



Ministry  
of Defence

## Sexual Offences in the Service Justice System 2018

Published 28 March 2019

This annual publication provides statistics on recent and historical offences committed by UK Armed Forces personnel that are contrary to the Sexual Offences Act 2003 (SOA 03) and dealt wholly within the Service Justice System (SJS).

Cases included in these statistics were either reported to the Service Police, referred to the Director of Service prosecutions or heard in the Court Martial between 1 January 2018 to 31 December 2018. Comparisons have been made to figures from 2016 and 2017.

The latest Armed Forces strength figures<sup>1</sup> for each Service should be taken into consideration when making comparisons as there are more Army personnel compared the Royal Navy, Royal Marines and RAF personnel in the Armed Forces.

### Key Points and Trends

- During 2018, the Service Police conducted 153 investigations into offences contrary to the SOA 03, of which 18 were historical offences. This represents a total increase of 18 investigations contrary to the SOA 03 for 2018 compared to 2017 and an increase of four historical investigations.
- Of the 153 investigations contrary to the SOA 03, 95 led to charges being referred to the DSP, 23 investigations did not lead to a referral and 36 were still under investigation at the end of 2018. This represents an increase of 19 cases that resulted in a referral of charges and three cases still under investigation since 2017.
- The 153 investigations involved 160 suspects (150 male, two female and eight unidentified suspects) and 140 victims (108 female, 25 male and seven unknown or unspecified).
- The Service Prosecuting Authority (SPA) received 123 case referrals from the Service Police, preferred charges contrary to the SOA 03 in 62 cases, discontinued 46 cases and preferred an alternative non SOA 03 charge in nine cases. The SPA figures for 2018 contain cases which are still in the process of being investigated and therefore no decision has yet been made as to whether these cases will be charged or discontinued.
- The Court Martial tried 55 defendants in 2018 who faced 83 charges. Of these charges, 30 were found guilty and 53 were found not guilty. No charges were discontinued at Court Martial and 21 defendants were found guilty of a sexual offence. Please note that several defendants were convicted of multiple sexual offence charges.

**Point of Contact:** Service Police Policy

020 7218 4815

**Further information:**

[People-Sec-DCLSvcPolicePol@mod.gov.uk](mailto:People-Sec-DCLSvcPolicePol@mod.gov.uk)

**Background quality report:**

<https://www.gov.uk/government/collections/sexual-offences-in-the-service-justice-system>

<https://www.gov.uk/government/collections/sexual-offences-in-the-service-justice-system>

Would you like to be added to our **contact list**, so that we can inform you about updates to these statistics and consult you if we are thinking of making changes? You can subscribe to updates by emailing [DefStrat-Stat-WDS-Pubs@mod.gov.uk](mailto:DefStrat-Stat-WDS-Pubs@mod.gov.uk)

<sup>1</sup> <https://www.gov.uk/government/collections/uk-armed-forces-quarterly-service-personnel-statistics-index>

## Contents

Introduction.....	page 2
Service Police Investigations .....	page 4
Service Prosecuting Authority .....	page 7
Court Martial Results .....	page 8
Further Information.....	page 9

## Introduction

---

These statistics provide information on offences contrary to the Sexual Offences Act 2003 (SOA 03) and historical sexual offences, allegedly committed by members of the Armed Forces or civilians subject to Service Discipline (CSSD) and dealt with wholly within the Service Justice System. The Armed Forces Act 2006 (AFA 06) provides the legislation for the SJS and this is supported by the Manual of Service Law (MSL), which provides the necessary guidance to those that are required to deliver it.

The SJS is primarily delivered by Commanding Officers (COs), the Service Police (the Royal Navy Police (RNP), Royal Military Police (RMP) and Royal Air Force Police (RAFP)), the Service Prosecuting Authority (SPA) and the Military Court Service (MCS).

The majority of the SOA 03 came into force on 1 May 2004, in the main replacing the Sexual Offences Act 1956.

