

Amend No	Date	Details	Source	Inserted by:*	Signature*	Date*
1	14/3/11	1-13-8 – clarify “acting rank” for summary sentencing purposes.	DALS			
2	16/3/11	1-8-45 – particulars of the charge should refer to s5(1) not s5(2)	DALS			
3	01/04/11	Annex A to Chapter 27 removed (surplus to requirements)	DP Pol			
4	13/05/11	a. Various amendments to page numbering and corresponding indexes in Chapters 2, 6, 9 and 13. b. Chap 6 Annex G, text version in chapter deleted. c. Chap 6, Annex M, footer amended to reflect correct Annex. d. Chap 7, 1-7-47, final specimen charge, delete “on date,”. e. Chap 7, 1-7-63, para ‘ <i>Unfit to be trusted</i> ’, second sentence, delete “is”. f. Chap 9, Annex G, 1-9-G-1, para 1, penultimate line, delete “to”.	DPPol CTCRM, RSM CST			
5	25/05/11	Chapter 11, para 43, delete ‘EOIT’ and insert ‘SCIT’.	DALS			
6	06/06/11	Chapter 7, 1-7-37, Specimen Charge: replace “threatening/disrespectful” with “[threatening] [disrespectful]”.	DALS			
7	09/06/11	Chapter 13, Annex A, Column 2, Ser 1: delete “28 days to”.	SCW DP SO1			
8	29/06/11	Chapter 1, page 1-1-1, amend ‘Version’ in footer from ‘1.0 to ‘2.0’. Chapter 6, Annex F, add missing page 1-6-F-3	DPPol CTCRM, RSM CST “			
9	05/07/11	Chapter 4, page 1-4-9, para 30, replace existing text with: "During normal working hours (0830 - 1700 hours on Mon - Thu and 0830 - 1630 hours on Fri) contact should be made with the Military Court Service (MCS) (tel mil 94344 5770/5786 or civ 01980 615770/615786) who will make the arrangements for a judge advocate to hear the application. Over	MCS DD			

		<p>weekends and holiday periods the MCS Duty Officer should be contacted on 07760 171159. The appropriate staff legal adviser will always be available to assist in determining whether a hearing is necessary."</p> <p>2. Vol 1, Ch 5, Annexes F, G, H, I and K. Amend Court Administration Officer (CAO) details at the top of all these forms:</p> <p>a. Delete "For Army and RAF COs only".</p> <p>b. Delete "For RN/RM COs only" and delete all detail under that heading.</p> <p>c. Change "Building 59" to "Building 398".</p> <p>d. Delete "Out of Hours" and insert "Duty Officer over weekends and holiday periods".</p> <p>3. Vol 1, Ch 5, Annex J. Amend CAO details at the end of this form:</p> <p>a. After "Return to:" delete all other detail on that line.</p> <p>b. Make the same amendments as in paragraphs 2a, b, c and d above.</p> <p>4. Vol 2, Ch 29, Annex H. Amend CAO details at the end of this form:</p> <p>a. After "Return to" insert "(CAO to delete address as appropriate)".</p> <p>b. Delete both "For Army and RAF COs only" and "For RN/RM COs only".</p> <p>c. Change</p>				
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		"Building 59" to "Building 398". d. Delete "Out of Hours" with telephone number under both addresses.				
10	03/08/11	JAG's Sentencing Guide added to 'Useful Links'. Chapter 9 Annex K: New Form T-SL-CUS05 (Medical Officer's Certificate removed)				
11	14/10/11	Chapter 13, Annex A, Column 2, Ser 1: add "28 days to" all 3 categories. Chapter 13, Annex A, Column 3, Ser 1: amend categories 2 and 3 to read "Yes – for 29 to 90 days"	DCDS PersSec Col DP			
12	26/10/11	New Chapter 13, specifically changes to annexes A and B	DCDS Pers DP SO1			
13	15/11/11	Chapter 29, Annex B to Vol 2: minor text amendments to paras 6, 18, 20, 21, 24, 25 and 33	DCDS PersSecDCL Legis C2			
14	02/04/12	Text amendments at Chapter 13: Para 26a, 1-13-10, deleted "Lance Corporal in the RAF" and inserted "including RAF Regiment". Para 32 table – insert "reduction in rank or disrating" Para 36 and Para 37 table, 1-13-12, inserted "including RAF Regiment" deleted "Lance Corporal in the RAF" Para 39, 1-13-12, replace existing text with, "In cases where a CO awards a sentence of detention to a NCO, the CO must make it clear whether the NCO is also to be reduced in rank. Members of the RAF may not be reduced to a rank which is lower than the highest rank held as airman. Where a person above the rank/rate of able rate, marine, soldier or airman is sentenced to detention and	DCDS PersSecDCL Legis C2			

