally in Parliament on 28 September, by means of a Written Question in the House of Lords. Lord Grenfell asked "What progress there has been on the report of the Near Earth Objects Task Force, which was appointed in January by the Minister for Science". The Minister for Science, Lord Sainsbury of Turville, replied as follows: "The report was published on 18 September. It is a valuable contribution to the debate on this important issue. I am considering its recommendations carefully before coming to a view on what action to take. I will inform the House when I have done so. Copies of the report have been placed in the Libraries of both Houses". This is taken from Hansard, which records the details of parliamentary proceedings. If you want to see the report, check it out for yourself at www.nearearthobjects.co.uk.

British Government UFO Files To Be Made Public?

Talking of parliament, now the summer recess is over, politicians will continue the process of getting a

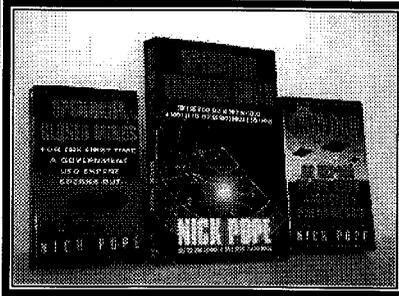
UK Freedom of Information Act (FOIA) onto the statute books. This has excited ufologists, who are hoping that this will open the floodgates and lead to many more UFO files being released. Under the terms of the two Public Record Acts around 30 UFO files are currently open to scrutiny at the Public Record Office. But there are around 240 files in total, so what the public have seen is just the tip of the iceberg. The unseen files - dubbed by some "the real X-Files" - are the ones that I worked on from 1991 to 1994, when I carried out my official Ministry of Defence research and investigation into the UFO phenomenon and other potentially related mysteries. Some of the files open to the public contained papers classified at the secret level, together with reports from military personnel, and cases where UFOs were tracked on radar and where jets were scrambled in unsuccessful attempts to intercept craft which turned out to be capable of speeds and manoeuvres way ahead of anything in our own inventory. But to coin a phrase, "you ain't seen nothing yet". If, once we get our FOIA, the rest of the files are made public, you'll see what turned me from a sceptic to a believer. As far as the files are concerned, the truth is in there.

Scientific Evidence For Life After Death?

Dr Peter Fenwick from the Institute of Psychiatry and Dr Sam Parnia from Southampton Hospital have just published the results of their experiments into near death experiences. Interviews were conducted with 63 survivors of heart attacks. 56 had no recollection of what happened while they were unconscious, and of the seven that did, four had been declared clinically dead. These people claimed that they could recall a sensation of peace and joy, coupled with a bizarre sensation that time was somehow speeded up. They also reported the bright light that has often been reported by those who have had near death experiences. Dr Fenwick said "If the mind and brain can be independent, then this raises questions about the continuation of consciousness after death". This story broke just as I was putting the finishing touches to this column, so I don't have any further details, but try an Internet search for Peter Fenwick. Those with an interest in this should also check out the book *The Scoble Experiment* by Grant and Jane Solomon, published by Piatkus. Check out their website at www.piatkus.co.uk for details of this book and other titles on the paranormal.

Ed's Note:

Nick Pope's four books, *Open Skies*, *Closed Minds*, *The Uninvited*, *Operation Thunder Child* and *Operation Lightning Strike* are available from all good bookshops and from the usual internet book sites. His UK publishers are Simon & Schuster, in America, The Overlook Press publish his books in hardback while the paperbacks are produced by Dell Publishing.



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FOREWORD

BY NICK POPE

I work at the Ministry of Defence, where between 1991 and 1994 I did what must be one of the most bizarre jobs in the department. Essentially, my task was to evaluate the several hundred UFO sightings reported to the MOD each year and to determine whether there was evidence of any threat to the defence of the United Kingdom. Each sighting was carefully investigated and I was able to determine that somewhere between ninety and ninety-five per cent could be attributed to the misidentification of ordinary objects or phenomena. There remained, however, a hard core of sightings that defied conventional explanation and involved what appeared to be structured craft of unknown origin, capable of manoeuvres and speeds beyond the abilities of anything in our inventory – prototype craft included. The best such cases were ones involving trained observers, such as police officers, airline pilots and military personnel, or ones where the sightings could be correlated by photographs, videos or radar tapes.

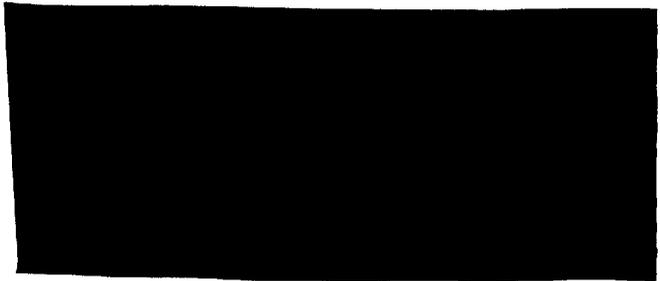
The MOD's public position on the UFO phenomenon is that it is of 'no defence significance'. But my official research and investigation turned up numerous cases that seemed to contradict such a conclusion: RAF jets had been scrambled to intercept mystery craft tracked on radar; civil and military pilots were having close encounters with UFOs; unidentified craft the size of jumbo jets were flying over military bases. Such incidents led me to speak out publicly about the UFO phenomenon and warn that there were serious defence and national-security issues at stake, given that our sophisticated air-defence network was being routinely penetrated by these unidentified craft.

Although there have been attempts to portray me as a maverick, I'm certainly not the only person within the establishment to think along these lines. There have, for example, been several dozen UFO-related questions tabled in parliament over the last few years and there are plenty in the RAF and at the MOD who share my concerns. Despite this, there is a curious and infuriating tendency in certain quarters to ignore the best evidence. There are a number of possible reasons for such an attitude: ufology certainly attracts more than its fair share of cultists and crackpots and this may have led some people to dismiss the entire phenomenon, thereby throwing out the baby with the bathwater. It's also possible that narrow-mindedness is to blame, as certain individuals refuse to contemplate possibilities that would challenge deeply held belief systems. Others would doubtless suggest a more sinister explanation: the idea that some within government are involved in a conspiracy to keep the truth about UFOs from the public is widely held among ufologists.

While investigating UFO sightings for the government I had access to a massive archive of over two hundred relevant files, dating from the early forties. These contained accounts of previous UFO sightings and the subsequent official investigations, together with public correspondence and more general policy work. Until Britain gets its eagerly anticipated Freedom of Information Act, the public is denied access to all but a handful of these files. Yet even those that are currently available at the Public Record Office in Kew contain more than enough to challenge the idea that UFOs are of 'no defence significance': many of the documents are stamped 'Secret' and show just how seriously the subject is taken by those charged with the defence of the realm.

One file that is certainly *not* available to the public attracted my attention more than the others. It seemed to offer the most tantalizing clues yet that some UFO sightings really did involve something truly exotic and not entirely benign. This was the file on the Rendlesham Forest incident and this book tells the story of this fascinating case.

Even the most basic information about this incident is



extraordinary; a series of UFO encounters took place in Rendlesham Forest in Suffolk, between the twin bases of RAF Bentwaters and RAF Woodbridge. Though nominally RAF bases, they were actually United States Air Force facilities and most of the witnesses to these events were USAF personnel. The official report on these incidents was submitted to the MOD by Lieutenant Colonel Charles Halt, the deputy base commander, who was himself a witness to some of the events. His memorandum described a glowing object, triangular in shape and metallic in appearance, which was seen manoeuvring through the forest and at one point even appeared to land. Nearby farm animals were sent into a frenzy. Subsequent investigation revealed three strange indentations on the forest floor in the clearing where the craft was seen to land and to damage the trees at the edge of the clearing. Radiation readings were taken from the area and peaked in the indentations. This initial incident, together with later UFO sightings involving spectacular displays of light, was witnessed by numerous military witnesses and correlated by radar evidence.

These events alone, one might assume, would contradict any idea that UFOs are of 'no defence significance', yet this is precisely the position that the MOD takes on this incident. On several occasions when members of the public have written to the MOD or when questions have been tabled in parliament, the department's response has been to describe the event as involving the sighting of 'unusual lights in the sky' or 'unexplained lights'. This has prompted some to argue that there is an official policy to downplay the events, because even Halt's memorandum – which has been in the public domain for some years – makes it *abundantly* clear that there was much more to this incident than just lights in the sky. One person who has confirmed that, contrary to the official line, these events were of great defence significance is Admiral of the Fleet, The Lord Hill-Norton. Lord Hill-Norton is a former chief of the defence staff and chairman of the NATO military committee, so there can be few people better qualified to offer an informed view on this case.

Extraordinary though these events are, much of the story remained untold until now, despite diligent research from ufologists.

coupled with considerable pressure from various MPs and peers. This book changes everything and tells as full a story as currently possible of the incidents themselves and the no less extraordinary aftermath of these events. Georgina Bruni has uncovered a wealth of new material which finally blows the lid off an event that might, in time, come to be regarded as a turning point in human history. This is certainly a book that will challenge people's worldview and dent the reputations of certain institutions and individuals. Parts of it will leave an unpleasant taste in the mouth and will lead to some awkward questions for certain people. I have no doubt that many of those caught up in these events will regard this as long overdue, because some of these people have undeniably suffered as a result of what happened, and if some of this suffering could have been prevented, it is only right that there should be a reckoning. This book, as well as setting the record straight about what actually happened at Rendlesham Forest, might help bring about such a reckoning.

Georgina Bruni, it has to be said, does not fit the public image of a ufologist – indeed, she would not classify herself as such. Trained as a private detective she has been a freelance investigative writer who specializes in exposing the activities of cults. But she is also a successful businesswoman who organizes social functions, promotes celebrity clients and runs an Internet magazine. She is well connected and mixes freely with politicians, diplomats and other key movers and shakers. It is this that has enabled her to access information, track down witnesses and elicit informed comments that have eluded other researchers. Few aside from Georgina would have been able to obtain comments on the UFO phenomenon from former Prime Minister Baroness Thatcher, or arrange a face-to-face meeting with Gordon Williams, the retired USAF major general who commanded RAF Bentwaters/Woodbridge at the time of the incident. This unprecedented access, together with the fact that the MOD gave Georgina a guided tour of the Woodbridge base during her research, will doubtless cause some to wonder whether this book has been written with official blessing, as a way of finally releasing

the full story of this incident. While this goes too far, it would certainly be true to say that Georgina has persuaded most of those involved in the events to speak out about what happened in a way that will bring this information into the public domain. While this certainly doesn't make the book an official venture, it does mean that it contains much of the information that would be contained in any official history of the incident that were to be written.

I believe this interesting, disturbing and well-researched book will come to be regarded as the definitive account of the Rendlesham Forest incident. But aside from appealing to the general public, it is my hope that it will be widely read by politicians, civil servants and the military and that it will serve as a briefing document for the establishment in the continued absence of any detailed and definitive official comment on these events.

Nick Pope is a civil servant at the Ministry of Defence, where he is a higher executive officer – a rank broadly equivalent to that of a major in the army. Best known for his official research and investigation of UFOs, alien abductions, crop circles and other paranormal phenomena, he is recognized as a leading authority on such matters. He is the author of Open Skies, Closed Minds; The Uninvited; Operation Thunder Child and Operation Lightning Strike.

