



Ministry
of Defence

Defence Business Services

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Email: DBSRES-Secretariat@mod.uk

Ref: FOI2023/03406

[REDACTED]

13 April 2023

Dear [REDACTED]

Thank you for your email of 14 March 2023 to the Ministry of Defence (MOD) requesting the following information:

"Q1. Does the MoD hold information on whether a serving member of the armed forces has faced disciplinary action? If so, please detail the title of this dataset or how this information is held. Please also share the breakdown available with this dataset (e.g. gender, age, allegation)."

Q2. Does the MoD hold information on whether a serving member of the armed forces has been vetted? If so, please detail the title of this dataset or how this information is held. Please also share the breakdown available with this dataset.

Q3. Please share the categories of the type of offence on the Service Justice System dataset.

Q4. Please share all the breakdowns on the Service Justice System dataset (e.g. age, gender)."

I am 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 no information in scope of your request is held.

Section 1 of the FOIA gives an applicant the right to access recorded information held by public authorities at the time the request is made and does not require public authorities to answer questions, provide explanations or give opinions, unless this is recorded information held.

I can confirm that the Ministry of Defence holds some recorded information that would provide an answer to the questions you have asked in your request. You may

find it useful to know that The Information Commissioners Office publishes guidance on how to make requests for information under the Freedom of Information Act at the attached link which you may find helpful in any follow up requests for information.

<https://ico.org.uk/for-the-public/official-information>

"Q1. Does the MoD hold information on whether a serving member of the armed forces has faced disciplinary action? If so, please detail the title of this dataset or how this information is held. Please also share the breakdown available with this dataset (e.g. gender, age, allegation)."

Yes. The information is held electronically against an individual's personal file on the Joint Personnel Administration (JPA) Computer System. If they have faced disciplinary action and been found guilty their personal record shows what offence they have been found guilty of.

"Q2. Does the MoD hold information on whether a serving member of the armed forces has been vetted? If so, please detail the title of this dataset or how this information is held. Please also share the breakdown available with this dataset."

Yes. The information is held electronically on the Joint Personnel Administration Computer System. It shows which security clearance level an individual holds as defined by the UKSV which are: Accreditation Check (AC), Counter Terrorist Check (CTC), Level 1B, Security Check (SC), Developed Vetting (DV).

"Q3. Please share the categories of the type of offence on the Service Justice System dataset."

The Ministry of Defence does not have a 'Service Justice System Dataset'. Offences that can be recorded against an individual's record on JPA are those listed in the Armed Forces Act 2006 Part 1 (Offences) which is available at the following link: <https://www.legislation.gov.uk/ukpga/2006/52/part/1n1>

Section 42 (criminal conduct) offences are recorded by the following categories:

Road Traffic

Drugs

Weapons

Damage to Property

Theft/Fraud etc.

Sexual Offences

Violence/Public Order

"Q4. Please share all the breakdowns on the Service Justice System dataset (e.g. age, gender)"

With regard to the breakdowns on the Service Justice System dataset, the information you have requested falls entirely within the scope of an absolute exemption under Section 21 of the FOIA as it is reasonably accessible by other

means. As Section 21 is an absolute exemption, there is no requirement to consider the public interest in making the decision to withhold the information.

Under Section 16 (Advice and Assistance) you may be interested to know that the Ministry of Defence does not have a 'Service Justice System Dataset.' Since 2015 the MOD has published statistics on all offences contrary to the Sexual Offences Act 2003 and historic sexual offences that are dealt with wholly within the Service Justice System. In 2021 these statistics were expanded to include murder and manslaughter. These statistics are available on the gov.uk website: <https://www.gov.uk/government/collections/sexual-offences-in-the-service-justice-system>

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 (or by e-mail using the following address 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,



Defence Business Services (Secretariat)

