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 MINISTRY OF DEFENCE
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XXXXXX

Your reference:

Reply by email to:

Our reference: FOI 06-06-2011-151146-007

XXXXXXXX

Date: 7 July 2011

Dear XXXXX,

Thank you for your email dated 3 June 2011 which has been considered to be a request for information in accordance with the Freedom of Information Act 2000. Your request has been passed to my department and I have been asked to respond.

You have requested the following information:

I am writing under the terms of the Freedom of Information act to find out about the number of court martial's that have taken place and for a break down and what they have been for etc. I am looking to cover a period of 10 years to the current day, 03-06-11.

The specific questions I have are as follows:

1. How many courts martial have there been over the last decade?
2. Can they be broken down into the three services with the Royal Marines separate to the Royal Navy?
3. How many have resulted in personnel being made to leave the services?
4. How many have resulted in personnel being required to serve a custodial sentence?
5. How many personnel were considered with mental health issues, suicide, depression etc?
6. Can the court martial's be broken down into category of offence?
7. How many have been held to resolve desertion?
8. How many have been held because of drug abuse?

I am able to provide the following information in response to this request for information. Where information for 2011 is provided, it comprises data to, and including 31 May 2011.

1. How many Court Martials have there been over the last decade?

YEAR	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Courts Martial	517	699	566	537	596	714	687	706	741	705	633	290

2. Can they be broken down into the three services with the Royal Marines separate to the Royal Navy?

SERVICE	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
RN	56	62	57	61	72	65	54	50	43	52	65	29
RM	3	2	0	1	3	2	0	0	0	9	2	3
ARMY	455	630	505	470	521	645	630	653	644	622	535	252
RAF	6	7	4	6	3	4	3	3	54	31	31	6

3. How many have resulted in personnel being made to leave the services?

The figures below do not include those who were administratively discharged where Court Martial proceedings may have been a contributing factor in the decision to end employment.

SERVICE	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
RN	4	14	8	13	7	5	9	8	6	9	10	2
ARMY	110	123	142	103	131	149	112	85	82	NB *	68	25
RAF	2	1	2	1	2	0	1	1	12	7	1	2

* Due to the transition from one database to another during 2009, Army figures were not recorded in a way that could be collated to a sufficient and are therefore not available.

4. How many have resulted in personnel being required to serve a custodial sentence?

Please note the figures below reflect committed custodial sentences served either at Military Corrective Training Centre Colchester or HM Prisons and do not include suspended sentences of detention/imprisonment.

SERVICE	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
RN	8	13	15	14	19	20	28	20	17	28	12	7
ARMY	36	25	26	19	16	19	21	17	10	NB *	290	143
RAF	1	1	0	0	1	0	1	1	15	6	0	1

* Due to the transition from one database to another during 2009, Army figures were not recorded in a way that could be collated to a sufficient and are therefore not available.

5. How many personnel were considered with mental health issues, suicide, depression etc?

Details of individuals attending Court Martial with mental health issues, such as depression, are not recorded in Court Martial records. Medical assessments may be carried out on individuals prior to attendance at Court Martials; however in order to answer this question it would be necessary to cross reference Court Martial records with individual Service personnel medical records. This would require the consent of each individual before their medical records could be accessed.

6. Can the Court Martials be broken down into category of offence?

The tables at Annex A provide Court Martial data broken down by offence.

7. How many have been held to resolve desertion?

Figures for desertion are shown below, and also include instances where Service personnel were charged with absence without leave (AWOL), which would comprise the majority of cases. It should be noted that not all those listed as AWOL would have left the Service as a result.

SERVICE	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
RN AWOL	0	1	3	4	5	12	4	6	9	6	10	5
DESERTION	0	0	1	0	0	0	0	0	0	0	1	0
ARMY AWOL	93	129	122	111	127	159	259	236	321	265	200	93
DESERTION	7	3	6	3	3	5	7	7	8	10	26	12
RAF AWOL	1	0	1	0	0	0	0	0	2	0	0	0
DESERTION	0	0	0	0	0	0	0	0	0	0	0	0

8. How many have been held because of drug use?

The figures below comprise the numbers of court martials for offences of possession of illegal or controlled drugs or failure to provide a sample for testing, rather than specifically for drug use. A system of random drug testing exists where a positive test result will be handled by administrative discharge rather than court martial proceedings and are therefore not shown.

SERVICE	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
RN	2	8	6	2	2	1	2	3	1	1	1	0
ARMY	7	13	11	8	7	8	7	10	12	6	5	1
RAF	0	0	0	0	0	0	0	0	0	0	0	0

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>.