UNCLASSIFIED

**RESTRICTED
STAFF**

LOOSE MINUTE

D/AHB(RAF)/4/2

07 Nov 00

DAS4a(Sec) **Section 40**

Copy to:

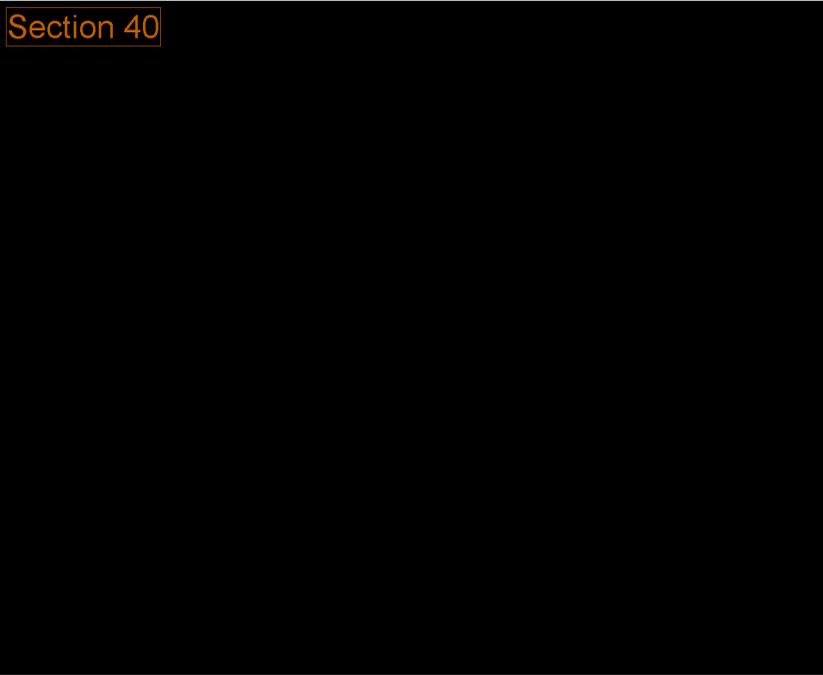
DAS AD4(Sec)*

* by Chots

**CLEARANCE FOR PUBLICATION – “FOREWORD” BY NICK POPE TO
GEORGINA BRUNI’S BOOK** 

1. Thank you for forwarding a copy of the “Foreword” by Nick Pope to Georgina Bruni’s book on the Rendlesham Forest incident.

Section 40



(signed)

Section 40

AHB(RAF)&PCB(Air)

GSY308

Section 40

Section 40

Chots: AHB(RAF)-PCB(AIR)

UNCLASSIFIED

**RESTRICTED
STAFF**

1. Paragraph 1: Why does he describe the UFO desk officer's job as *bizarre*?
2. Paragraph 2: This paragraph states the MOD's official position and then with a suitable amount of hype and scare-mongering, Mr Pope goes on to say why he disagrees with it. This is unhelpful but I fear he may have said this in his first book "Open Skies, Closed Minds", which was submitted to PCB(Air) but subsequently "cleared" by the then Head of Sec(AS) and Pope's senior line managers.
3. Paragraph 3, line 1: The words "*attempts to portray me as a maverick*" suggest that there was a deliberate attempt by MOD or MOD individuals to discredit him. As far as I am aware, there was nothing more than a disagreement of views but these words, to my mind, attempt to suggest a "cover up" and give more credence to Mr Pope's views.
4. Paragraph 3: Section commencing "*Despite this, there is...*" to end of paragraph. This section accuses MOD of "ignoring the evidence, dismissing the phenomenon as the theories of "cultists and crackpots", narrow-mindedness of certain individuals and suggests that some may see this as evidence of a government cover up" Again more words to give greater credence to Mr Pope's views, and of course create difficulties for the staff of DAS(Sec).
5. Paragraph 4: This contains the words "*investigating UFO sightings*" which I understand he never actually did. He suggests that there are over 200 closed files on UFOs which will only be opened as a result of the Fofl Act and that records in the PRO contain enough evidence to challenge the official MOD policy on UFOs. You hardly need me to tell you of the implications this will have for you and your staff!
6. Paragraphs 5 and 6: Pope's account of the Rendlesham incident. Frankly I can see nothing new in what Mr Pope states (although I am not that familiar with the incident or anything else to do with UFOs) but he refers to a closed file on the incident. Again this will generate calls and correspondence.
7. Paragraph 7. Here again he attempts once more to give credence to his own views, using parliamentary and official "evidence" and the name of Lord Hill-Norton.
8. Paragraphs 8 and 9 go to some lengths to establish the bona fides of Ms Bruni and her version of events. In parts this text is hostile with phrases such "*nasty taste in the mouth*" and "*dent the reputation of certain institutions and individuals*" and talk of a "*reckoning*". Although he does not say so, this is presumably a dig at MOD and MOD staff. He goes on to suggest that Ms Bruni has had some kind of privileged access from her dealings with MPs, diplomats and officials (perhaps the Police should investigate?) and that her book contains "*much of the information that would be contained in any official history*".

9. Paragraph 10: He bemoans the absence of any “definitive official comment” on the incident and suggests that Ms Brun’s version should be accepted as a briefing document. I am not sure why he thinks MOD or officialdom should produce such a report and it is, frankly, preposterous to imagine that the Department would produce an official history of the incident.

6 November 2000

File Note

BOOK LAUNCH – RENDLESHAM FOREST UFO MYSTERY

1. Attached is the cover and foreword to a book due for publication shortly entitled "You can't tell the people" by Georgina Bruni. It claims to be the definitive account of incidents at Rendlesham Forest in December 1980. The foreword is by Nick Pope, who is still a civil servant in MOD.

2. Craig Cabell in the FOCUS office alerted me to this book and its impending launch, which he believes will take place at an event being held in the King Henry VIII wine cellar in MOD Main Building. Because of the potential embarrassment to MOD of having a book launched on its premises which is critical of MOD's openness, I discussed the matter with Section 40 D News. We agreed that, having accepted a booking in good faith, providing all the appropriate forms had been filled and payments made, we should not now cancel it - primarily because this would tend to confirm any accusations of over-sensitivity or secrecy on MOD's part.

3. I have passed a copy of the book (which the FOCUS team received as a preview copy) to Sec(AS) and I have explained our concerns. The contact in that Section is Section 40 Sec(AS)2a, telephone Section 40. She will consider the book (and the foreword by Nick Pope) and liaise with US of S's office to advise on the handling of the launch event, if indeed it is to be held on MOD premises.

Section 40
[Redacted]

DCCS
MB 0353 Section 40
dccc@dccc.demon.co.uk
CHOTS: DCCS

Copy to
D News Section 40
Sec(AS)

Section 40

8/11 DDAS fi
DAS 4a

YOU CAN'T TELL THE PEOPLE

YOU CAN'T TELL THE PEOPLE

THE DEFINITIVE ACCOUNT OF THE
RENDLESHAM
FOREST
UFO MYSTERY

The world's only officially-recognised UFO sighting took place in Great Britain. This is the definitive examination of the extraordinary incident that took place in December 1980 at the RAF/USAF Nato airbases near Woodbridge, Suffolk, and the possible alien encounter that ensued.

Accounts of what has become known as 'the Rendlesham Forest mystery' are usually partisan; with little access to primary sources, too many discreditable single eyewitness accounts and axes to grind, the true story has never emerged. But Georgina Bruni has had unprecedented access to British police, Ministry of Defence and United States military sources. Witnesses who have never publicly spoken – officials and civilians alike – have agreed to be interviewed and their evidence become part of the public record. Through Georgina Bruni's research, the fullest possible picture emerges – far eclipsing the account in the already-revealing formal memorandum of Colonel Charles Halt.

Her investigation is chilling, astonishing and very thorough – and revealing not only further, previously unreported, cases, but also the harsh treatment meted out to those who dare to waver from the duplicitous line of officialdom.

This book will form a remarkable new chapter in the history of UFO research.

WITH A FOREWORD BY BESTSELLING
AUTHOR NICK POPE

FOREWORD

BY NICK POPE



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The MOD's public position on the UFO phenomenon is that it is of 'no defence significance'. But my official research and investigation turned up numerous cases that seemed to contradict such a conclusion: RAF jets had been scrambled to intercept mystery craft tracked on radar; civil and military pilots were having close encounters with UFOs; unidentified craft the size of jumbo jets were flying over military bases. Such incidents led me to speak out publicly about the UFO phenomenon and warn that there were serious defence and national-security issues at stake, given that our sophisticated air-defence network was being routinely penetrated by these unidentified craft.

Although there have been attempts to portray me as a muck, I'm certainly not the only person within the establishment to think along these lines. There have, for example, been several dozen UFO-related questions tabled in parliament over the last few years and there are plenty in the RAF and at the MOD who share my concerns. Despite this, there is a curious and infuriating tendency in certain quarters to ignore the best evidence. There are a number of possible reasons for such an attitude: ufology certainly attracts more than its fair share of cultists and crackpots and this may have led some people to dismiss the entire phenomenon, thereby throwing out the baby with the bathwater. It's also possible that narrow-mindedness is to blame, as certain individuals refuse to contemplate possibilities that would challenge deeply held belief systems. Others would doubtless suggest a more sinister explanation: the idea that some within government are involved in a conspiracy to keep the truth about UFOs from the public is widely held among ufologists.

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THE MAJOR PLAYERS

Military RAF Bentwaters/Woodbridge

Colonel (later Major General) Gordon E. Williams (ret.)

ROLE: Colonel Williams was the wing commander of the 81st Tactical Fighter Wing at RAF Bentwaters/Woodbridge. The Rendlesham Forest incident occurred under his leadership. In 1983 former Airman First Class Larry Warren told *The News of the World* newspaper that Gordon Williams was involved in the Rendlesham Forest incident and that the commander had communicated with alien entities. CONTACT: Major General Gordon Williams has never gone on record until now. He contacted the author in January 1998.

Colonel Theodore J. Conrad (ret.)

ROLE: Colonel Ted Conrad was the base commander at RAF Bentwaters/Woodbridge. He was in charge of the overall running of the airbases. CONTACT: In 1983 Ted Conrad was interviewed for *OMNI* magazine and admitted that the Rendlesham Forest incident did take place.

Colonel Sam P. Morgan (ret.)

ROLE: Colonel Sam Morgan was the base commander at RAF Bentwaters/Woodbridge in 1983. He was responsible for stewarding copies of Halt's tape recording of the events to interested parties. CONTACT: He was first interviewed in 1983 by researcher Dot Street. The author contacted him in 1998.

LOOSE MINUTE

D/HQSy2/307/1/112/3

1 Nov 00

DAS4a(Sec)

Copy:

DASAD4(Sec)

EVENT IN HENRY VIII WINE CELLAR - 14 NOVEMBER 2000

Reference:

A. D/DAS/64/1 dated 31 Oct 00

1. Further to Reference A I have ascertained that the organisers of the event due to take place in the Henry VIII Wine Cellar on 14 November 2000 have not submitted a guest list to the MGS. Accordingly, I instructed that the MGS request a guest list on the grounds that Amey Business Services always notify them when facilities had been booked for out of hours events and that if they had a guest list this would ease access into the building. The booker of the facility of PCMU2 readily agreed to this but stated he could only provide a definitive list three days before the event. This is reasonable and roughly what we would expect for a 'social' gathering. Indeed, our own rules only require a guest list to be submitted at least 24 hours before the event. I cannot insist that **Section 40** submit a guest list immediately as this would create a precedent and arouse suspicions.

2. A search of the internet has revealed that Georgina Bruni is a prominent player within UFOlogy and conspiracy theory circles. She contributes a regular column to a well-known web site which deals with UFOs and 'government cover-ups' and is widely quoted within many web sites dealing with UFO matters. Her name is also prominently linked with that of Nick Pope. She regularly posts articles written by Pope onto various web sites and Pope himself is a regular contributor to a number of UFO sites. The 'Rendlesham Forest incident' itself seems to be a *cause célèbre* among the UFOlogy/conspiracy theory community.

3. If what we are faced with is a simple social gathering, albeit encompassing a book launch, there are no security implications. **Section 40** has agreed to submit a guest list prior to the event and has made arrangements for all guests to be escorted. Therefore, from a security point of view I have no objections to this event taking place. However, in view of the controversy surrounding the 'Rendlesham Forest incident' it may be safe to surmise that the organisers have an alternative agenda which has the potential to cause embarrassment to the MOD. This is a matter for the policy-makers and politicians to address.