As of 1 March 2018, all SOA 03 offences are listed within Schedule 2 of the AFA 06. Consequently, section 113 of the AFA 06 requires all allegations of such offences to be reported to the Service Police. All allegations of a sexual offence reported to the Service Police will be investigated.

Protocols with the Civilian Police and Crown Prosecution Service (CPS) within England and Wales, allow for cases of sexual offences in which both the alleged perpetrator and victim are members of the Armed Forces to remain within the SJS. Cases within England and Wales with a civilian victim are usually dealt with by the appropriate civilian agencies. Although no formal protocol currently exists with the authorities in Scotland and Northern Ireland, cases are dealt with in the same manner. There are memorandums/agreements in place to determine the most appropriate jurisdiction to deal with offences allegedly committed by Service Personnel.

The Service Police are trained to undertake investigations into sexual offences at the Defence School of Policing and Guarding. Specialist investigators also attend training accredited by the College of Policing delivered by Civilian Police Forces and other providers. The Service Police will refer a suspect with a charge contrary to the SOA 03 once the Evidential Sufficiency Test has been met (as detailed in section 116 of the AFA 06).

Offences contrary to the SOA 03 cannot be heard summarily by a CO. All SOA 03 offences are therefore referred by the Service Police to the SPA for a decision to prosecute or not, using the established prosecutorial tests (realistic prospect of conviction and Service interest).

The SPA was formed on 1 January 2009. It is independent of the military Chain of Command in undertaking its duties and its role is to review cases referred to it by the Service Police Chain of Command and to prosecute appropriate cases at Court Martial. The SPA is headed by the Director of Service Prosecutions (DSP), a senior civil servant appointed by HM The Queen.

The MCS provides a criminal court service for the Royal Navy, Army and Royal Air Force (RAF) in the Court Martial. It has done so on a Tri-Service basis since 2007 and manages five permanent Court Martial centres (four in the UK and one in Germany). The Court Martial runs akin to the UK Civilian Crown Court and cases are heard by a Judge Advocate appointed by the Judge Advocate General. The procedures for the Court Martial are laid down in the Armed Forces (Court Martial) Rules 2009.

The AFA 06 can be found at:

<http://www.legislation.gov.uk/ukpga/2006/52/contents>

The MSL can be found at:

<https://www.gov.uk/government/collections/manual-of-service-law-msl>

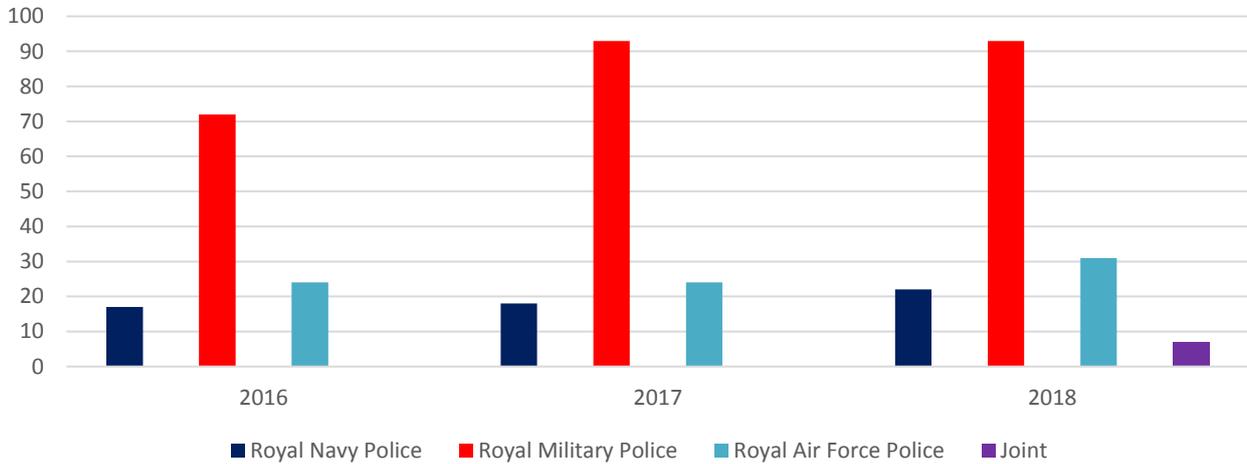
The Armed Forces (Court Martial) Rules 2009 can be found at:

