Your reference: 

Our reference: FOI 11-01-2011-121339-008 

Date: 8 March 2011

Dear

Thank you for your correspondence dated 11 January 2011, which has been considered to be a request for information in accordance with the Freedom of Information Act 2000 (FOI). Your request has been passed to my department and I have been asked to respond.

You requested information:

"Please could you provide me with details of the number of British servicemen who have been convicted of obtaining illegal materials (including drugs and weapons/live ammunition) in Afghanistan either for personal use or with a view to bringing it into the UK with intent to supply?

Could you provide details of names, ranks, age, units of the individuals caught and the amounts and types of narcotics/weapons/other illegal materials recovered and when the incidents occurred?

Could you also detail the punishment in these cases?"

Extensive searches of the data available indicates that in the Royal Navy and the Royal Air Force there are no instances of Service personnel being convicted at Court Martial for obtaining explosives, ammunition or firearms in Afghanistan for personal use, or with a view of bringing such into the UK with intent to supply. However, the Army has one recorded instance of an individual being found in possession of explosives and ammunition, contrary to the Explosive Substances Act 1883 and the Firearms Act 1968. Due to these offences, along with conduct to the Prejudice of Good Order and Military Discipline contrary to Section 69 of the army act 1955, the individual was awarded 109 days detention and dismissed from Her Majesty’s Service. The Court Martial was in 2008.

There are no instances of Service personnel being convicted at Court Martial for obtaining drugs in Afghanistan for personal use, or with a view of bringing such into the UK with intent to supply. Service personnel are randomly selected to submit to a Compulsory Drug Test (CDT), but failing a CDT does not result in a Court Martial conviction as the offenders are administratively discharged.

In keeping with the spirit and effect of the Freedom of Information Act, all information is assumed to be releasable to the public unless exempt. The MOD therefore will be simultaneously posting the information you requested, together with any related information that will provide a key to its wider context, in our online FOI Disclosure Log at http://www.foi.mod.uk.

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 Head of Corporate Information, 1st Floor, Zone N, 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.gov.uk](http://www.ico.gov.uk).

Yours sincerely

DCDS Personnel Secretariat