



Ministry
of Defence

Ministry of Defence
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Ref: FOI2019/08486

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[REDACTED]

13 September 2019

[REDACTED]

Thank you for your email of 19 July requesting the following information:

*"I wish to request a copy of the recently "amended" policy document JSP751 JOINT CASUALTY & COMPASSIONATE POLICY & PROCEDURES referred to in recent emails issued by the JCCC with regard to historic aircraft crash site licensing:
Quote: "it was agreed with Legal Air and Air Historical Branch the guidance on the potential for human remains at crash sites would, therefore, need to be more stringent and the JSP751, our official policy document, was amended earlier this year to reflect this."
The email indicates these changes to have taken place sometime in early 2018, whereas the most recent version of the indicated document available online appears to be Issue 15 which is dated 14 Jan 2015. If the indicated changes could be highlighted in the document, this would be most useful."*

I am treating your correspondence as a request for information under the Freedom of Information Act 2000 (FOIA).

Following our letter of 07 August 2019 (Ref: FOI201908486) I can confirm the MOD holds all the information within scope of your request. The information requested above is enclosed as the following three documents in pdf format:

JSP 751 Volume 1 – Management of the Casualty
JSP 751 Volume 2 – Management of the Deceased
JSP 751 Volume 3 – Overseas Compassionate Travel at Public Expense

However, some of the information falls within the scope of the following qualified exemption: Section 26 Defence (1) b (likely to prejudice defence, or the capability, effectiveness or security of relevant forces) (Information Intended for Future Publication). Section 26 of the FOI Act states that:

- 1) Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice—
 - a. the defence of the British Islands or of any colony, or
 - b. the capability, effectiveness or security of any relevant forces.

- 2) In subsection (1)(b) "relevant forces" means—

- a. the armed forces of the Crown, and
- b. any forces co-operating with those forces, or any part of any of those forces.

3) The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would, or would be likely to, prejudice any of the matters mentioned in subsection (1).

The Department has undertaken a Public Interest Test in respect of your request for information for 2019, and the arguments against disclosure outweigh those in favour of release and therefore, the information has been redacted under Section 26 of the FOI Act.

Section 23: Information Supplied by, or Related to, Bodies Dealing with Security Matters, and Section 40: Personal Information have also been applied to other parts of the request and redacted. These are absolute exemptions and there is therefore no requirement to consider the public interest in making a decision to withhold the information.

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 us in the first instance at the address above. 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, Ground 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 normally 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 FOI.