[http://www.legislation.gov.uk/uksi/2009/2041/pdfs/uksi\\_20092041\\_en.pdf](http://www.legislation.gov.uk/uksi/2009/2041/pdfs/uksi_20092041_en.pdf)

## Service Police Investigations

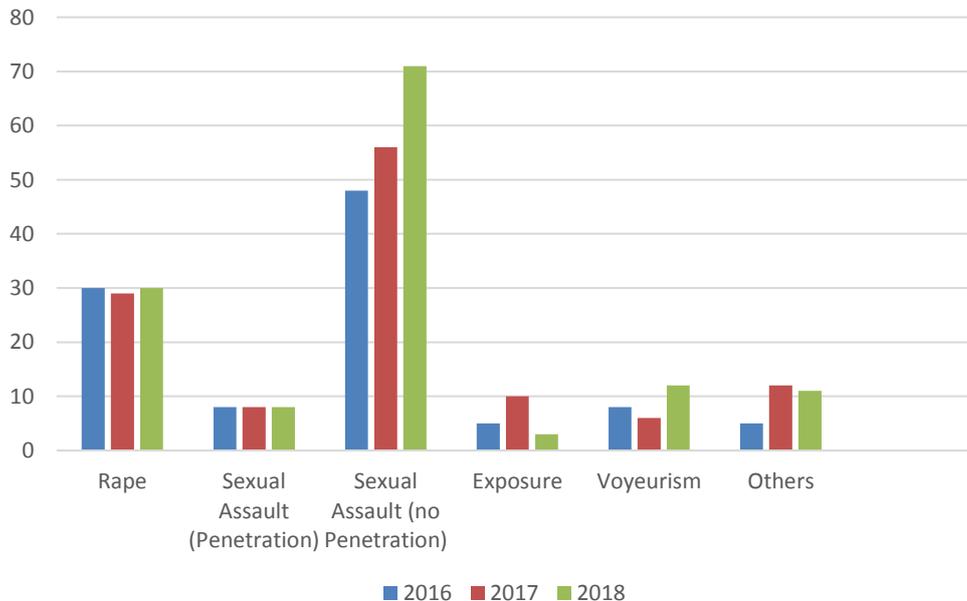
Between 1 January 2018 and 31 December 2018, the Service Police conducted 153 investigations<sup>2</sup> into offences contrary to the SOA 03, of which 18 were for historical<sup>3</sup> sexual offences. This indicates a year on year increase when comparing against 2016 and 2017 (113 and 135 investigations respectively).

**Figure 1: SOA 03 and Historical Investigations by Service Police**



When broken down by Service, in 2018, 93 investigations were conducted by the Royal Military Police, 31 by the Royal Air Force Police and 22 by the Royal Navy Police. Seven investigations were carried out by joint Service Police units.