4. If it is decided that the event is to take place I will endeavour to run background checks on the guests once I receive the list. In this event I will also arrange for extra guarding cover to

prevent non-MOD guests 'exploring' the building. If you feel I can be of any further assistance, please do not hesitate to contact me.

Section 40

HQSy2(H)A

MB0184

Section 40

DAS4A(SEC)

From: DAS4A(SEC)
Sent: 02 November 2000 15:15
To: DASAD4(SEC)
Cc: DAS4AB(SEC)
Subject: PROS AND CONS FOR ALLOWING THE UFO BOOK LAUNCH IN HENRY V111 WINE CELLAR

Importance: High

Section 40

I have added a couple of points to the pros/cons for you to consider.

I checked the Mod Finance Guide to Repayment just before I went out to lunch - Article 6.39 is helpful - see second attachment.

I have spoken to Air Hist Branch - they clear Section 40 publications. They were not given a copy of the Forward to GBs book; they do not know of Section 40 activity on the Internet (Nick Pope's Wierd World - within Hot Gossip UK). They were not terribly pleased, they have asked line managers/DCC to keep them [AHB] informed of Section 40 prospective activities in print. (MOD Personnel Manual is relevant - will look at the detail.) What they look for in any text is a reference to MOD or claim to be a MOD authority on the subject.

Section 40

(Hot memo coming in.)

Section 40

LOOSE MINUTE

D/DAS/64/1

31 October 2000

HQ Sy2(h)a

copy to:
DASAD4(Sec)



EVENT IN HENRY VIII WINE CELLAR - 14 NOVEMBER 00

Reference: Telephone conversation **Section 40** Oct 00

1. We spoke on the telephone this morning when I explained that we were making enquires, at the request of USofS' office, concerning the nature of an event said to be taking place on 14 November in the Henry VIII wine cellar.

2. At the end of last week we were informed that a party is to take place in the wine cellar on the above date to launch a book called 'You can't tell the people'. The book concerns an event that is alleged to have taken place in Rendlesham Forest in Suffolk in December 1980 involving the sighting of a UFO by a number of USAF personnel based at RAF Woodbridge. The book is by Georgina Bruni (described on the book cover as "a researcher into the unexplained") is published by Sidgwick Jackson and has a Forward by Nick Pope, a serving MOD employee. The book is critical of US agencies (a cover-up is alleged) and implies criticism of MOD. It is understood that at the party Ms Bruni intends "promote" her book and show articles of interest relating to the incident in Rendlesham Forest. We do not know precisely how the party has been arranged or who will attend but it is reasonable to assume that a book launch, or promotion, will involve a number of people from outside MOD including press representation. Inside MOD, the MOD magazine Focus, has been approached to review the book and take photos. DAS(Sec) is required to assess the implications for MOD of the event being hosted inside the Main Building. I would appreciate your advice on the composition of the List of Non Pass Holders that may have been received by your organisation and information on the Subject of Meeting/Conference recorded on the form. I would be grateful if you would let me have a response by COP 2 November.

3. A phone call to Amey Conference Bookings has revealed that the event has been booked by a MOD employee, **Section 40**. I have not spoken to **Section 40**

Section 40 and he is unlikely to be aware of this inquiry. My understanding is the event will take place from 1900 and is the only "party" in the wine cellar on that night. USofS' office received the impression, however, that there might be two events taking place at the same location on that evening.

Section 40

DAS4a(Sec)

MB8243 **Section 40**

Weird World

with Nick Pope



Welcome to the November round-up of news, views and gossip from the weird and wonderful world of UFOs and the paranormal.

Mussolini UFO Revelation

Italian researchers Roberto Pinotti and Alfredo Lisoni have uncovered papers from the Italian government, revealing that Mussolini took an active interest in the UFO phenomenon, following a series of sightings in the Thirties (including a case from 1936 where a cigar-shaped UFO was seen over an air base at Mestre, and another case where an object described as an "air torpedo", with windows, flew over another military establishment. Mussolini ordered a covert investigation into these matters and intelligence analysts said that the incidents seemed genuine. Mussolini was concerned at the possibility that the UFOs were secret British or French aircraft, in which case his entire air force would have been rendered obsolete. The fact that he later threw in his lot with Hitler suggests he concluded that the UFOs weren't operated by the air forces of his enemies. Check out www.cun-italia.net for more details. These revelations came just months after the Italian Air Force gave a presentation at the San Marino UFO conference organised by Roberto Pinotti, and held on 3 - 4 June this year (see my July column and my article in the July/August issue of UFO Magazine for further details). It just goes to show what can happen when ufologists forge a relationship with government and military officials, instead of demonising them as the bad guys of ufology, up to their eyes in cover-ups and conspiracies.

Roswell High

It sounded as if it was going to be tacky nonsense: three American high school kids in Roswell, who happen to be aliens in human form. Surprisingly, Roswell High is actually a pretty good series, and handles in an entertaining and at times poignant way the aliens' quest to discover their own identity, whilst trying to stay one step ahead of the authorities. Teen angst meets ufology, and yes, there's some romance thrown in too. It's worth a look, as are the books that accompany the series, and would make a good Christmas present for ufologists and sci-fi fans alike. There are five books available, each costing £5.99, published by Pocket Books.

UFO Magazine

The November/December edition of UFO Magazine went on sale at the end of October, and should be in the shops now. It contains the usual fascinating mixture of features, interviews, reviews and photographs, including a full report on the 19th Leeds International UFO Conference, where the speakers included Larry Warren, Peter Robbins, Martyn Stubbs, Dr Steven Greer, Dr Rob Wood, Ryan Wood and L. L. Wille. Check out their website at www.ufomag.co.uk for further details.

Near Earth Objects Task Force Report

In my last column I commented on the publication of the Near Earth Objects Task Force report, which gives a scientific assessment of the threat posed to the Earth by comets and asteroids, and makes detailed recommendations for action. The issue was raised formally in Parliament on 28 September, by means of a Written Question in the House of Lords. Lord Grenfell asked "What progress there has been on the report of the Near Earth Objects Task Force, which was appointed in January by the Minister for Science". The Minister for Science, Lord Sainsbury of Turville, replied as follows: "The report was published on 18 September. It is a valuable contribution to the debate on this important issue. I am considering its recommendations carefully before coming to a view on what action to take. I will inform the House when I have done so. Copies of the report have been placed in the Libraries of both Houses". This is taken from Hansard, which records the details of parliamentary proceedings. If you want to see the report, check it out for yourself at www.nearearthobjects.co.uk.

British Government UFO Files To Be Made Public?

Talking of parliament, now the summer recess is over, politicians will continue the process of getting a

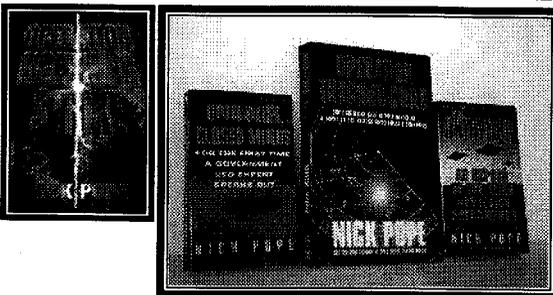
UK Freedom of Information Act (FOIA) onto the statute books. This has excited ufologists, who are hoping that this will open the floodgates and lead to many more UFO files being released. Under the terms of the two Public Record Acts around 30 UFO files are currently open to scrutiny at the Public Record Office. But there are around 240 files in total, so what the public have seen is just the tip of the iceberg. The unseen files - dubbed by some "the real X-Files" - are the ones that I worked on from 1991 to 1994, when I carried out my official Ministry of Defence research and investigation into the UFO phenomenon and other potentially related mysteries. Some of the files open to the public contained papers classified at the secret level, together with reports from military personnel, and cases where UFOs were tracked on radar and where jets were scrambled in unsuccessful attempts to intercept craft which turned out to be capable of speeds and manoeuvres way ahead of anything in our own inventory. But to coin a phrase, "you ain't seen nothing yet". If, once we get our FOIA, the rest of the files are made public, you'll see what turned me from a sceptic to a believer. As far as the files are concerned, the truth is in there.

Scientific Evidence For Life After Death?

Dr Peter Fenwick from the Institute of Psychiatry and Dr Sam Parnia from Southampton Hospital have just published the results of their experiments into near death experiences. Interviews were conducted with 63 survivors of heart attacks. 56 had no recollection of what happened while they were unconscious, and of the seven that did, four had been declared clinically dead. These people claimed that they could recall a sensation of peace and joy, coupled with a bizarre sensation that time was somehow speeded up. They also reported the bright light that has often been reported by those who have had near death experiences. Dr Fenwick said "If the mind and brain can be independent, then this raises questions about the continuation of consciousness after death". This story broke just as I was putting the finishing touches to this column, so I don't have any further details, but try an Internet search for Peter Fenwick. Those with an interest in this should also check out the book *The Scole Experiment* by Grant and Jane Solomon, published by Piatkus. Check out their website at www.piatkus.co.uk for details of this book and other titles on the paranormal.

Ed's Note:

Nick Pope's four books, *Open Skies*, *Closed Minds*, *The Uninvited*, *Operation Thunder Child* and *Operation Lightning Strike* are available from all good bookshops and from the usual internet book sites. His UK publishers are Simon & Schuster. In America, The Overlook Press publish his books in hardback while the paperbacks are produced by Dell Publishing.



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FOREWORD

BY NICK POPE

I work at the Ministry of Defence, where between 1991 and 1994 I did what must be one of the most bizarre jobs in the department. Essentially, my task was to evaluate the several hundred UFO sightings reported to the MOD each year and to determine whether there was evidence of any threat to the defence of the United Kingdom. Each sighting was carefully investigated and I was able to determine that somewhere between ninety and ninety-five per cent could be attributed to the misidentification of ordinary objects or phenomena. There remained, however, a hard core of sightings that defied conventional explanation and involved what appeared to be structured craft of unknown origin, capable of manoeuvres and speeds beyond the abilities of anything in our inventory – prototype craft included. The best such cases were ones involving trained observers, such as police officers, airline pilots and military personnel, or ones where the sightings could be correlated by photographs, videos or radar tapes.

The MOD's public position on the UFO phenomenon is that it is of 'no defence significance'. But my official research and investigation turned up numerous cases that seemed to contradict such a conclusion: RAF jets had been scrambled to intercept mystery craft tracked on radar; civil and military pilots were having close encounters with UFOs; unidentified craft the size of jumbo jets were flying over military bases. Such incidents led me to speak out publicly about the UFO phenomenon and warn that there were serious defence and national-security issues at stake, given that our sophisticated air-defence network was being routinely penetrated by these unidentified craft.

Although there have been attempts to portray me as a maverick, I'm certainly not the only person within the establishment to think along these lines. There have, for example, been several dozen UFO-related questions tabled in parliament over the last few years and there are plenty in the RAF and at the MOD who share my concerns. Despite this, there is a curious and infuriating tendency in certain quarters to ignore the best evidence. There are a number of possible reasons for such an attitude: ufology certainly attracts more than its fair share of cultists and crackpots and this may have led some people to dismiss the entire phenomenon, thereby throwing out the baby with the bathwater. It's also possible that narrow-mindedness is to blame, as certain individuals refuse to contemplate possibilities that would challenge deeply held belief systems. Others would doubtless suggest a more sinister explanation: the idea that some within government are involved in a conspiracy to keep the truth about UFOs from the public is widely held among ufologists.

While investigating UFO sightings for the government I had access to a massive archive of over two hundred relevant files, dating from the early forties. These contained accounts of previous UFO sightings and the subsequent official investigations, together with public correspondence and more general policy work. Until Britain gets its eagerly anticipated Freedom of Information Act, the public is denied access to all but a handful of these files. Yet even those that are currently available at the Public Record Office in Kew contain more than enough to challenge the idea that UFOs are of 'no defence significance': many of the documents are stamped 'Secret' and show just how seriously the subject is taken by those charged with the defence of the realm.

