



The Science Inside

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Our Ref: FOI 2021/00211

Date: 1 February 2021

Dear [REDACTED]

Thank you for your email of 6 January 2021 requesting the following information:

“* Please disclose the number of accidents and or security breaches involving biological agents, nerve agents, gases or any other lethal chemicals at Porton Down in 2020;

*** Please provide a breakdown showing: * the date and description of each incident * which nerve, biological agent, gas or chemical was involved * whether any injuries occurred and the nature of the injuries * what action was taken * who investigated and a brief description of the findings;**

*** Please disclose whether any staff were disciplined over any of the incidents and, if so, the nature of the action taken”.**

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

A search for the information has now been completed within the Ministry of Defence, and I can confirm that some information in scope of your request is held.

The information you have requested can be found, below, but some of the information falls entirely within the scope of the absolute exemptions provided for at section 40 (Personal Data) and qualified exemptions provided for at sections 24 (National Security) and 27 (International Relations) and 31 (Law Enforcement) of the FOIA and has been withheld.

Section 40(2) has been applied to some of the information in order to protect personal information as governed by the Data Protection Act 1998. Section 40 is an absolute exemption and there is therefore no requirement to consider the public interest in making a decision to withhold the information.



Ministry
of Defence

1. **“* Please disclose the number of accidents and or security breaches involving biological agents, nerve agents, gases or any other lethal chemicals at Porton Down in 2020**

Our response to questions 1 and 2 can be found below.

2. *** Please provide a breakdown showing: * the date and description of each incident * which nerve, biological agent, gas or chemical was involved * whether any injuries occurred and the nature of the injuries * what action was taken * who investigated and a brief description of the findings**

Accidents/Incidents

The following data is for the period 01 January to 31 December 2020. The events were reported via the Dstl process for reporting incidents, which assesses the severity of the incident and applies an investigation process proportional to this severity, resulting in corrective actions being applied. This process is a key element of Dstl's drive to continually improve our ways of working aiming to learn from near misses and prevent serious accidents from occurring. We have withheld the identity of the investigators under Section 40 (Personal Information).

Category	Period	Description/Accidents/Incidents
Chemical - safety	Jan 2020	Chlorine leak from experimental set up identified. Experiment stopped, leak identified and rectified.
Chemical - safety	Jan 2020	Member of staff exposed to high concentration of carbon dioxide gas given off by dry ice stored in a cold room.
Biological - safety	March 2020	Visitors were not informed that they should not take belongings into a CL2 laboratory. One visitor was subsequently witnessed drinking water from their water bottle in the laboratory but stopped when challenged. Visit lead handled laboratory equipment without gloves or washing hands.
Chemical - safety	March 2020	The lid came away from the outer container of a selection of chemical warfare agents, there were no breakages or spills of the internal containers and no loss of containment.
Biological - safety	July 2020	Covid-19 sample not correctly inactivated. No loss of containment, sample destroyed by normal processes.
Chemical - safety	Aug 2020	Small spillage of formaldehyde, spillage contained and cleaned up.
Biological - safety	Aug 2020	Covid-19 sample container found to have small crack. Container disposed of via appropriate means. No loss of containment.
Biological - safety	Oct 2020	Covid-19 test sample found in pocket of lab coat following sterilization.
Biological - safety	Nov 2020	Vial leaked in centrifuge whilst handling Covid-19 sample. Task was conducted in a CL3 containment laboratory and there was no loss of containment.

Section 24 and 27 are qualified exemptions and are subject to public interest testing which means that the information requested can only be withheld if the public interest in doing so outweighs the public interest in disclosure.

Section 24 (1) has been applied to some of the information because it contains details which are operationally sensitive and would prejudice the capability and effectiveness of our armed forces. The balance of public interest was found to be in favour of withholding the information given that, overall, the public interest is best served in not releasing any details on the nerve agent, biological agent, gas or chemical. For these reasons we have set the level of prejudice against release of the exempted information at the higher level of "would" rather than "would be likely to".

Section 27(1)(a) has been applied because some of the information has the potential to adversely affect relations with our allies. The balance of the public interest test concluded that whilst release would increase public understanding and confidence with regard to the relationships the United Kingdom has with other international states the balance of the public interest lay in withholding this information you desire. We have considered it necessary to apply the higher level of prejudice against release of the exempted information at the higher level of "would" rather than "would be likely to".

Additionally, the MOD can neither confirm nor deny that it holds any security related information relevant to the whole of your request, as the duty in Section 1(1)(a) of the Freedom of Information Act 2000 does not apply by virtue of the following exemptions:

Section 24 (National Security) and 31 (Law Enforcement).

Section 24 and 31 are qualified exemptions and subject to a public interest test.

Section 24(2) is engaged because by confirming or denying whether there had been any security breaches would render security measures less effective.

Section 31(3) is engaged because by confirming or denying. This would prejudice any counter-intelligence efforts or criminal investigations, if there were such breaches.

The balance of the public interest was found to lay in neither confirming nor denying whether the MOD holds any further information in scope of your request.

This should not be used as an indication that such information is or is not held.

3. * Please disclose whether any staff were disciplined over any of the incidents and, if so, the nature of the action taken

We can confirm that there were no injuries or disciplinary action taken as a result of the incidents listed above.

If you have any queries regarding the content of this letter, please contact this office in the first instance

If you wish to complain about the handling of your request, or the content of this response, you can request 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.gov.uk). Please note that any request for an internal review should be made within 40 working days of the date of this response.

If you remain dissatisfied following an internal review, you may raise your complaint directly 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. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website at <https://ico.org.uk/>.

Yours sincerely

Dstl Secretariat