**Figure 2: SOA 03 Investigations by Type of Offence**

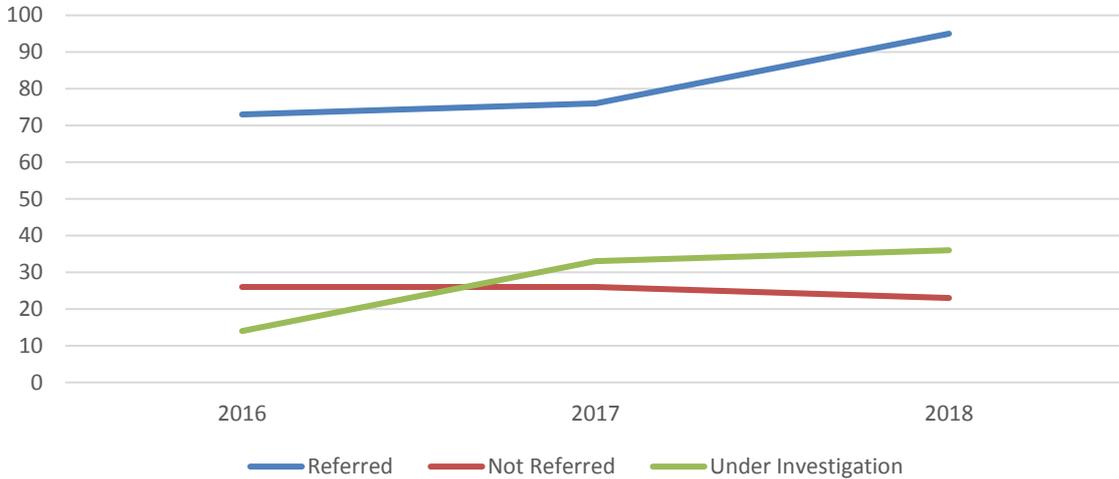


<sup>2</sup> Investigations that were reported as sexual offences but then reclassified to a non sexual offence have not been included.

<sup>3</sup> A historical offence relates to an offence that is alleged to have occurred prior to the implementation of the 2003 Sexual Offences Act, yet reported in the corresponding year.

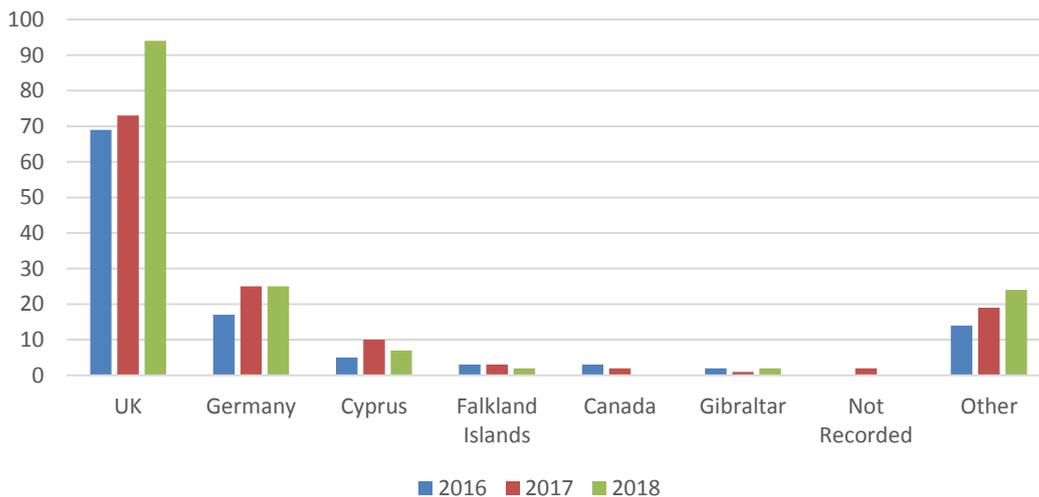
The number of SOA 03 investigations in 2018 for Rape (30 investigations) and Sexual Assault with Penetration (eight investigations) has remained relatively stable in comparison to 2017 (29 and eight investigations respectively). Investigations in 2018 for Sexual Assault with No Penetration (71 investigations) have increased by 15 investigations compared to 2017. Investigations into Exposure (3 investigations) have decreased by seven investigations since 2017. Voyeurism and historical investigations (12 and 18 investigations respectively) have increased since 2017 by six and four investigations respectively.

**Figure 3: SOA 03 Investigations, by Investigation Outcome**



Of the 153 SOA 03 investigations conducted by the Service Police in 2018, 95 investigations led to the referral of charges against the suspect(s), 23 investigations were not referred and 36 investigations were still ongoing at the end of 2018. Comparisons with 2017 show that there has been an increase of 19 cases that have been referred, whilst the figures for those not referred in 2017 (27) and the number of ongoing investigations (33) have remained relatively stable.