		<p>reduction at a summary hearing, he is reduced to that rank/rate with effect from the day on which the sentence takes effect. Reduction in rank for NCOs awarded detention would normally be appropriate. Where the CO decides to suspend the sentence of detention, then he may (but need not) award the accompanying punishment of disrating/reduction in rank. Re-advancement following automatic reduction is governed by single Service regulations, but in any event during the time that an offender is in custody at MCTC he is for all purposes to be treated as being of the rank or rate of able rate, marine, soldier or of the highest rank he has held as an airman.</p> <p>Para 43, 1-13-13, delete "Only an" and insert "Reduction in rank or"</p> <p>Para 105, 1-13-25, replace existing text with "The maximum fine that a CO can award to a person of any rank is 28 days pay".</p> <p>Para numbering changes from para 106-180.</p> <p>Para 119: insert 'restriction of privileges' to the list of punishments</p> <p>Para 137, 1-13-30, insert after 14 days with, "by the CO. A subordinate commander may award a smaller number of days (see Annex A)."</p> <p>Chapter 13, Annex A: Serial 1, insert "3" Serial 3, insert "1" Serial 4 under extended powers column for OR8-OF4 – up to 15 to 28 days, delete "Yes" and insert "No".</p> <p>Chapter 13, Annex B:</p>				
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		Insert, "lance corporal in RAF Regiment".				
15	02/04/12	Chapter 32: Para 1 – inserted at second line "whether within or". Para 36 – delete "SAC" and insert "SCC"	DCDS PersSecDCL Legis C2			
16	02/04/12	Chapter 4, para 8 table, rows 1 and 2 text replaced	DCDS PersSecDCL Legis C2			
17	02/04/12	Chapter 3, para 43, inserted, "The Service Civilian Court may sit in any place, whether within or outside the United Kingdom".	DCDS PersSecDCL Legis C2			
18	02/04/12	Chapter 9, para 119, inserted footnotes 127 and 128	DCDS PersSecDCL Legis C2			
19	28/08/12	Chapter 18, para 22, text amendment and insertion of footnote 36.	Def Pers Sec DCL Legislation			
20	28/08/12	Chapter 10, para 35, text amendment and insertion of footnote as per amendment 19.	Def Pers Sec DCL Legislation			
21	05/09/12	Chapter 13 paragraph 96(b) delete 'lance corporal in the RAF Regiment'	Def Pers Sec DCL Legislation			
22	21/12/12	Chapter 4 text amendments to Paras 84, 96, 98, 105, 106, 108, 109 and 110 as a result of the PSSSSR Order 2012	Def Pers Sec DCL Legislation			
23	19/9/13	Chapter 6, new paragraph 30A inserted to provide additional direction and guidance to COs in deciding the most appropriate way to investigate certain sexual offences	Def Pers Sec DCL Discipline Policy SO2			
24	27/9/13	Chapter 3 small text amendment to para 68, page 24	Def Pers Sec DCL Legislation			
25	27/10/13	Amendments to reflect the implementation of the EU Directive on Interpretation and Translation in Criminal Proceedings to ensure a fair trial where interpretation and translation are needed. <u>Chapter 5</u> – paragraph 13A inserted, paragraphs 71 and 76 amended. <u>Chapter 6</u> – paragraph 20A inserted. <u>Chapter 9</u> – paragraphs 50A, 63A, 63B, 63C inserted, paragraph 57 amended.	Def Pers Sec DCL Discipline Policy SO2			