One file that is certainly *not* available to the public attracted my attention more than the others. It seemed to offer the most tantalizing clues yet that some UFO sightings really did involve something truly exotic and not entirely benign. This was the file on the Rendlesham Forest incident and this book tells the story of this fascinating case.

Even the most basic information about this incident is



extraordinary; a series of UFO encounters took place in Rendlesham Forest in Suffolk, between the twin bases of RAF Bentwaters and RAF Woodbridge. Though nominally RAF bases, they were actually United States Air Force facilities and most of the witnesses to these events were USAF personnel. The official report on these incidents was submitted to the MOD by Lieutenant Colonel Charles Halt, the deputy base commander, who was himself a witness to some of the events. His memorandum described a glowing object, triangular in shape and metallic in appearance, which was seen manoeuvring through the forest and at one point even appeared to land. Nearby farm animals were sent into a frenzy. Subsequent investigation revealed three strange indentations on the forest floor in the clearing where the craft was seen to land and to damage the trees at the edge of the clearing. Radiation readings were taken from the area and peaked in the indentations. This initial incident, together with later UFO sightings involving spectacular displays of light, was witnessed by numerous military witnesses and correlated by radar evidence.

These events alone, one might assume, would contradict any idea that UFOs are of 'no defence significance', yet this is precisely the position that the MOD takes on this incident. On several occasions when members of the public have written to the MOD or when questions have been tabled in parliament, the department's response has been to describe the event as involving the sighting of 'unusual lights in the sky' or 'unexplained lights'. This has prompted some to argue that there is an official policy to downplay the events, because even Halt's memorandum – which has been in the public domain for some years – makes it *abundantly* clear that there was much more to this incident than just lights in the sky. One person who has confirmed that, contrary to the official line, these events were of great defence significance is Admiral of the Fleet, The Lord Hill-Norton. Lord Hill-Norton is a former chief of the defence staff and chairman of the NATO military committee, so there can be few people better qualified to offer an informed view on this case.

Extraordinary though these events are, much of the story remained untold until now, despite diligent research from ufologists.

coupled with considerable pressure from various MPs and peers. This book changes everything and tells as full a story as currently possible of the incidents themselves and the no less extraordinary aftermath of these events. Georgina Bruni has uncovered a wealth of new material which finally blows the lid off an event that might, in time, come to be regarded as a turning point in human history. This is certainly a book that will challenge people's worldview and dent the reputations of certain institutions and individuals. Parts of it will leave an unpleasant taste in the mouth and will lead to some awkward questions for certain people. I have no doubt that many of those caught up in these events will regard this as long overdue, because some of these people have undeniably suffered as a result of what happened, and if some of this suffering could have been prevented, it is only right that there should be a reckoning. This book, as well as setting the record straight about what actually happened at Rendlesham Forest, might help bring about such a reckoning.

Georgina Bruni, it has to be said, does not fit the public image of a ufologist – indeed, she would not classify herself as such. Trained as a private detective she has been a freelance investigative writer who specializes in exposing the activities of cults. But she is also a successful businesswoman who organizes social functions, promotes celebrity clients and runs an Internet magazine. She is well connected and mixes freely with politicians, diplomats and other key movers and shakers. It is this that has enabled her to access information, track down witnesses and elicit informed comments that have eluded other researchers. Few aside from Georgina would have been able to obtain comments on the UFO phenomenon from former Prime Minister Baroness Thatcher, or arrange a face-to-face meeting with Gordon Williams, the retired USAF major general who commanded RAF Bentwaters/Woodbridge at the time of the incident. This unprecedented access, together with the fact that the MOD gave Georgina a guided tour of the Woodbridge base during her research, will doubtless cause some to wonder whether this book has been written with official blessing, as a way of finally releasing



the full story of this incident. While this goes too far, it would certainly be true to say that Georgina has persuaded most of those involved in the events to speak out about what happened in a way that will bring this information into the public domain. While this certainly doesn't make the book an official venture, it does mean that it contains much of the information that would be contained in any official history of the incident that were to be written.

I believe this interesting, disturbing and well-researched book will come to be regarded as the definitive account of the Rendlesham Forest incident. But aside from appealing to the general public, it is my hope that it will be widely read by politicians, civil servants and the military and that it will serve as a briefing document for the establishment in the continued absence of any detailed and definitive official comment on these events.

Nick Pope is a civil servant at the Ministry of Defence, where he is a higher executive officer – a rank broadly equivalent to that of a major in the army. Best known for his official research and investigation of UFOs, alien abductions, crop circles and other paranormal phenomena, he is recognized as a leading authority on such matters. He is the author of Open Skies, Closed Minds; The Uninvited; Operation Thunder Child and Operation Lightning Strike.

You Can't Tell the People.

- ✓ - 1. Readleshow Genorb. (Lies)
- ✓ - 2. Nick Pope. (Lies + a few more briefs)
- ✓ - 3. MOD interest in UFO sightings - lies - p. 11
+ p. 28
- 4. Closed files - from lies
- 5. Freedom of Information Act - ^{Page 25 - last 2 part} Connect James
✓ if passed - opening lot of DR 1
of the files?
- 6. Radar - ^{lies} p. 36 (scrubbed in response
to Radar tracks).
- 7. DI-5's - ^(p 293 of book) IS DI-5's the department responsible
for investigating UFO matters.

8.
Is GCHQ involved in investigating UFO sightings in the UK.
P291/292 - + Nick Pope letter. 11 Feb 97??
- GCHQ.

9.
Was the mod carried out at the time the
R.F. incident is alleged to have occurred?
(- note Gaynor Smith letter to G. Burt
D.295. 23 Jul 99.)

10.
Was an object observed under any of the rights in
question? (P.296-297)

11. Secretly
Were nuclear weapons listened at RAF Bentwaters
in 1980? (P.301 onwards.)
Pp: 1997 - Lord H-N - Lord Gilbart.

12.
What ~~these~~ members of the [CIA] Langley Research
lab. ~~proposed~~ doing on Brit. property
around 28 Dec. 1980? (P310 onwards)

13.

Why was the [RF] incident judged ~~not~~ not to
have any ^{Defense} interest: (See hand H-N - 314/315)

14.

~~to state~~

Are details of the RF incident being "covered-up"?

- (P. 207)
G.B.

15.

Were scientists from Paton Down (P. 211)

present in RF after 28 Dec 1980? -

16.

Was evidence of the incident removed
from British soil by the USAF and
~~transported to~~ taken to the Pentagon
via Germany? (P. 207) -

17. Was the book's Foreward cleared
by MOD? (Att/B).

I could only see shadows, but the man asking the questions wore a black overall-type uniform.

G. BRUNI: How long were you in the room?

A. BUSTINZA: Forever! They just kept on asking repetitive questions. They told me I had been chasing lights. I kept saying, 'No, we saw something else,' but they kept repeating, 'You don't get the picture, do you? You saw a light and that light was a lighthouse beacon.' I said, 'No, it wasn't a beacon,' and that's the moment the guy came over to tell me 'Bullets are cheap and a dime a dozen.' At that stage I just wanted to get out of there so I said, 'OK, it was a beacon.' They then said, 'Let's go over this again.' They wanted to make sure I knew it was a beacon.

G. BRUNI: Can you describe the tunnels you were in: were they narrow or wide?

A. BUSTINZA: They were wide enough to get a truck through. There were tunnels all over that base but we weren't supposed to talk about them. They would take you from point A to point B. They were accessible through the security area.

G. BRUNI: What were they used for; did any lead to the North Sea?

A. BUSTINZA: As far as I know they had been built in case of a nuclear attack or for an emergency. They were escape routes. I don't know where they all led to.

G. BRUNI: What happened after you were released from the interrogations?

A. BUSTINZA: I was upset after being treated so bad, I mean I was a sergeant with the United States Air Force. I considered going AWOL. The only comfort I got was when Major Zickler called us into his office and briefed us. He said that any information we gave would be confidential. I felt comfortable with him and my lieutenant. Not one of us would talk about it afterwards. Sometimes we would get ridiculed, guys going on about UFOs, but we had to take it, we couldn't discuss it. There was a gag order on that incident and we were told that what we saw was a lighthouse beacon. There were many nightmares after that.

During the ensuing days Bustinza was debriefed by Base Commander Colonel Ted Conrad and summoned before Wing Commander Colonel Gordon Williams. Conrad gave him a lesson on how to deal with the press, should they start asking questions, and Williams apparently told him that he did not want to personally know anything about what had happened and informed him that it was a matter for the people who were dealing with it. Of course, Colonel Williams had to be careful that he did not get caught up in the drama, it was in his best interest to leave it to the AFOSI to investigate.

When Bustinza returned to his duties three days later, he was assigned to the swing shift with D Flight. It was during this time that his patrol was assigned to guard a C-130 aircraft that had landed on the Woodbridge base. It was not unusual for C-130s to land at Woodbridge, they were constantly arriving and departing, but they seldom needed top-aid security. This was presumed to be the very aircraft that was alleged to have transported the video film and photographs of the UFO to the USAFE headquarters at Ramstein Airbase in Germany. Former Master Sergeant Ray Gulyas told me: 'Captain Verrano was given a video film taken by a military wife working on Woodbridge base. He was instructed to give it to the pilot of the plane that was waiting for it.' Of course, whilst Bustinza was on his three-day break other flights had arrived which needed security. These aeroplanes were said to have flown in from Washington with the purpose of transporting specialists to investigate the landing sites. It seems that the evidence was quickly removed from Britain to the safety of the headquarters in Germany, later to be transported to the Pentagon. One wonders if Britain's defence departments were informed of these goings-on.

Not long after the incident, Adrian Bustinza was sent on temporary duty assignments to other bases around the world. On his return to Bentwaters he joined a special team as a guard of honour for Major General Walter H. Baxter, who replaced Lieutenant General Bazley as commander of RAF Mildenhall. After the incident most of the witnesses appear to have been transferred to other

Woodbridge in December 1980, all available substantiated evidence was looked at in the usual manner by those within the MOD/RAF with responsibility for air defence matters. I believe the Directorate of Air Defence would have looked into the case but this branch no longer exists. The judgement was that there was no indication that a breach of the United Kingdom's air defences had occurred on the nights in question. As there was no evidence to substantiate an event of defence concern no further investigation into the matter was necessary. Although a number of allegations have subsequently been made about these reported events, nothing has emerged over the last nineteen years which has given us reason to believe that the original assessment made by this department was incorrect.

Yours sincerely

[signed]
Gaynor South

Ms South only responded to the last question and totally ignored the first two. But it seems there was a Ministry of Defence department that looked into the case, the Directorate of Air Defence. By far the most outrageous denial by the Ministry of Defence came, not from a civil servant but from a man important enough to know better. Researchers on this case have never forgiven Michael Heseltine when he wrote to the Right Honourable Merlyn Rees MP, in response to a request made by one of Rees's constituents, Mr Philip Mantle, himself a researcher on this subject. In relation to the Rendlesham Forest case, Heseltine stated categorically that there was no unidentified object seen on radar. According to my MOD source, the Directorate of Air Defence was only concerned with radar reports, but the fact that the Ministry of Defence admit that one of their departments did look into the incident is contradictory to what they originally told the USAF at RAF Bentwaters and Mildenhall. The Bentwaters public affairs officer, Captain Victor Warzinski, who seemed to have worked overtime denying this case, sent a telegram (August 1984) to Ramstein Airbase, Germany:

Matter was referred to British MOD who would have jurisdiction. I have another letter from MOD saying they did not investigate the incident, saying the incident 'was not considered to indicate anything of defence interest'.

