

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 17 June 2013

Public Authority: Ministry of Defence

Address: Whitehall, London
SW1A 2HB

Decision (including any steps ordered)

1. The complainant has requested records about an alleged British psychotronic weapons programme.
2. The Commissioner's decision is that, on the balance of probabilities, the public authority did not hold the information requested.
3. The Commissioner does not require the public authority to take any steps.

Request and response

4. On 7 September 2012, the complainant wrote to the public authority and requested information in the following terms:
'I seek the records about the British psychotronic weapons programme.'
5. According to the public authority, it did not receive the request until 18 January 2013. It informed the complainant on 29 January 2013 that it could not identify any information within the scope of the request.
6. Following an internal review the public authority wrote to the complainant on 8 February 2013. It upheld its original position that the requested information did not exist.

Scope of the case

7. The complainant initially contacted the Commissioner on 5 November 2012 to complain about the way his request for information had been

handled. However, it was not accepted for investigation until 28 February 2013 after he had exhausted the public authority's complaints procedure.

8. The scope of the investigation was to determine whether the public authority was correct to say it did not hold any information within the scope of the request.

Reasons for decision

Section 1 FOIA – general right of access to information held

9. A public authority is required by virtue of section 1(1)(a) FOIA to inform any person making a request whether it holds information of the description specified in the request. As mentioned, the public authority informed the complainant that it did not hold the information requested.
10. The Commissioner asked the public authority to provide him a detailed explanation in support of its position.
11. The public authority explained that the reason it does not hold any information within the scope of the request is because it does not undertake any work on psychotronic devices which is the collective name for futuristic '*Directed Energy Weapons*' with the implication that these have mind-controlling properties. It explained that the subject appeals to conspiracy theorists and various unfounded claims have been made that '*the authorities*' already have such weapons and use them for mind controlling purposes against individuals. However, it stressed that no preparatory work had been undertaken on the subject or official statement made which it might conceivably hold.
12. The Commissioner also invited the complainant to provide him with evidence in support of his claim that the information requested is held by the public authority.
13. The complainant provided a long list of articles and books about mind control and psychotronic weapons. He did not specifically explain why the views of the authors should be regarded as proof that the information requested is held by the public authority or indeed why they should be regarded as proof that the United Kingdom has a psychotronic weapons programme.
14. In determining whether information is held, the Commissioner applies the normal civil standard of proof – i.e. he will decide on the balance of probabilities whether the information is held. Clearly, the explanations

offered as to why the information is not held would be crucial to the Commissioner's decision.

15. The Commissioner is satisfied with the public authority's explanations. He has found no reason to question the validity of the statements it provided. On the other hand, the Commissioner is simply not persuaded by the evidence provided by the complainant to support his claim that the information requested is held by the public authority.
16. The Commissioner therefore finds that, on the balance of probabilities, the public authority does not hold the information requested.

Right of appeal

17. Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)
GRC & GRP Tribunals,
PO Box 9300,
LEICESTER,
LE1 8DJ

Tel: 0300 1234504

Fax: 0116 249 4253

Email: informationtribunal@hmcts.gsi.gov.uk

Website: www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/information-rights/index.htm

18. If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.
19. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

Signed

Alexander Ganotis
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