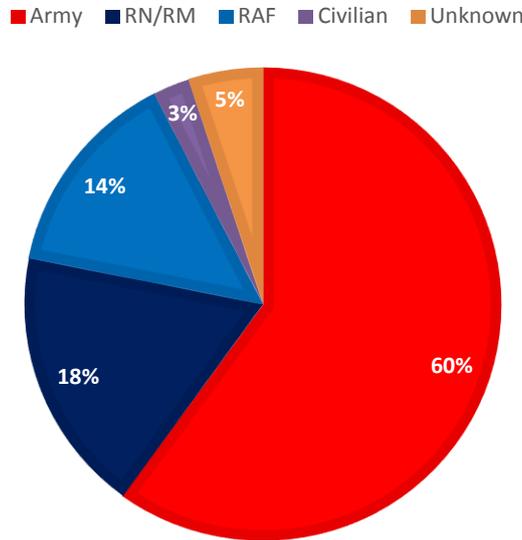
**Figure 4: SOA 03 Investigations, by Location of Offence**



Of the 153 SOA 03 investigations conducted by the Service Police in 2018, 94 investigations occurred in the UK, which is an increase of 21 cases compared to 2017. 25 cases occurred in Germany, which is the same as in 2017 and seven occurred in Cyprus, which shows a decrease of three since 2017. There is also an increase of five investigations occurring in other countries (24 investigations) compared to 2017. 2018 investigations remained relatively stable for the remaining

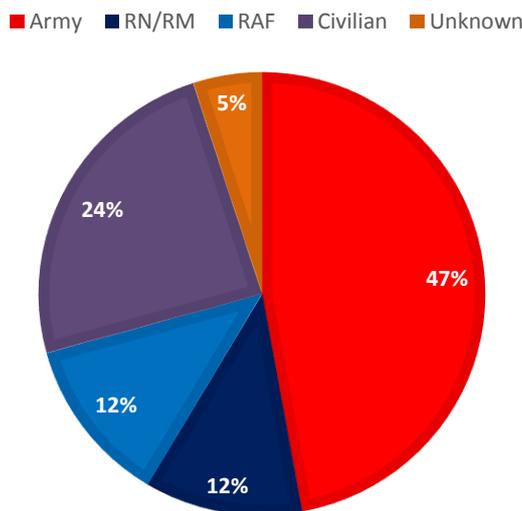
locations listed in comparison to 2017 (see supplementary Excel tables that accompany these statistics for more information).

**Figure 5: Percentage of 2018 SOA 03 Suspects by Service**



160 suspects were identified in investigations (including historical offences) conducted by the Service Police in 2018. Of which, 150 were male, two were female and eight were unknown. By Service, 96 were recorded as Army, 29 were Royal Navy/Royal Marines, 23 were RAF, four were civilians and eight were unknown.

**Figure 6: Percentage Of 2018 SOA 03 Victims, By Service**



140 victims were identified in investigations (including historical offences) conducted by the Service Police in 2018. Of which, 108 were female, 25 were male, and seven were unknown or unspecified. By Service, 66 were recorded as Army, 16 were Royal Navy/Royal Marines, 17 were RAF, 34 were civilians and seven were unknown. Further breakdowns by age and rank, together with comparisons to the 2016 and 2017 figures can be found for both Suspects and Victims in the supplementary Excel

tables that accompany these statistics. The 18 Historical<sup>4</sup> Sexual Offences that were investigated in 2018 consisted of 16 identified suspects, all of whom were male. By Service, 12 were recorded as Army, one was RAF, three were civilians. None were Royal Navy/Royal Marines. There were 18 identified victims, of which 13 were female, four were male and one was unknown. By Service, four were recorded as Army, 13 were civilian and one was unknown. A more detailed breakdown of these offences, with comparisons to 2016 and 2017 can be found in the supplementary Excel tables that accompany these statistics.