		<p><u>Chapter 27</u> – paragraph 8A inserted.</p> <p><u>Chapter 29</u> – paragraph 6 amended.</p> <p><u>Chapter 31</u> – paragraph 16 amended.</p> <p><u>Chapter 32</u> – paragraph 14A added.</p>				
26	1/11/13	<p>Amendments to reflect new powers to test for drugs and alcohol when personnel are undertaking safety-critical duties.</p> <p><u>Chapter 6 Annex B</u> – addition of s20A, 93A, 93E, 93G offences to the list of offences that may be heard summarily. Removal of s306 offence.</p> <p><u>Chapter 7</u> – s20 offence amended and details of new s20A, 93A, 93E, 93G offences inserted. Small text amendment to specimen charge of s22 offence to include the words ‘intentionally or recklessly’</p> <p><u>Chapter 14</u> – sentencing guidance inserted for s20A, 93A, 93E, 93G offences</p> <p><u>Chapter 21</u> – reference to PIDAT removed and new text inserted directing readers to JSP 835 for policy on new drugs and alcohol testing powers.</p> <p><u>Vol 3</u> – Following documents inserted:</p> <ul style="list-style-type: none"> - The Preliminary Breath Test and Breath Analysis Devices Approval - The Armed Forces (Delegation of Commanding Officer’s Power to Require Preliminary Tests) Regulations 2013 - The Armed Forces (Alcohol Limits for Prescribed Safety-Critical Duties) Regulations 2013 - The Armed Forces (Interpretation, Translation and Alcohol and Drug Tests) Rules 2013 	Def Pers Sec DCL Discipline Policy SO2			
27	29/11/13	Amendment to Chapter 29, paragraph 107 on prosecution closing addresses to reflect recent	Def Pers Sec DCL Legislation			

		case law				
28	29/05/2014	<p>Amendments to reflect EU Directive 2012/13 on the right to information in criminal proceedings.</p> <p><u>Vol 1 Chapter 4</u> – Paragraphs 6, 7 & 17 amended. Paragraph 49A and Annex I inserted.</p> <p><u>Vol 1 Chapter 5</u> - Paragraphs 11, 12, 17, 18, 19 & 42 amended. Paragraphs 17A & 19A inserted.</p> <p><u>Vol 1 Chapter 6</u> - Paragraphs 25 & 33 amended. Paragraphs 30B & 30C inserted.</p> <p>Paragraphs 6, 11 & 17 of Annex F amended. Annex G amended.</p> <p><u>Vol 3 Chapter 44</u> – The following Defence Council Instructions inserted:</p> <ul style="list-style-type: none"> - 2014DIN01-115 The statutory powers of arrest, and investigation of Service offences by persons other than the Service police. - 2014DIN01-116 Documentation to be provided to a persons in custody in accordance with Regulation 6(3) of the Armed Forces (Custody without Charge) Regulations 2009. - 2014DIN01-117 The arrest, detention and treatment of persons detained under the Extradition Act 2003. 	Def Pers Sec DCL Policing Pol			
29	26/8/14	Vol 1 <u>Chapter 13</u> . Paragraph 19 amended to clarify sentencing local acting ranks or rates (RN), local ranks (Army and RAF) and acting ranks or rates.	Def Pers Sec DCL Discipline Policy SO2			
30	15/9/14	Vol 1 <u>Chapter 14</u> . Amendment to the sentencing guidance for section 9 - AWOL	Def Pers Sec DCL Discipline Policy SO2			
31	4/11/14	Amendments to clarify which offences capable of being heard summarily would, on conviction, be recorded on the Police National Computer. Amendments to clarify which offences capable of being heard summarily would, on conviction, be recordable	Def Pers Sec DCL Discipline Policy SO2			

		<p>service offences for the purpose of taking fingerprint and DNA samples.</p> <p>Vol 1 <u>Chapter 6</u>. Annex G (your rights if you are accused... booklet) text added to Part 2.</p> <p>Vol 1 <u>Chapter 9</u>. Paragraph 115 amended, Text added to Annex G (brief for an accused's assisting officer), new Annex Q inserted,</p>				
32	12/02/15	<p>Text amendments in order to delete all reference to "JSP 397" and for it to be amended to read "the Service Police Codes of Practice". Amendments made to:</p> <p><u>Vol 1 Chapter 4</u></p> <p><u>Vol 1 Chapter 5</u></p> <p><u>Vol 1 Chapter 6</u></p>	<p>Def Pers</p> <p>Sec DCL</p> <p>Policing Pol</p>			
33	20/03/15	<p>Amendments to the statutory powers of entry authorised and exercised by COs in accordance with s87, 88 and 91 AFA 06. The changes comply with the effective enforcements of the Powers of Entry, Code of Practice in accordance with the Protection of Freedoms Act 2012 that come into effect on 6 April 2015.</p> <p>Vol 1 <u>Chapter 4</u> – Paragraphs 91-104 amended.</p> <p><u>Annex J</u> – New Annex - Authority to Enter and search premises under s88 or s91 AFA 06 (CO's Authorisation).</p> <p><u>Annex K</u> – New Annex – Notice of Powers and rights for entry and search with CO's authorisation by a member of HM Forces who is not a Service Policeman.</p> <p><u>Annex L</u> – New Annex – Consent for the search of premises under s 88 or s91 AFA 06.</p> <p><u>Annex M</u> – New Annex – Receipt of property seized.</p> <p><u>Annex N</u> – New Annex – Record of search/Result of search/Search authorised by the CO under s88 or s91 AFA 06.</p>	<p>Def Pers</p> <p>Sec DCL</p> <p>Policing Pol</p>			
34	13/4/15	Amendments further to the	People-Sec-			

