



Ministry of Defence

Ministry of Defence
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Our Reference: FOI2016/03106

[REDACTED]

[REDACTED]

12 April 2016

Dear [REDACTED],

Thank you for your email to the Ministry of Defence (MOD) dated 10 March in which you requested the following information:

1. How many members of the Armed Forces were discharged for being transsexual before 1999?
2. How many current members of the Armed Forces are transsexual?
3. How many transsexual individuals were discharged from the Armed Forces between 1975-1999?
4. How many transsexual individuals have been discharged from the Armed Forces since 1999?
5. How many transsexual individuals have been discharged from the Armed Forces since 2007?

I am treating your correspondence as a request for information under the Freedom of Information Act (FOI) 2000. Following a search of our records, I can confirm that the MOD does hold some information within the scope of your request.

Section 12 of the FOI Act makes provision for public authorities to refuse requests for information where the cost of dealing with them would exceed the appropriate limit, which for central Government is set at £600. Transsexual is not a recognised category when recording the reason for an individual leaving service. We would therefore have to review the personnel files of every individual to leave the Armed Forces to determine whether the term 'Transsexual' had been noted as a contributing factor towards their discharge. It has been estimated that a review of all personnel files to provide information relating to your request will exceed the FOI cost limit. This limit represents the estimated cost of one person spending three and a half working days in determining whether the Department holds the information, and locating, retrieving and extracting the information. If any one part of an FOI request exceeds the cost limit, then the whole request must be rejected.

Under Section 16 of the FOI act I can suggest that you may wish to refine the information you seek, for example: by narrowing the scope of the request to a single Service and/or a

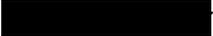
single year. However, please be aware that any revised request is likely to be cost exempt due to the number of records that would need to be searched. In addition, multiple requests received by the MOD at the same time will be aggregated together and the cost of answering the aggregated FOI may also then exceed the Section 12 cost limit. With regard to your second question, please note that the Gender Recognition Act 2004 requires the Department to protect information regarding personnel who have undergone Gender Reassignment and therefore no record of transition is maintained by the Department. Finally, Armed Forces personnel are under no obligation to declare Transsexual/Transgender status and that any information held by the Department will only be from individuals who have chosen to declare their status.

I hope that this information will be helpful to you.

If you are not satisfied with this response or you wish to complain about any aspect of the handling of your request, then you should contact me in the first instance. If informal resolution is not possible and you are still dissatisfied then you may apply for an independent internal review by contacting the Information Rights Compliance team, 2nd Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail CIO-FOI-IR@mod.uk). Please note that any request for an internal review must be made within 40 working days of the date on which the attempt to reach informal resolution has come to an end.

If you remain dissatisfied following an internal review, you may take your complaint to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not investigate your case until the MOD internal review process has been completed. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website, <http://www.ico.org.uk>.

Yours sincerely,


Defence People Secretariat