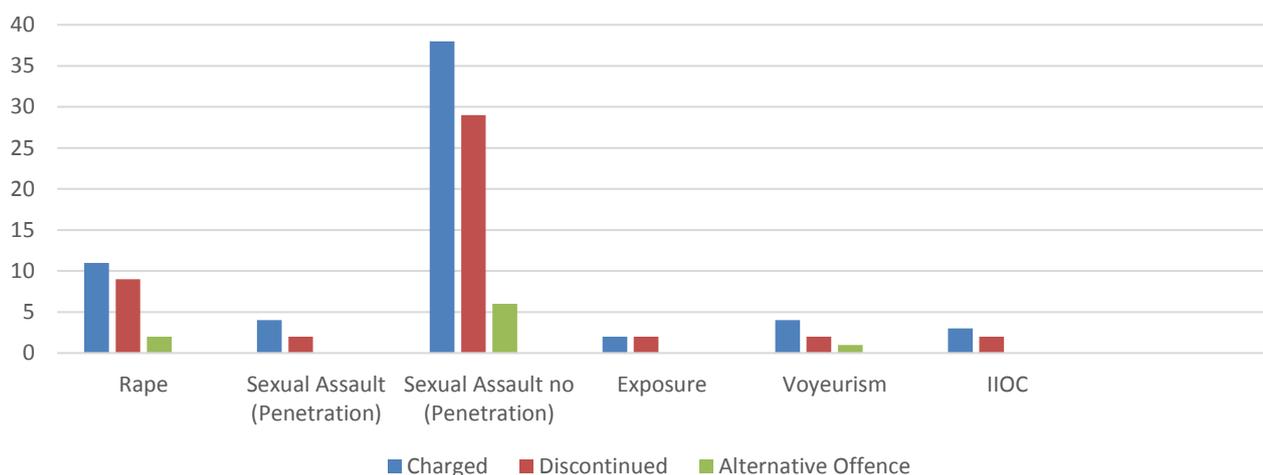
---

## Service Prosecuting Authority

Between 1 January 2018 and 31 December 2018, the SPA received 123 cases of offences contrary to the SOA 03, an increase 37 cases from 2017. The SPA subsequently decided to prefer charges contrary to the SOA 03 in 62 of these cases, 46 cases were discontinued and alternative non SOA 03 charges were preferred in nine cases. The decision whether to prosecute in the seven remaining 2018 cases had not been made as at 7 March 2018. Further breakdowns of these figures against those for 2016 and 2017 can be found in the supplementary Excel tables that accompany these statistics.

The number of cases charged and not the number of offence types charged have been counted in the Service Prosecuting Authority statistics. There may be multiple charges within a single case. In these cases, where a charge or offence type is presented, only the most severe (headline) offence associated with a single case has been counted. This means that in cases where, for example, we report that a charge was discontinued, there may have been charges made in this case but we report that the headline charge has been discontinued. For the number of charges by defendant and offence type, please refer to the Court Martial figures that can be found in the supplementary Excel tables that accompany these statistics.

**Figure 7: SPA SOA 03 Charging Decisions, 1 January 2018 to 31 December 2018**



Of the 123 cases the SPA received in 2018, the Army accounted for 71 cases, of which 38 cases were charged, 25 were discontinued and six were charged with alternative non-SOA 03 offences. The RAF accounted for 29 cases, of which 16 were charged, nine were discontinued and two were charged with an alternative non-SOA 03 offence. The Royal Navy/Royal Marines accounted for 23 cases, of which eight cases were charged, 12 were discontinued and one was charged with a non SOA-03 offence.