I have pondered long and hard on the response of the Ministry of Defence to this case. One does not want to believe they would lie, and one cannot blame them for being evasive or offering cryptic replies when it comes to defence issues. But considering they allude to the incident as not being a defence issue, one questions their record of early denial that they had no files on the case in 1981 when in fact they did. Ms South's letter to me is also cause for concern, especially when she refers to the 'alleged' incident. Considering she had access to the Rendlesham Forest files (at least the minor ones), Ms South should know that there is no such thing as it being an 'alleged' incident. This is surely an insult to former military officers, Colonel Charles Halt and Squadron Leader Donald Moreland, who wrote to the Ministry of Defence referring to the incident. One only has to read the contents of these documents to know that it did take place. Therefore, Ms South's assumption that it was an 'alleged' incident is grossly erroneous. But Ms South is from a long line of MOD employees who have played down the Rendlesham Forest incident, some of whom require lessons on how to deal with requests from researchers.

On 19 June 1984 Mr A. Mathewson, a civil servant in DS8 at the Ministry of Defence, wrote a response to investigative journalist Mark Birdsall. He suggested Mark pay attention to the press reports, stating, 'If you followed the press articles on the Woodbridge incident you will have seen the results of a good deal of investigative journalism which turned out quite rational and down to earth explanations for what was seen.' Needless to say, he was not referring to *The News of the World* article which, strangely, turned out to be closer to the facts. He continued: '... as I recall, one favourite explanation was the light from the Orfordness lighthouse.' Mathewson then points out: '... we do not attempt to investigate reports to a

GCHQ

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television main evening news. At 9 a.m. the following morning Cole received a telephone call from Cheltenham Special Branch asking if they could pay him a visit. Within ten minutes they arrived at his door, barely giving him time to set up a recorder that he managed to hide from view. 'I thought no one would believe me,' he said. Apparently, the reason given for their visit was to enquire about the activities of certain British UFO researchers. They wanted to know where they got their funding, and if they had terrorist connections. In other words, were terrorist groups funding them? Cole was not convinced that this was the real reason for their visit and suggested it was due to his public reference to GCHQ.

GCHQ are very much concerned with government intelligence operations but deny any involvement with UFOs. Cole discovered that Martin Redmond MP had addressed GCHQ's possible monitoring of UFOs in a Questions and Answers debate in the House of Commons. Redmond asked the Right Honourable David Davis, Minister of State for Foreign and Commonwealth Affairs

If he will list by month for each of the last ten years and this year [1996] the number of occasions on which the Government Communications Headquarters has monitored unidentified flying objects.

Unfortunately, Redmond died a few weeks later and consequently a reply was not forthcoming. Cole wrote to Ministry of Defence employee Nick Pope, who during 1991-94 was appointed to secretariat (Air Staff) 2a. Cole wanted to know if he had had any liaison with GCHQ on any matters relating to UFOs. On 11 February 1997 Nick Pope replied:

As you may know, it has been the long-standing policy of successive Governments not to comment on the operations of the intelligence and security agencies. I intend to maintain that policy. I am sorry to have to send what I know will be a disappointing reply, but I am sure you will appreciate that this can be my only response on such matters.

In his quest for the truth Cole also wrote to the director of GCHQ, Mr D. B. Omand, asking what tasks GCHQ had undertaken with regards to the UFO phenomenon. Surprisingly, Omand's response (dated 15 January 1997) was considerably more informative. Cole paid special attention to Omand's words '... we hold no information from our *normal* work which would shed any light on the debate whether UFOs have or have not ever been detected.'

I would not normally reply to a letter of this kind, given it is our firm policy not to comment on intelligence operations. In this case, however, I would not want to leave you with any impression that we are concealing work on UFOs. We are not engaged in any way whatsoever in any monitoring for suspected UFOs, and we hold no information from our normal work which would shed any light on the debate whether UFOs have or have not ever been detected. So a nil return from us.

As with America's NSA, the GCHQ are an intelligence-gathering unit who supply information to other government departments, which include MI5 and MI6. Because they work so closely with the NSA, one would assume they would be aware if there was any breach of security resulting from unidentified aircraft. But if the very mention of their name prompts a visit from Special Branch, it is no wonder that government employees refuse to be coerced into discussing GCHQ business. Cole questions why, with the end of the Cold War, would GCHQ be expanding their operations. I do not think this is directly related to the UFO situation for although the Cold War is over the threat of terrorism is greater than ever. Whilst I am against a cover-up concerning the UFO agenda, I am equally glad we have an intelligence force capable of suppressing terrorism. However, Cole is positively convinced GCHQ are involved in investigating UFOs, and claims to have been given inside information to that effect. If this is the case, then that would account for the Ministry of Defence's lack of interest in the matter.

One has to imagine what reaction Lieutenant Colonel Halt's

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busiest area-radar unit in Europe. It was responsible for handling all the USAF movements in and out of Lakenheath, Mildenhall, Bentwaters, Woodbridge, Alconbury and Upper Heyford. One former RAF officer recalls how hectic it used to be when Lakenheath were practising procedures, such as Surge, Launch and Recovery. They would think nothing of sending eighty F1-11s up at the same time, and that was the easy part, getting them back again was a real challenge. With that level of USAF activity it was considered important to have a USAF liaison officer around to smooth things out if the going got tough. There was also a Royal Navy controller assigned to RAF Watton.

RAF →
WATTON

On 27/28 December 1980, two RAF police-dog handlers were on night shift when sometime around midnight they were tasked to investigate strange lights coming in from the north, near the airfield fence to the west of RAF Watton. Less than ten minutes prior to their assignment, both ground and air radar had picked up (as it was later called) 'a large moving air target of unknown type', and the station duty officer was in a terrible flap. The two airmen arrived at the fence to discover several figures shining what appeared to be green and blue lights into the sky. The following statement is taken from one of the witnesses, whom I have named Harry Thompson (pseudonym).

They were about 100-150 yards away from us, and when we turned our searchlight on them they ran off very quickly. We only saw the figures for a little while in the searchlight and these didn't always work. We both got the impression that their clothes were silvery and bulky and appeared to suck in - or not reflect the light after a few seconds. They wore visors which looked like they were split in two halves, like big eyes. We had to use infrared light because we couldn't see them in the normal searchlight. The dogs started going crazy and wouldn't obey the code words, which was 'Trifle' to bite and 'Custard' to stop. Anyway, we made our report and were told to continue our patrol.

The morning after the incident, a high-ranking British officer questioned Thompson and his colleague. The men were advised to

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forget what they had seen because it was only poachers and it was now a matter for the local police. Neither of the witnesses believed the poacher story and, as Thompson recalls, their notebooks covering that particular night were immediately confiscated. He also claims that the duty log in Operations and the occurrence log went missing. According to Thompson, the loss of one of these logs would result in a major investigation and in the case of RAF police would never happen.

According to Thompson, for several days after the incident Americans visited the forest around the perimeter of the Watton base. Just after the New Year Thompson was at the local public house, and whilst in the company of a couple of civilian police from the area he remembers joking with them about the locals filling their freezers with poached sheep and venison. It appears that the local police were unaware of any poaching activity during the night in question, though it was known that poachers did operate in the area all year round. They were also surprised to hear about the unusual lights and had not been told that Americans were messing around in the forest. Were these the same American scientists who were reported to have been investigating Rendlesham Forest?

Porton
Down

Thompson had more to add, explaining that immediately after the Watton incident a team of four British government scientists, supposedly from the Ministry of Defence Research Centre, Porton Down, were driven to the forest by another of his colleagues, also an RAF policeman. Once in the forest, the scientists changed into strange-looking space-type suits with tubes running into air compressors which seemed to be connected to their backs. The police officer was left waiting for them while they wandered off through the trees. On their return they changed back into their clothes, packed their suits and climbed into the vehicle in complete silence. In fact, the only word they spoke during the whole time they were in the police officer's company was a simple 'goodbye' as they speedily departed. One cannot dismiss the possibility that there may be a connection between the Rendlesham Forest incident and RAF Watton. There are obvious similarities between the two: they occurred on the same dates;

the radar tracked a UFO; there were lights in the sky and strange figures in the forest. There was also an interview with a superior officer, suggesting the witnesses forget what they saw, and the government investigators turning up after the events. In fact the only thing missing at Watton was the landing of UFOs.

It is unfortunate that I am not able to supply the names of these witnesses, but Thompson wishes to protect his colleague who is still in the service and nervous of repercussions.

Several personnel at Bentwaters have reported strange visitors turning up after the incident. Colonel Halt, Adrian Bustinza, Greg Battram, John Burroughs and others have mentioned there were visitors arriving in unmarked aircraft. Jim Penniston and other non-commissioned officers were briefed and told to put the word out to their people to ignore any activity on the perimeter fence at Woodbridge. Penniston was told that a team had been brought in to do some electronics work, but he thought it strange because they were not wearing military uniforms. He later discovered they were a containment study team from the CIA's Langley Research Laboratory. I had heard from other personnel that a study team were sent out to investigate the site. But what was a CIA research team doing on British property?

It is interesting the CIA should send in their specialists, considering the USAF have their own, such as the Bioenvironmental Engineering Support Group, which is the equivalent of the Occupational Safety and Health Administration, the Environmental Protection Agency and the Nuclear Regulatory Commission. These specialists, known as Team Aerospace, would be responsible for surveying and evaluating environments and recommending controls to keep the environmental and occupational exposures within acceptable limits. Their primary aim is to promote the health and well-being of all Air Force personnel. Normally employed in the workplace, they use specialized survey instruments and equipment to collect samples and evaluate any hazards which may exist. They also perform environmental sampling such as air, soil, chemical, radiological or bacteriological.

Porton Down Research Centre, situated in Wiltshire, is one of the United Kingdom's most secretive and sensitive sites. Known as the Chemical and Biological Defence Establishment, it was founded in 1916 to combat German gas attacks. If this centre was involved in an investigation, then there is no doubt that the incidents which occurred during Christmas week 1980 were of great concern to both the US and UK defence departments. I also believe that should their results have proved positive then Highpoint Prison, and possibly others like it, would have been used to isolate those suffering with whatever virus or contamination the visitors might have brought with them. This would also indicate that, contrary to their denial, the Ministry of Defence and the CIA not only carried out an investigation but made preparations.

I spoke to a scientist who is familiar with Porton Down Research Centre. She explained that in the event of an unknown threat, all precautions would be taken. When dealing with the unknown, such as objects landing from space, you would aim for the highest level of isolation in case they brought an infectious agent. When I described the men in white suits with tubes attached to their backs, she explained that this attire would most probably have been used as a protection against dealing with an unknown microbiological threat. I had to conclude that if there was a risk of an unknown threat, it would be much easier to evacuate the local community in such a crisis, but the government would want to have the prisoners made more secure in case they later had to deal with a national disaster. The more I looked into the Rendlesham Forest incident as being a possible biological threat, the more I began to believe that this was indeed something that our defence departments were very much concerned about.

Lord Hill-Norton should be congratulated for his diligent efforts in trying to find answers to the Rendlesham Forest incident. In 1997 he wrote to Lord Gilbert at the House of Lords but was furious when Gilbert failed to respond positively to his questions. Hill-Norton replied to Gilbert's letter on 22 September 1997:

I have just received your reply (I presume that the illegible squiggle is your signature) to my Question for Written Answer of 31 July, about Colonel Halt's report on an incident at RAF Woodbridge, in 1981.

You have not answered my question, which was '... Did the MOD reply to the Memo from Lt Col Halt ...', so I shall have to put it down again in a different form. The answer must be, simply, Yes or No. I need the formal reply for the dossier which is being prepared.

You may wish to know that his Memo, which has been in the public domain for 15 years, covers a great deal more than 'lights in the sky'. Five books have been written about the incident, of which the latest, published two months ago, is *Left at East Gate* by one Larry Warren, who was one of the enlisted men sent to investigate the violation of British Air Space.