Yours sincerely

DCDS Personnel Secretariat

COURT MARTIAL STATISTICS BROKEN DOWN BY CATEGORY OF OFFENCE

ROYAL NAVY

Sexual Offences

2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
1	2	2	3	5	3	2	4	3	0	2	2

Violent Offences

2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
22	27	23	30	27	27	23	19	15	16	14	10

Theft/Fraud Offences/Misapplication and other like offences

2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
9	11	7	12	7	9	12	7	3	12	10	2

Disobedience/Insubordinate or contemptuous behaviour/conduct prejudicial/threatening words and other like offences

2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
3	5	6	15	17	12	6	8	11	14	17	10

Drunkenness

2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
14	7	7	2	7	5	3	3	7	6	2	3

Criminal damage/damage to Service property

2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
2	0	1	3	0	3	1	1	1	1	2	1

Leaving place of duty/sleep on watch/use force against person on watch/fail to attend and other like offences

2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
3	2	5	3	3	3	2	1	6	2	2	1

Public order

2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
0	0	0	0	0	0	4	2	0	0	0	0

Weapons/firearms

2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
0	0	0	0	0	0	0	1	0	0	0	0

Ill treatment of subordinates/Harassment and other like offences

2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
1	0	0	0	0	0	1	0	0	0	3	0

Neglect of duty/negligence/wilful neglect and other like offences

2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
4	5	6	6	4	1	0	0	0	0	0	0

Note

- Proceedings that resulted in a not guilty verdict are included
- Some Courts Martial fell under more than one category
- In 2010 there were also two proceedings for perverting the course of justice, one for assisting an offender and one false imprisonment
- In 2011 there were also proceedings for an offence of Malingering

COURT MARTIAL STATISTICS BROKEN DOWN BY CATEGORY OF OFFENCE

ARMY

Violence

2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
192	291	215	171	222	275	174	207	144	178	163	67

Sexual Offences

2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
34	34	24	24	26	33	27	34	32	34	30	10

Supply

2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
4	4	0	2	1	0	4	2	4	1	3	0

Theft

2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
66	79	61	61	53	75	72	53	69	70	27	23

Drunkenness

2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
18	12	17	15	10	16	10	15	9	3	6	9

Criminal Damage

2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
3	4	2	10	11	12	10	13	8	13	9	5

General

2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
31	61	47	65	61	62	60	76	37	42	36	15

COURT MARTIAL STATISTICS BROKEN DOWN BY CATEGORY OF OFFENCE

The figures in this set of tables relate to RAF Officers only. They do not include Other Ranks because this data was not recorded centrally until 2008. Figures for Other Ranks from 2008 to 2009 are contained in the table following the Officer data.

From 2010 the way the Post Trial information is being sourced has changed and the RAF is recording their data in line with that provided by the Army and Navy. Therefore the final table provided is for the *combined* RAF figures for 2010 to present.

ROYAL AIR FORCE OFFICER COURTS MARTIAL 2000 – 2009

2000

- 1 x False Accounting
- 1 x Negligently Performing a Duty
- 7 x False Entry in an Official Document
- 1 x Deception
- 11 x Theft
- 1 x Battery

2001

- 2 x Disobedience to Standing Orders
- 1 x Using Threatening, Abusive, Insulting or Provocative Words likely to cause a Disturbance
- 4 x Negligently Performing a Duty
- 4 x False Accounting
- 1 x Drink Driving
- 4 x Common Assault
- 1 x Perverting the Course of Justice
- 1 x Providing False Information

2002

- 2 x Indecent Assault
- 2 x Proxy Purchase of Motor Vehicles
- 2 x Forgery
- 1 x Failing to Report an Accident
- 1 x Dangerous Driving
- 1 x Making False Statement

2003

- 2 x Causing Loss of Life
- 1 x Negligently Performing a Duty
- 1 x Drink Driving
- 1 x Theft
- 1 x Indecent Assault
- 1 x Drunkenness
- 12 False Accounting
- 1 x Forgery
- 1 x Drink Driving

2004

4 x Possession of Child Pornography
11 x Making Child Pornography
1 x Theft

2005

1x Battery
1x AOABH
1 x indecent assault
1x Unlawful low flying
1 x Negligently causing damage to an aircraft belonging to Her Majesty
2 x Carrying civilian passengers without appropriate approval, and flying a helicopter below 250ft
2 x Making a false entry in an official document

2006

1 x Racially Aggravated Common Assault
5 x Failed to Attend
2 x Possessing a controlled drug

2007

1 x Theft
1 x Child Pornography
11 x Deception

2008

3 x Deception
1 x Sexual Assault
1 x Prohibited low flying
1 x Possessing ammunition/explosives
6 x Forgery Act
1 x Conduct to the prejudice of good order and military discipline

2009

1 x Perjury

ROYAL AIR FORCE OTHER RANKS COURTS MARTIAL 2008 – 2009

We are unable to provide RAF figures for Other Ranks prior to 2008 as this information was not recorded centrally or in a way that reliable data can be obtained..

	<i>Violence</i>	<i>Sexual Offences</i>	<i>Theft/Fraud</i>	<i>Drunkenness</i>	<i>Disciplinary offences</i>	<i>General</i>
2008	8	6	12	2	0	20
2009	9	5	6	3	0	7

COURTS MARTIAL STATISTICS FOR ALL ROYAL AIR FORCE RANKS 2010 – 2011

The table below shows the combined total of RAF figures of all RAF ranks.

	<i>Violence</i>	<i>Sexual Offences</i>	<i>Theft/Fraud</i>	<i>Driving Offences</i>	<i>Disciplinary offences</i>	<i>General</i>
2010	13	2	7	1	8	
2011	3		3			