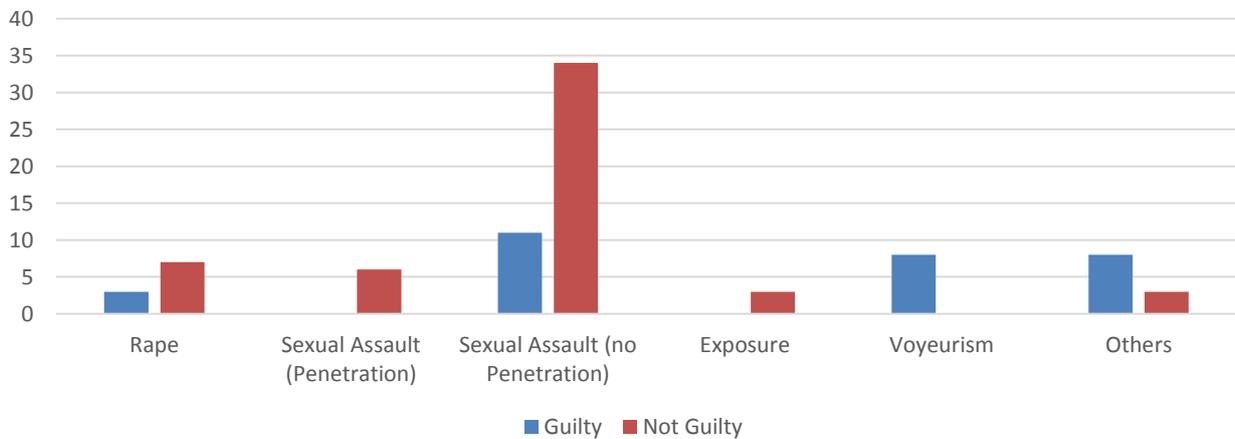
---

<sup>4</sup> If the offences occurred over two or more decades, the decade of the earliest incident has been recorded.

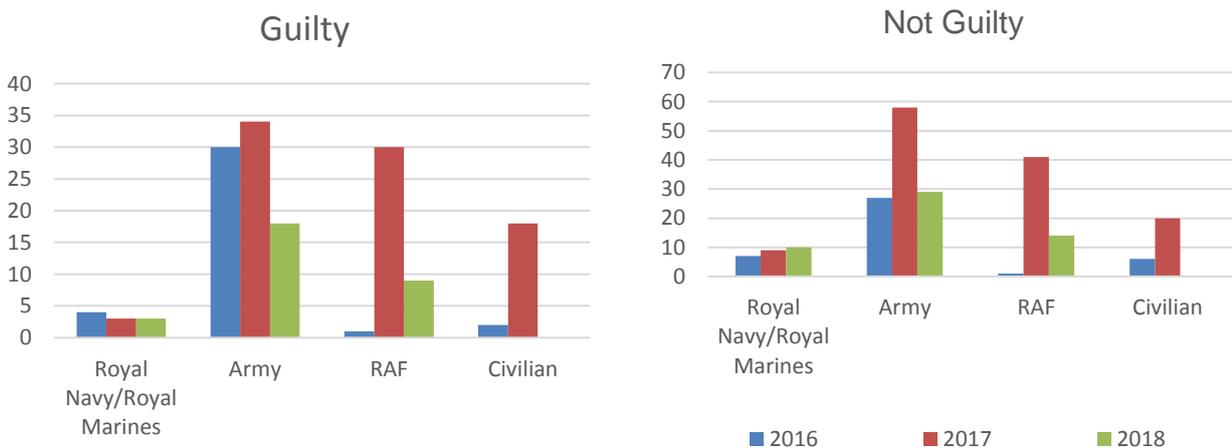
## Court Martial Results

Between 1 January 2018 and 31 December 2018, the Court Martial heard a total of 83 sexual offence charges (including charges relating to historic sexual offences) against 55 defendants. This is a decrease of 25 defendants in the overall number of charges from 2017. The outcome of these trials was that 21 Service Personnel and Civilians subject to Service Discipline were found guilty of 30 charges and no charges were discontinued. Further Breakdowns and comparisons are presented in the Excel supplementary tables that accompany these statistics.

**Figure 8: Court Martial SOA 03 Verdicts, 1 January 2018 to 31 December 2018**



**Figure 9: Court Martial SOA 03 Verdicts, by Service**



Of the 83 charges heard by Court Martial in 2018, the Army accounted for 47 charges, of which 18 were guilty and 29 were not guilty. The RAF accounted for 23 charges, of which nine were guilty and 14 were not guilty. The Royal Navy/Royal Marines accounted for 13 charges of which three were guilty and 10 were not guilty.