		<p>Criminal Justice and Courts Act and consequential amendment to AFA 06 in relation to new offences relating to members of the Court Martial and their deliberations.</p> <p>Vol 1 – Ch 3 - Part 2 – Jurisdiction of Service Courts – paragraphs 38, 41, 42 and 43 amended.</p> <p>Vol 1 - Ch 6 - Annex D - two new offences added to the list of schedule 2 offences and one offence (ra) that was previously omitted.</p> <p>Vol 1 – Ch 7 – four new offences added.</p> <p>Vol 2 – Ch 33 (Contempt of Service Courts) – Chapter divided into parts A and B, part B being new.</p>	DCL Discipline Pol			
35	3/5/15	<p>Vol 1 – <u>Chapter 6</u> – Annex D – 2 new criminal offences created by the Serious Crimes Act 2015 added to the list of Schedule 2 offences at paragraphs 1(12)(aka) and 1(12)(ax).</p> <p>Vol 1 – <u>Chapter 9</u> – Annex Q – minor amendment to wording on s28 offence.</p> <p>Vol 1 – <u>Chapter 12</u> – amendment to paragraph 38 on negligence.</p>	People-Sec- DCL Discipline Pol			
36	13/5/15	<p>Vol 1 Chapter 13 Annex A Summary Powers of Punishment and Extended Powers Row 4 of table amended to clarify CO's power to award a fine.</p>	People Sec- DCL Legislation Imp			
37	10/06/2015	<p>1) Amend incorrect references as to where the 'Notice of Rights to Suspect' document is to be found: a) Vol 1, Ch. 6, Para 33 – Amend reference to 'Annex I at Chapter 5' to 'Annex I at Chapter 4'</p>	People Sec- DCL Legislation Imp			

		<p>b) Vol 1, Annex F to Ch. 6, para 17 – as above.</p> <p>2) Vol 1, Chapter 26: - Reflect improvements to Service Child Protection measures.</p> <p>a) List of new document Annex's added to index.</p> <p>b) Text amendments to Paras 6,7,8,9,11a,b&c, 12, 13a,b&c and 14.</p> <p>c) Annex's A to J added to document.</p>				
38	12/11/15	<p>As a result of introduction of EU Directive 2012/29/EU and Armed Forces Code of Practice for Victims:</p> <p>Vol 1 – Chp 6 Vol 1 – Chp 9 Vol 1 – Chp 11 Vol 1 – Chp 27 Vol 1 – Chp 29 Vol 1 – Chp 31 Vol 1 – Chp 32 Vol 3 – 5x SIs</p>	CLS	People Sec – DCL SO2 Discip Pol		
39	25/5/16	Vol1 Chater 13 – inclusion of 'mental injury' in Service Compensation Orders	People-Sec-DCL Discipline Pol	People-Sec-DCL Discipline Pol		
40	6/9/16	<p>Vol 1 Chapter 6 – para 10 and footnote</p> <p>Vol 1 Chapter 13 Annex A – amendment of table</p> <p>Vol 1 Chapter 43 – new version of CM and SAC guidance Vol 1 and Vol 2, and DH1 form uploaded</p> <p>Vol1 – Chapter 24 – completely re-written</p>	DCL	People-Sec-DCL Discipline Pol		
41	11/01/17	<p>Your Rights if you are accused – Support Available Form updated</p> <p>Vol 1, Chapter 2, Ftn 2 amended</p> <p>Vol 1, Chapter 9, Annex C, Appendix 1 and 2 amended</p> <p>Vol 1, Chapter 13 Annex A and B amendment of tables</p> <p>Vol 2 , Chapter 29, Annex F</p>	<p>CNLS</p> <p>APC</p> <p>APC</p> <p>APC</p> <p>Military</p>			

		updated new Case Management Form and removal of the DH 1 form from Vol 3, Chapter 43	Court Service			
42	11/05/17	Vol 1 Chapter 7 Section 20 (third paragraph from end) minor amendments Vol 1 Chapter 12, Part 3 paragraphs 35-37 inserted on Joint Enterprise	DALS DALS			