Lord Gilbert replied to Lord Hill-Norton's letter on 16 October 1997:

Ministry of Defence Whitehall

Dear Lord Hill-Norton,

Thank you for your letter of 22 September concerning the alleged events at Rendlesham Forest of December 1980.

From Departmental records available from that period we have found no evidence to suggest that this Department contacted Lieutenant Colonel Charles Halt following receipt of his memo of January 1981 recording 'Unexplained Lights' in the area in December 1980. Some 16 years after the event we can only conclude, therefore, that it was not considered necessary to make further enquiries in the light of the lack of any evidence to suggest that the UK's Air Defence Region had been compromised by unauthorized foreign military activity.

It was then, and is still, the case that MOD does not routinely contact witnesses who submit reports of 'unexplained' aerial sightings. Follow-up action is only deemed necessary if there is corroborating evidence to suggest an unauthorized incursion of the UK Air Defence Region or other evidence of a matter of defence concern.

I hope this clarifies the position.

On 22 October 1997 Lord Hill-Norton replied to Lord Gilbert's letter:

Thank you for your letter of 16 October (it took five days to get here!) about my Question and Colonel Halt's Memo. It was good of you to take the trouble to reply.

I do not want to go on and on, but because you are new to this particular matter I would like to put you more fully in the picture. Your officials, and those (perhaps the same individuals) of previous Administration, have sought to pretend that Col Halt's report was only about 'unexplained lights in the sky', but as I said in my letter of 22 September it was about a good deal more than that.

So that there is no possibility of further misunderstanding I attach a copy of the Memo in full, and I beg you to read it yourself. From this you will see that he reported that an unidentified object breached UK Air Space and landed in close proximity to the US/RAF Air Base. He gives considerable detail about what happened at the time, and subsequently, together with physical evidence of an intrusion.

My position both privately and publicly expressed over the last dozen years or more, is that there are only two possibilities, either:

- a. An intrusion into our Air Space and a landing by unidentified craft took place at Rendlesham, as described.
- or
- b. The Deputy Commander of an operational, nuclear armed, US Air Force Base in England, and a large number of his enlisted men, were either hallucinating or lying.

Either of these simply must be 'of interest to the Ministry of Defence', which has been repeatedly denied, in precisely those terms. They, or words very like them, are used again in your letter and I believe, in the light of the above, you would not feel inclined to sign your name to them again.

I could give you a great deal more evidence in similar vein, not only about this incident but about many others, but on this occasion I will spare you. I ought, however, in all fairness let you know that the routine denials by the Ministry - usually the

ubiquitous Ms Phillips [sic] – will very soon become extremely damaging to its general credibility in this field.

Lord Hill-Norton did not receive a reply.

If it were not so serious one might be amused by Lord Gilbert's reply. The fact that the MOD does not routinely contact witnesses who submit reports of 'unexplained' aerial sightings, unless there is corroborating evidence to suggest it is a matter of defence concern, is preposterous when relating it to the Rendlesham Forest incident. Lord Gilbert seems to have paid no attention to the fact that the report was made by a USAF officer who was referring to an incident that occurred on the perimeter of a NATO base in Britain and – what is more – it contained nuclear weapons! No wonder Lord Hill-Norton lost his patience. It only proves what the ufologists have been saying all along, that the governments of the world will not admit it is of any concern until a UFO lands on the White House lawn.

On 5 July 2000 I questioned former Secretary of State for Defence Michael Portillo on the Rendlesham Forest case. Although he was aware of the incident, he pointed out that it was before his time. When I suggested that due to his former position he must have been briefed about the case and UFOs in general, and asked if there was anything he could tell me, he grinned and said, 'I know a lot but I tell a little.'

THE CIA FILE

When I first began investigating this case I realized there was far more involved than the initial encounters. The witness testimonies were incredibly confusing and there seemed to be so much disinformation at hand. I was beginning to think some of the witnesses might have been given screen memories. This could be achieved by the administration of drugs combined with hypnosis itself. Should the subject begin to recall the events, the created screen memory (false story) would be distorted and would therefore be recalled incorrectly. The other method would be to induce hypnotic amnesia, which causes the subject to forget all he is programmed to. Using either of these methods, the subject may never know that he was meddled with. These programmes are not fictional, they were designed to be used by the Central Intelligence Agency and the US military. Scientists working on these mind-control experiments were aware that the subjects could be deprogrammed at a future date by undergoing hypnotic regression, thus they decided to create multiple memories in order to confuse any attempt at getting to the truth.

Some of the witnesses in this case were required to report to the AFOSI, and there is no doubt that Jim Penniston was drugged. Larry Warren even claims to have been abducted by his interrogators and kept in custody for three days. Adrian Bustinza, John Burroughs and Jim Penniston were recalled more than once by the AFOSI. Could it be that they were victims of some type of mind control? The CIA claims these programmes are no longer operable, but there are indications that CIA/military agencies are still using this kind of agenda. If the Rendlesham Forest incident actually occurred, then it



FOCUS ARTICLE ON UFOs

A reporter from Focus called today (25/10/00) to say they are going to run a book review about Nick Pope's latest book - *Operation Lightning Strike* and another book which is by Georgina Bruni and is called *You can't tell the people*. To balance the article they would like to include a piece on the MOD's official line on 'UFOs'.

Georgina Bruni is not an employee of the MOD. Her book is to be published by McMillan Publishing and is about a well known UFO incident in Rendlesham Forrest in December 1980. She is an associate of Nick Pope and he has written the Foreword for her book. She is holding a book launch in Henry VIII wine cellar in Main Building on 14th November where she will be promoting her book and "showing articles of interest from the incident". Focus (amongst others not known) have been invited. Nick Pope will also be there and will presumably be promoting his own book to. The reporter said Nick Pope also suggested to him that Georgina and himself could dress up as Mulder and Scully from the X-Files TV programme and have their photograph taken for Focus. It is interesting to note that in Nick Pope's first book - *Open Skies, Closed Minds*- which is based on his time working in Sec(AS), he compares himself to Fox Mulder.

The Focus reporter (Craig Cabell **Section 40** CHATS DCC(FOCUS)3) wishes to come up to talk to us. He is looking to write about 1000 words about the MOD's position on 'UFOs' and as Georgina Bruni's book is about Rendlesham Forrest, he would like to include a paragraph about our position with regard to that incident.



From: **Section 40**, Secretariat(Air Staff)2a, Room 8245
MINISTRY OF DEFENCE
Main Building, Whitehall, London, SW1A 2HB



Telephone (Direct dial)
(Switchboard)
(Fax)

0171 218 2140
0171 218 9000

Section 40

Ms G Bruni
PO Box 697,
Chelsea,
London.
SW3 2BL

Your Reference

Our Reference
D/Sec(AS)/64/3

Date
23 July 1999

Dear Ms Bruni,

Thank you for your letter of 29 June regarding the alleged incident at Rendlesham Forest.

When the Ministry of Defence was informed of the events which are alleged to have occurred at Rendlesham Forest/RAF Woodbridge in December 1980, all available substantiated evidence was looked at in the usual manner by those within the MOD/RAF with responsibility for air defence matters. I believe the Directorate of Air Defence would have looked into the case but this branch no longer exists. The judgement was that there was no indication that a breach of the United Kingdom's air defences had occurred on the nights in question. As there was no evidence to substantiate an event of defence concern no further investigation into the matter was necessary. Although a number of allegations have subsequently been made about these reported events, nothing has emerged over the last 19 years which has given us reason to believe that the original assessment made by this Department was incorrect.

Yours sincerely,

Section 40

Georgina Bruni

PO Box 697, Chelsea, London SW3 2BL

29.6.99

Section 40

Secretariat (Air Staff) 2a, 1a, Room 8245
Ministry of Defence
Main Building, Whitehall
London SW1A 2HB

Dear

Section 40

I am writing to you under the terms of the Code of Practice on Access to Government Information, requesting that you send me a copy of the following items which relate to incidents allegedly involving UFOs that occurred in Rendlesham forest, Suffolk, in December 1980.

1. A letter from the Ministry of Defence (precise date unknown, between 1980 -1984) to RAF Mildenhall, Norfolk and RAF Bentwaters, Suffolk, which in part states: "*.....the incident was not considered to indicate anything of defence interest.*" Reference to this letter was mentioned in a cable (dated 6 November 1984) sent from the headquarters of USAFE, Germany, to the USAF Public Affairs Officer at RAF Bentwaters. The latter was released by the US Freedom of Information Act (FOIA).
2. Documents pertaining to the results of the assessment for the Rendlesham forest incident/s, which occurred between 25 - 31 December 1980, carried out by Air Staff responsible for defence matters at that time. Reference to this report and a memorandum written by Lt. Colonel Charles I Halt was made by Mr Nicholas Soames in the House of Commons on 24 July 1996: "*The report was assessed by staff in my Department responsible for air defence matters. Since the judgment was that it contained nothing of defence significance no further action was taken.*" It was also mentioned by Lord Gilbert in the House of Lords on 14 October 1997. His reply: "*The memorandum which reported observations of unusual lights in the sky, was assessed by staff at the MoD responsible for air defence matters. Since the judgment was that it contained nothing of defence significance, no further action was taken.*"
3. Please supply the name of the Department responsible for the aforementioned assessment.

With reference to the case, may I take this opportunity to thank you for sending me a copy of the covering note written by Squadron Leader Donald Moreland.

Yours sincerely

Section 40

Georgina Bruni



From: **Section 40** Secretariat(Air Staff)2a1a, Room 8245
MINISTRY OF DEFENCE
Main Building, Whitehall, London SW1A 2HB



Telephone (Direct dial) 0171 218 2140
(Switchboard) 0171 218 9000
(Fax)

Section 40

Ms G Bruni
PO Box 697,
Chelsea,
London.
SW3 2BL

Your reference

Our reference
D/Sec(AS)/64/3

Date
28 October 1998

Dear Ms Bruni,

Thank you for your letter of 20 October in which you asked for a copy of the covering letter under which Lt Col Halt's memorandum concerning strange lights in Rendlesham Forest was sent to the Ministry of Defence in January 1981.

I have attached a copy of the letter as requested.

Yours sincerely,

Section 40





RAF LIAISON OFFICE

Royal Air Force Bentwaters Woodbridge Suffolk IP12 2RQ

Telephone Woodbridge

Section 40

(E110)

Your reference

MOD (DS8a)

Our reference BENT/019/76/
AIR

Date 15 January 1981

UNIDENTIFIED FLYING OBJECTS (UFO's)

I attach a copy of a report I have received from the Deputy Base Commander at RAF Bentwaters concerning some mysterious sightings in the Rendlesham forest near RAF Woodbridge. The report is forwarded for your information as considered necessary.

