

Ministry of Defence: Information sheet for those working in Family Courts

Why is this document necessary?

Following feedback, this document provides some background information about military service personnel to ensure that when working with these families, we consider their individual circumstances within the armed forces.

Document summary:

To support informed proceedings in the context of separation and child arrangement hearings involving military service personnel, we invite those involved in examining evidence and reaching a recommendation or judgement to consider that:

1. Individual circumstances regarding deployment vary across the tri-services, and even within specific units; it is vital that an individual approach is taken for each case and to temper any generalisation or speculation regarding deployment
2. To understand the circumstances of an individual within the armed forces, especially regarding deployment the unit commanding officer should be contacted early and, if necessary, involved throughout the process (provided that the individual has consented);
3. The armed forces offer a range of support for service personnel including accommodation and childcare provisions to best champion the flexibility for raising a family whilst in service; and
4. The Government has committed through The Armed Forces Covenant to remove any disadvantage that service personnel, past or present, may face as a result of their service.

Supporting information:

Who are the Armed Forces?

The Armed Forces is made up of regular and reservist personnel from the three Services: Royal Navy/Royal Marines, Army and Royal Air Force.

Regular personnel

As at January 2021, there were approximately 146,000 regular personnel in the UK Armed Forces:

- RN/RM - 33,000
- Army - 81,000
- RAF - 32,000

Reservist personnel

In addition, as at January 2021 there are approximately 37,000 reservists, of whom the largest number are Army Reservists. Some reservists are employed full time on contract, while others will be committed to a limited number of days service per year.

How often are Service personnel away?

Deployments and exercises are a part of Service life. The location, length and frequency of deployments varies, depending on their unit and role.

The Services recognise that it is important that their people have time at home and have introduced 'harmony guidelines' to enable their career managers to endeavour to ensure that they are not away an excessive amount of time. The guidelines are different for each Service.

It is important to understand that, while every Service person has a liability to deploy, every individual's circumstances will be different. Even if the Service person's unit is due to be away on operations or exercises, this does not necessarily mean that they will be away. In addition, there are roles within the military that do not require the Service person to be away on operations or exercises.

Therefore, we would urge that the Service person's individual circumstances and role are clarified and considered when recommendations and judgements are made.

There are times when if the Service person is away on exercise or other duties, they may be separated from their families and not able to have any contact with them or indeed professionals working on their case.

Do Reservists go away?

Reservists from all three Services can be compulsorily mobilised to support operations if deemed necessary but they, or their employers, can appeal against the mobilisation. Reservists can also volunteer to be mobilised and will do this regularly.

Therefore, we would urge that the Service person's individual circumstances and reservist role are considered when recommendations and judgements are made.

How often do Service personnel move?

This depends on the Service person's role. They may move on frequent postings or may undertake a succession of postings in one location.

Are Service personnel provided with accommodation?

Married/civil partnership personnel: Regular Service Personnel who are married or in a civil partnership are entitled to have Service Family Accommodation (SFA), previously known as married quarters.

Unmarried personnel in long term relationships: Service personnel who are in a long-term relationship are eligible to live in SFA, if surplus properties are available in their area.

Single personnel: Regular single personnel are entitled to Single Living Accommodation.

Reservists: Reservists are not normally entitled to military accommodation.

The MOD is currently considering the future of military accommodation to reflect the nature of modern military personnel and families. The programme would continue to provide subsidised accommodation for personnel but with more choice of whether they rent privately or get help towards mortgage payments.

Are personnel who have a Child Arrangements Order for the child to live with them provided with accommodation?

Personnel are entitled to a SFA if they have a Child Arrangements Order for the child to live with them as the prime carer.

Can Service personnel retain the military accommodation when they leave the Armed Forces?

When a Service person leaves the Armed Forces, they are no longer entitled to live in Service accommodation.

If a Service person's marriage breaks down, the former spouse is only able to remain in SFA following the breakdown of a marriage for a short period to allow them time to find suitable alternative

housing, usually around 3 months. Support can be provided to the family to assist them in finding alternative accommodation from HIVE information centres.

Who supports military families?

The MOD provides a wide range of support for Service families in the UK and overseas, including welfare support.

The Families Federations also offer advice to Service families:

- Naval Families Federation: <https://nff.org.uk/>
- Army Families Federation: <https://aff.org.uk/>
- RAF Families Federation: <https://www.raf-ff.org.uk/>

Who do I contact if I want to understand more about the nature of the Service person's role when working on a child arrangements case?

You should ask the Service person for the name and contact details of their unit commanding officer.