---

## Further Information

### Symbols

	discontinuity in time series
*	not applicable
r	revision
..	not available
–	zero or rounded to zero

*Italic* figures are used for percentages and other rates.

### Rounding

Figures in this publication have not been rounded. This is because Court Martial results are regularly published and available on the gov.uk website

(<https://www.gov.uk/government/publications/court-martial-results-from-the-military-court-centres>).

### Revisions

Corrections to the published statistics have been made if errors are found, or if figures change as a result of improvements to methodology or changes to definitions. When making corrections, we will follow the Ministry of Defence [Statistics Revisions and Corrections Policy](#). All corrected figures will be identified by the symbol “r”, and an explanation will be given of the reason for and size of the revision. Corrections which would have a notable impact on the utility of the statistics will be corrected as soon as possible, by reissuing the publication. Minor errors will also be corrected, but for convenience these corrections may be timed to coincide with the next annual release of the publication.

### Contact Us

Defence Statistics welcome feedback on our statistical products. If you have any comments or questions about this publication or about our statistics in general, you can contact us as follows:

#### Service Police Policy

Telephone: 020 7218 4815

Email: [People-Sec-DCLSvcPolicePol@mod.gov.uk](mailto:People-Sec-DCLSvcPolicePol@mod.gov.uk)

#### Defence Statistics (Tri-Service)

Telephone: 020 7807 8896

Email: [DefStrat-Stat-Tri-Enquiries@mod.gov.uk](mailto:DefStrat-Stat-Tri-Enquiries@mod.gov.uk)

If you require information which is not available within this or other available publications, you may wish to submit a Request for Information under the Freedom of Information Act 2000 to the Ministry of Defence. For more information, see:

<https://www.gov.uk/make-a-freedom-of-information-request/the-freedom-of-information-act>

## **Further Information (cont.)**

---

### **Other contact points within Defence Statistics are:**

Defence Expenditure Analysis	030 6793 4531	<a href="mailto:DefStrat-Econ-ESES-DEA-Hd@mod.gov.uk">DefStrat-Econ-ESES-DEA-Hd@mod.gov.uk</a>
Price Indices	030 6793 2100	<a href="mailto:DefStrat-Econ-ESES-PI-Hd@mod.gov.uk">DefStrat-Econ-ESES-PI-Hd@mod.gov.uk</a>
Naval Service Manpower	023 9254 7426	<a href="mailto:DefStrat-Stat-Navy-Hd@mod.gov.uk">DefStrat-Stat-Navy-Hd@mod.gov.uk</a>
Army Manpower	01264 886175	<a href="mailto:DefStrat-Stat-Army-Hd@mod.gov.uk">DefStrat-Stat-Army-Hd@mod.gov.uk</a>
RAF Manpower	01494 496822	<a href="mailto:DefStrat-Stat-Air-Hd@mod.gov.uk">DefStrat-Stat-Air-Hd@mod.gov.uk</a>
Tri-Service Manpower	020 7807 8896	<a href="mailto:DefStrat-Stat-Tri-Hd@mod.gov.uk">DefStrat-Stat-Tri-Hd@mod.gov.uk</a>
Civilian Manpower	020 7218 1359	<a href="mailto:DefStrat-Stat-Civ-Hd@mod.gov.uk">DefStrat-Stat-Civ-Hd@mod.gov.uk</a>
Health Information	030 6798 4423	<a href="mailto:DefStrat-Stat-Health-Hd@mod.gov.uk">DefStrat-Stat-Health-Hd@mod.gov.uk</a>

### **If you wish to correspond by mail, our postal address is:**

Service Police Policy  
 Discipline, Conduct and Legislation Team,  
 Defence People Secretariat  
 Ministry of Defence, Main Building  
 Floor 6 Zone N  
 Whitehall  
 London  
 SW1A 2HB

For general MOD enquiries, please call: 020 7218 9000