Section 40

D H MORELAND
Squadron Leader
RAF Commander

Copy to:

SRAFLO, RAF Mildenhall

Section 40

Section 40 Chelsea, London Section 40
e-mail Section 40

20 October 1998

Section 40

Sec [AS] 2a
Room 245
Ministry of Defence
Main Building
Whitehall
London SW1A 2HB

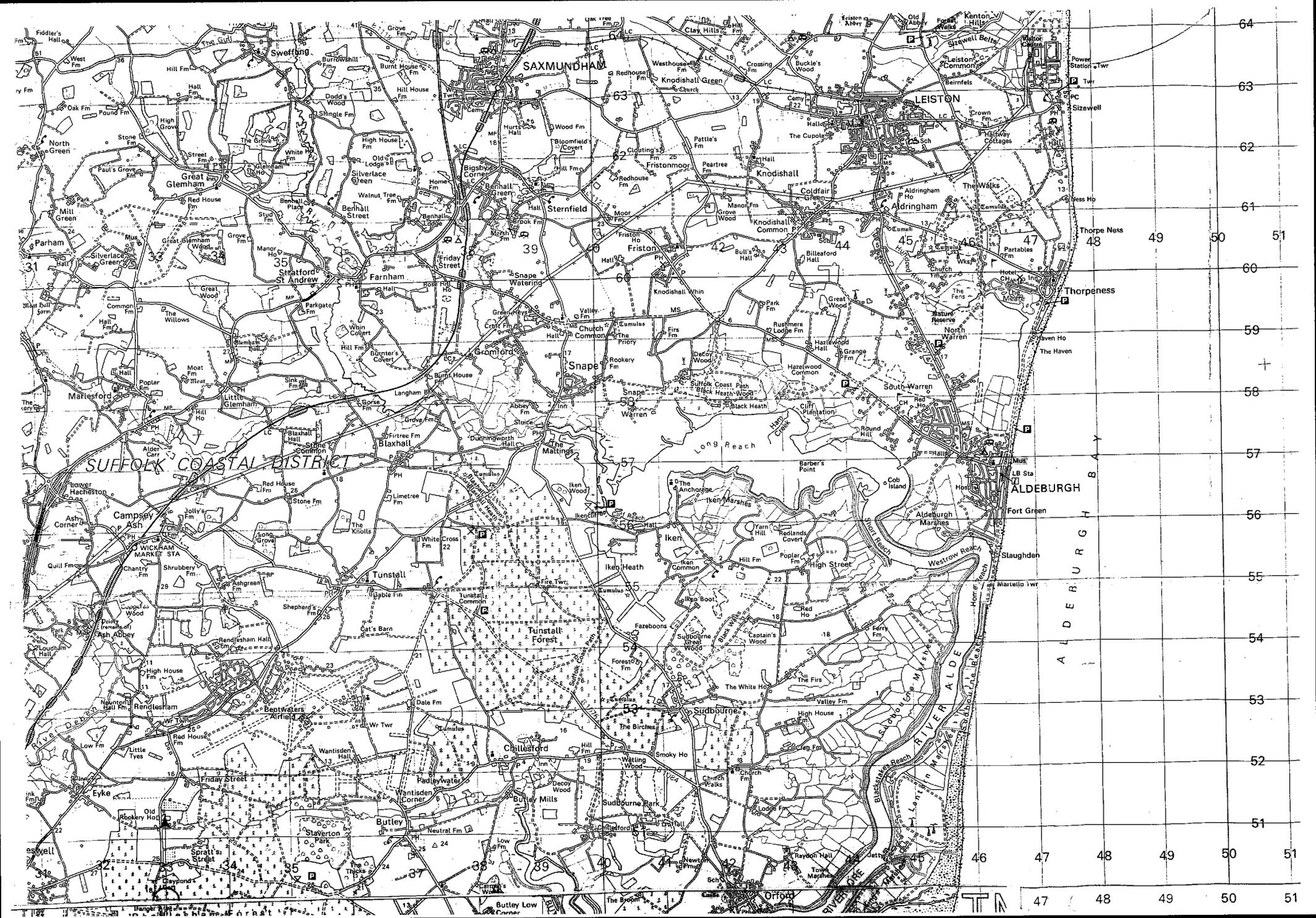
Dear Section 40

I am writing to you under the terms of the Code of Practice on Access to Government Information, requesting that you send me a copy of the covering letter under which the so called Halt Memorandum was sent to the Ministry of Defence in January 1981. I believe this letter was signed by Squadron Leader Donald Moreland.

Yours sincerely

Section 40





SUFFOLK COASTAL DISTRICT

ALDEBURGH BAY

SAXMUNDHAM

LEISTON

ALDEBURGH

STERNFIELD

ALDRINGHAM

FARNHAM

SNAPE

CAMPSEY

TUNSTALL

IKEN

TUNSTALL FOREST

SUDBOURNE

CASTLEFORD

WANTLADEN CORNER

BUTLEY

CASTLEFORD

EYKE

SPRATT'S STREET

BUTLEY LOW CORNER

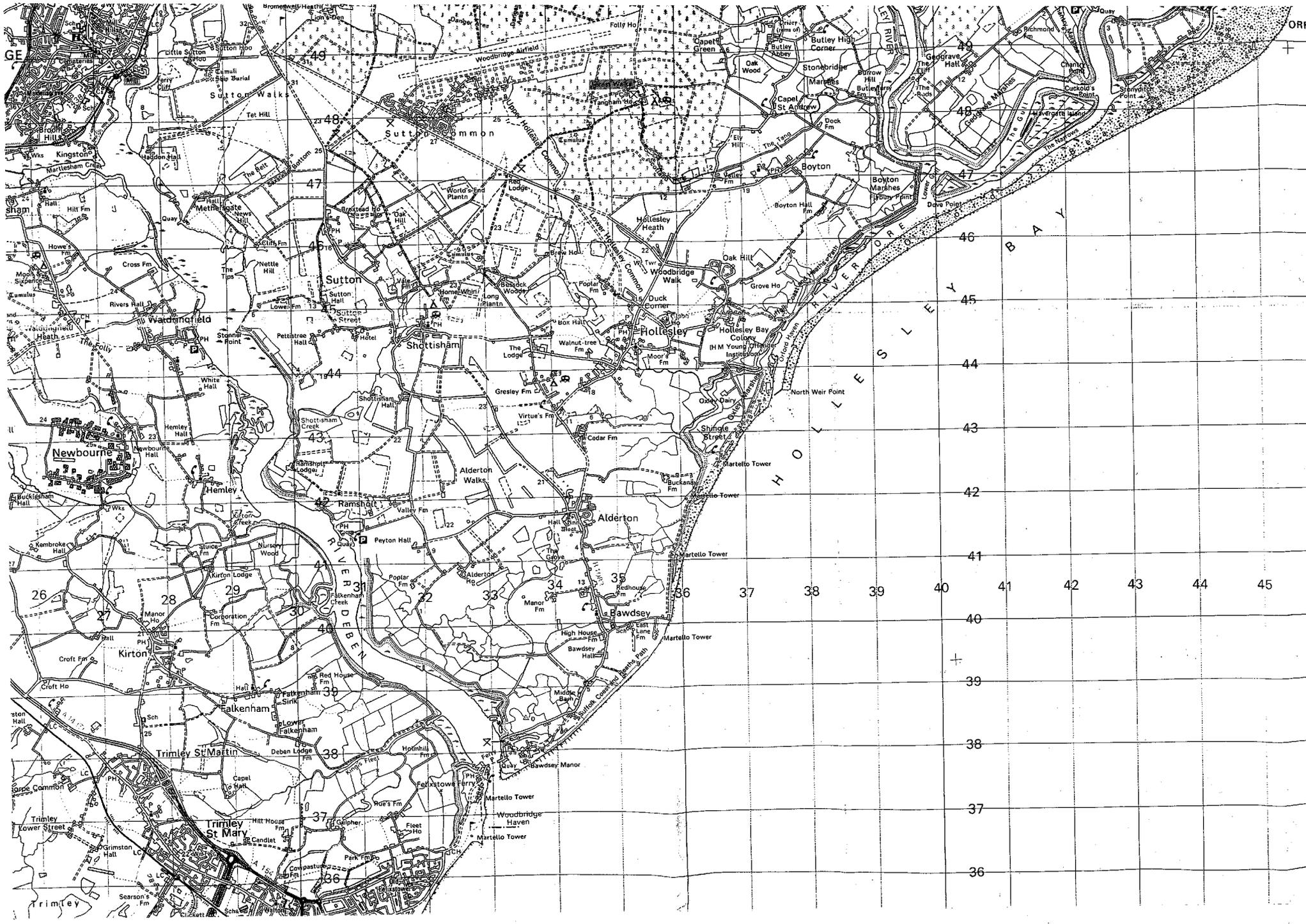
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attracted the attention of Lord Hill-Norton who posed a question in the House of Lords.

On 23 October 1997 Hill-Norton asked Her Majesty's Government:

Whether staff at Highpoint Prison in Suffolk received instructions to prepare for a possible evacuation of the prison at some time between 25 and 30 December 1980 and, if so, why these instructions were issued.⁶

Lord Williams of Mostyn replied:

I regret to advise the Noble Lord that I am unable to answer his Question, as records for Highpoint Prison relating to the period concerned are no longer available. The governor's journal is the record in which a written note is made of significant events concerning the establishment on a daily basis. It has not proved possible to locate that journal.

According to a local police spokesman, Highpoint Prison used to be an RAF training camp before it became a prison. Initially, it was known for its sloppy security and was notorious for many prison escapes, but since then the security has been stepped up. I could not understand why the government would want to evacuate a prison, but realized it had to involve something of major importance for the government to risk transporting hundreds of prisoners to another location. But was it anything to do with the Rendlesham Forest incident? I decided it was time to talk to George Wild.

Wild not only confirmed the story, but also added that Highpoint was not the only prison to receive the briefing. It turned out that another Suffolk prison was also put on standby for an evacuation. This was the Hollesey youth correction centre, a few miles from Woodbridge. Wild explained that these were ideal establishments to use in an emergency because they are so well isolated,

⁶ QA 216.

especially Highpoint. If there was any danger to the area, surely the locals would have been informed, after all one would think their safety was as important as the prisoners'.

It was only later, when I read Brenda Butler's files, which she kindly sent to me, that I found there were more references to the prison evacuations. As early as February 1982 Brenda had heard from a friend of hers, a local police officer, that Hollesey correction centre were told to be prepared for evacuation on 27 December. The alert concerned something happening at RAF Woodbridge which might affect national security. Following this report Brenda received a letter from a prisoner at Blundeston prison near Lowestoft. He claimed to have seen a silver object from his prison cell window at approximately 9 p.m. on the night of 27 December. He also wrote that the prison was on a standby alert and promised to contact Brenda on his release because he had managed to get access to the prison officers' files. But Brenda never heard from him again.

George Wild specifically pointed out that the night of the standby was 27 December. This is interesting because, assuming it is connected with the Rendlesham Forest incident, it means that the government were not expecting the visitors on the first or second night, but were obviously preparing in case another incident occurred on the third. But it still did not make sense. Why would they need to evacuate the local prisons? Were they expecting an invasion or an attack? If that was the case then the establishments would be ideal for prisoner of war camps. But would it not be more sensible to secure prisoners in the USAF bases or in one of the many RAF installations scattered throughout East Anglia? I concluded they were preparing for the worst – a possible biological hazard posed by alien contact. In the event of such a threat, the prisons would be used as isolation units.

Bentwaters and Woodbridge were not the only bases to be experiencing unusual activity during December 1980. RAF Watton, approximately thirty-five miles north of Rendlesham Forest, was home to the Royal Air Force. The installation was closed down several years ago, but in the late 1970s and early 1980s it was the

was surrounded by hundreds of women and children who began living in disgustingly filthy conditions at a makeshift peace camp situated outside the perimeter fence. Top bodyguard and covert operator Jacqueline Davis spent several weeks under-cover at Greenham Common. She recalls being disturbed in the middle of the night by a Ministry of Defence police officer urinating on her face. It seems this was one way they relieved their boredom, another was to smear faeces on the tent poles. There has been much speculation that Greenham Common was none other than a front for Bentwaters, where the real missiles were stored. One wonders just how different the Rendlesham Forest case might have turned out had the forest surrounding the Suffolk bases been overrun by the Greenham Common protesters.

Lord Lewin, Admiral of the Fleet and the Chief of Defence Staff in 1980, was a great supporter of the United States Air Force in Europe. In fact, Lord Lewin visited RAF Bentwaters on several occasions and eventually retired to live near Woodbridge, where he died a couple of years ago. Apparently Lewin was also a supporter of nuclear weapons and argued the need for Britain's cooperation with NATO on this very subject.

Although no high-ranking American officer will openly admit that nuclear weapons were deployed at Bentwaters, there is a clue perhaps: it seems that RAF Bentwaters carried out exercises that still remain classified. On 30 June 1998 Member of Parliament Matthew Taylor posed a question to the House of Commons regarding the USAF and an exercise carried out in the United Kingdom:

MR MATTHEW TAYLOR: To ask the Secretary of State for Defence what was the scenario of the exercise, Proper Watch, in 1989; on what dates and where it took place; if the United States Department of Defense took part; and if he will place a copy of the results of the exercise in the Library.⁵

⁵ Written Answers 130.

DR REID: Exercise Proper Watch took place at RAF Bentwaters in May 1989. The exercise tested the procedures in place for responding to the crash of a US transport aircraft carrying nuclear weapons. The United States response forces participated in this exercise. A classified report on the exercise does exist, but for the reasons my hon friend the Under-Secretary of State for Defence gave to the hon Member on 31 July 1997, Official Report, column 470, and under Exemption 2 of the Code of Practice of Access to Government Information, I am not prepared to release the report.

Based on all the evidence it seems obvious that there is a continuing cover-up to hide the details of the Rendlesham Forest incident. Could it be because there really was a threat to the nuclear weapons? I asked Nick Pope if he thought the incident was a defence issue.

The Ministry of Defence has consistently said that these events were of no defence significance. As somebody who has researched and investigated UFOs for the MOD I can tell you that I regard this whole business as being of extreme defence significance.

Much has been made of the radiation readings concerning the initial incident, but what if there was a threat more terrible than an isolated case of radiation?

George Wild is a resident of Osset, a small market town in West Yorkshire. Several years ago he told UFO researchers he had heard that Highpoint Prison in Suffolk was to be evacuated on the night of 27 December 1980. Before his retirement Wild had been a senior prison officer at Armley Prison in Leeds, and it was during a prison officers' seminar that he first heard the story. Apparently, he had struck up a conversation with a prison officer from Highpoint who claimed to have received instructions that they might have to evacuate the building due to a possible incident that could occur late that night. Furthermore, the officers were told it was a matter of national security. The evacuation never took place but the report

governments neither to confirm nor deny where nuclear weapons are located either in the UK or elsewhere, in the past or at the present time. Such information would be withheld under exemption (1) of the Code of Practice on Access to Government Information.¹⁴

In the same Questions and Answers session Lord Hill-Norton asked Her Majesty's Government if reports that a UFO had allegedly aimed a beam at the nuclear weapons area on the Suffolk installations were true. Unfortunately, Hill-Norton erred in his question by referring to RAF Woodbridge and not its sister base RAF Bentwaters. In 1980 there were no nuclear weapons stored on the Woodbridge installation. Lord Gilbert replied, 'There is no evidence to suggest that the Ministry of Defence received any such reports.'

It is clear that Lord Hill-Norton either suspects, or more likely knows, that nuclear weapons were stored at the installation. Indeed, when commenting on the Rendlesham Forest incident on a network first ITV documentary on UFOs, he actually called it a *nuclear base*. Could this be one reason there is such secrecy surrounding the incident?

It seems to me that something physical took place. I have no doubt that something landed . . . either large numbers of people were hallucinating, and for an American Air Force nuclear base this is extremely dangerous, or what they say happened did happen, and in either of those circumstances there can only be one answer, and that is, that it was of extreme defence interest . . .

When I asked General Gordon Williams if he would comment on whether nuclear weapons were deployed on RAF Bentwaters, he replied:

This is a tender area . . . the long-established policy to 'neither confirm nor deny' has stood up well. In fact, inadvertently, it's been brilliant.

¹⁴WA 232.

It certainly has stood up well; I received similar responses from other senior officers who served at the base during that period. Lieutenant Colonel Malcolm Zickler, then the major in charge of the Security Police and Law Enforcement Squadrons, apologetically replied with the official line. Nevertheless, several of the men who served under Zickler's command have insisted there were 'nukes' on Bentwaters, and they should know considering it was their job to guard them.

In October 1998 an interesting declassified top-secret Ministry of Defence document was released through the Public Records Office, which proves that USAF installations in Britain were harbouring nuclear weapons as far back as the 1950s. The document, which was part of a file marked 'Nuclear Retaliation Procedures' and dated 13 March 1961, revealed how Britain would respond should a nuclear attack wipe out the United States of America. In order to retaliate, Britain would need to have secured the nuclear weapons deployed on the US bases in Britain. But in the event that the Americans refused to cooperate for lack of orders from their now defunct higher command, senior civil servants recommended that the British Army should be instructed to shoot the US officers in order to seize the weapons. The MOD briefing document states: 'In any case, we could get hold of the bombs even if it meant shooting the American officers concerned.' Frank Mottershead, the deputy permanent secretary of state at the Ministry of Defence, approved the paper.

Of course, at that time the government may not have been aware that the USSR had secretly placed nuclear weapons in East Germany to target Britain. The operation was discovered by Dr Matthias Uhl who was recently given access to Russian military archives. The weapons had a payload of 300 kilotons of TNT, more than twenty times the force of the bomb dropped on Hiroshima. In fact, the weapons only had a range of 750 miles, so America was safer than Britain in those early days.

It is no secret that US cruise missiles were deployed at the Greenham Common and Molesworth bases. Once word was out, however, the Greenham Common site, then leased to the USAFE,

weapons on board went out of control during a training session. The plane, piloted by Captain Russell Bowling, slid off the runway, crashing into a bomb dump containing three nuclear weapons. All three bombs were showered with burning fuel from the exploding fuel tanks, and a cable reporting the incident said it was a miracle that one of the bombs with 'exposed detonators' did not explode. Needless to say, better precautions were taken following these events. But so serious was the accident that the base fire department were ordered to ignore the burning B-47 with its four badly burnt crewmen and concentrate on dousing the flames engulfing the Mark 6 nuclear bombs. Terrified base personnel fled the area in panic, but the local community was not warned of the impending danger. Had the bomb exploded, thousands of people would have been killed and the entire area of Suffolk turned into a desert.

In 1996, after *The Telegraph* first exposed accidents involving nuclear weapons on British bases, the US Embassy in London was flooded with media and public demands for information. The American Ambassador, William Crowe, wired Washington for details of the incidents and advice on how to deal with the numerous enquires. The telegrams revealed that the press and public should be informed that there was 'no evidence that there had been a nuclear-weapon accident or incident involving US forces or weapons in the UK which has resulted in a release of radioactivity to the environment'. However, it was still a denial because there had indeed been an incident involving US forces and weapons in the UK. Apparently, a Freedom of Information report revealed that the US State Department had prepared a more detailed statement about nuclear incidents in Britain, which included a Greenham Common accident. In this instance two British scientists from Aldermaston were called to the installation and found radiation around the base, which they concluded could only have been caused by a nuclear accident. However, it appears the Ministry of Defence prevented the release of this file.

It is interesting that although there were reports that the United States Embassy in London had sent a naval representative to

investigate the Rendlesham Forest incident, the Embassy denied any knowledge of it. On 13 August and 22 August 1984 respectively, Mark Birdsall received written replies to his requests for information from the Embassy's chief warrant officer, A. B. Rowley, US Navy Operations Coordinator, to this effect. Since the US Embassy was instructed to deny the near-nuclear accidents, it stands to reason we cannot trust their denial in this matter.

Not even the former Chief of Defence Staff, Lord Hill-Norton, was privy to information regarding the Rendlesham Forest incident. When he tabled a written question to the House of Lords on 14 October 1997, concerning Halt's memorandum and a landed craft in Rendlesham Forest, Lord Gilbert responded with the following: 'The memorandum, which reported observations of unusual lights in the sky, was assessed by staff at the MOD responsible for air defence matters. Since the judgement was that it contained nothing of defence significance, no further action was taken.'³

It is worth noting that Lord Gilbert refers only to 'unusual lights in the sky' when in fact Colonel Halt's memorandum mentions an actual metallic object. How the Ministry of Defence dismisses the Rendlesham Forest incident as having no defence significance remains a complete mystery. (a) We either have a very stupid defence system; (b) they do not know how to deal with it; (c) the Americans were/are in control of the situation; (d) another British department is overseeing the UFO agenda; or (e) the evidence is being suppressed for other reasons. I am not convinced that our great British defence system would fall into category (a). Therefore, it leaves little doubt that it must fall into one of the other categories or all of them for that matter.

On 28 October 1997 Lord Hill-Norton asked Her Majesty's Government to respond as to whether allegations to the effect that nuclear weapons had been stored at RAF Bentwaters and RAF Woodbridge in violation of UK/US treaty were true. Lord Gilbert replied, 'It has always been the policy of this and previous

³WA 169.

Prime Minister

The various reports about unidentified flying objects described by the Press as 'Flying Saucers', were the subject of a full Intelligence study in 1951. The conclusions reached (based upon William of Occam's Razor) were that all the incidents reported could be explained by one or other of the following causes:

- (a) Known astronomical or meteorological phenomena
 - (b) Mistaken identification of conventional aircraft, balloons, birds, etc.
 - (c) Optical illusions and psychological delusions
 - (d) Deliberate hoaxes
2. The Americans, who carried out a similar investigation in 1948/9, reached a similar conclusion.
 3. Nothing has happened since 1951 to make the Air Staff change their opinion, and, to judge from recent Press statements, the same is true in America.
 4. I am sending a copy of this to Lord Cherwell.

Unlike most prime ministers, who tend to leave the intelligence agencies to get on with it, Margaret Thatcher wanted to be on the inside. Indeed, her interest in Britain's intelligence matters goes back to well before she actually became Prime Minister, and it is known that she was regularly briefed by both MI5 and MI6. Once elected, she became the first British Prime Minister to sit on the top-secret Joint Intelligence Committee meetings. Even today, it is suggested that she continues to act as a liaison in intelligence matters between the United Kingdom and her allies.

Margaret Thatcher had already pointed out to me that the UFO phenomenon is not something the people should know about. She is not alone in her concern over keeping this information out of the public domain, and one might speculate that there are very good reasons for doing so. One of the major concerns being the Church, others are a close second behind and include fear of a stock-market crisis, revolutions and anarchy. So are we being protected from the truth for our own benefit or are our protectors doing it for theirs, or is it a bit of both? Even supposing they are aware, what leader would

have the courage to stand up and announce to his/her citizens that we have been visited by UFOs or, worse, have made contact with aliens.

Of course, there are other reasons for not making a fuss about the Rendlesham Forest case. If the weapons storage area at RAF Bentwaters secretly deployed a stockpile of nuclear weapons then it was in the UK/US's interest to keep it from becoming an issue. It was one thing to have to fob off a bunch of local ufologists, but it was quite another to bring to attention an incident involving unknown aircraft penetrating the airspace of a nuclear weapons NATO base. Better to dismiss it as a non-event, that way questions do not need to be addressed.

Between 1950 and 1980 there were an astonishing thirty-two reported accidents involving nuclear weapons on British installations. In 1998 *The Sunday Telegraph* newspaper revealed how Britain had come close to disaster when an atomic-bomb accident occurred at RAF Lakenheath on 16 January 1961. The information did not derive from the Ministry of Defence but was obtained through the American Freedom of Information Act, because Lakenheath was, and still is, leased to the USAF. The journalists also managed to recover 'secret telegrams' sent from the US Embassy in London to the State Department in Washington DC.

The incident occurred when a warplane, loaded with a bomb, caught fire on the runway. Fortunately for all our sakes the fire was extinguished, but not before the bomb had become scorched and blistered. The US Embassy reported that the bomb had remained intact and there was no radiation release in the area. Nevertheless, the casing on the bomb had begun to deteriorate under the intense heat and had the bomb exploded it could have caused a Chernobyl type disaster, contaminating the Suffolk countryside for hundreds, maybe thousands, of years to come. *The Telegraph* also revealed other accidents that were equally alarming.

Five years earlier, at 14.39 hrs on 27 July 1956, just two weeks prior to the Lakenheath and Bentwaters UFO incident, RAF Lakenheath had a serious accident when a B-47 bomber with no