



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 (DSP) or heard in the Court Martial between 1 January 2019 to 31 December 2019. Comparisons have been made to figures from 2017 and 2018.

The latest Armed Forces strength figures¹ 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 2019, the Service Police conducted 178 investigations into offences contrary to the SOA 03, of which 8 were historical offences². This represents a total increase of 25 investigations contrary to the SOA 03 for 2019 compared to 2018 and an decrease of 10 historical investigations.
- Of the 178 investigations contrary to the SOA 03, 110 led to charges being referred to the DSP, 35 investigations did not lead to a referral and 33 were still under investigation at the end of 2019. This represents an increase of 15 cases that resulted in a referral of charges, 12 cases that were not referred and 3 cases still under investigation compared to the 2018 figures.
- The 178 investigations involved 188 suspects (178 male, no female and 10 unidentified suspects) and 212 victims (164 female, 29 male and 19 unknown or unspecified).
- The Service Prosecuting Authority (SPA) received 157 case referrals from the Service Police, preferred charges contrary to the SOA 03 in 48 cases, 55 cases were non-directed and preferred an alternative non SOA 03 charge in 21 cases. The SPA figures for 2019 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 non-directed.
- The Court Martial tried 59 defendants in 2019 who faced 98 charges. Of these charges, 31 were found guilty, 67 were found not guilty. In 2019, 17 defendants were found guilty of a sexual offence. Please note that several defendants were convicted of multiple sexual offence charges.

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Background quality report:
service-justice-system

[https://www.gov.uk/government/collections/sexual-offences-in-the-](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? Subscribe to updates by emailing Analysis-Publications@mod.gov.uk

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

² 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 within this reporting year.

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Introduction

These statistics provide information on offences contrary to the Sexual Offences Act 2003 (SOA 03) and historical sexual offences 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 two permanent Court Martial centres. 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>

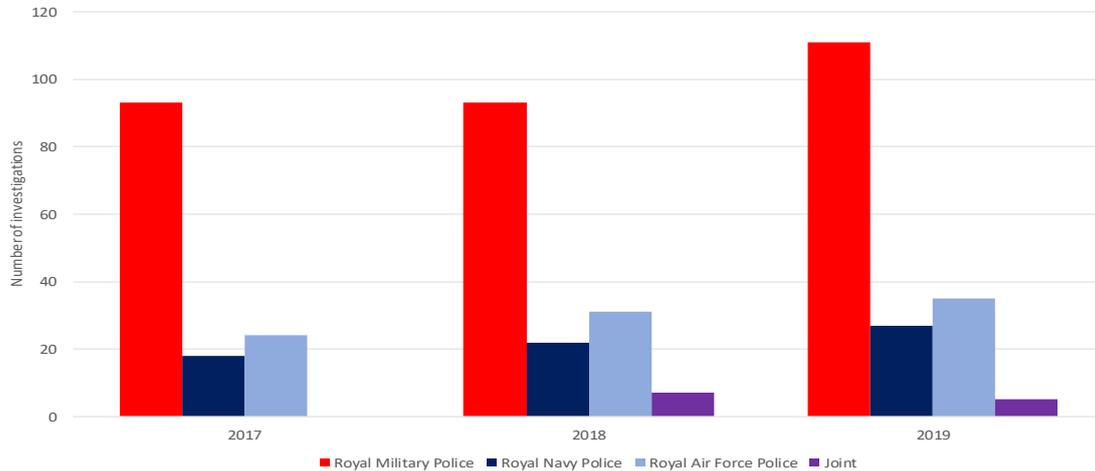
The Armed Forces (Court Martial) Rules 2009 can be found at:

http://www.legislation.gov.uk/uksi/2009/2041/pdfs/uksi_20092041_en.pdf

Service Police Investigations

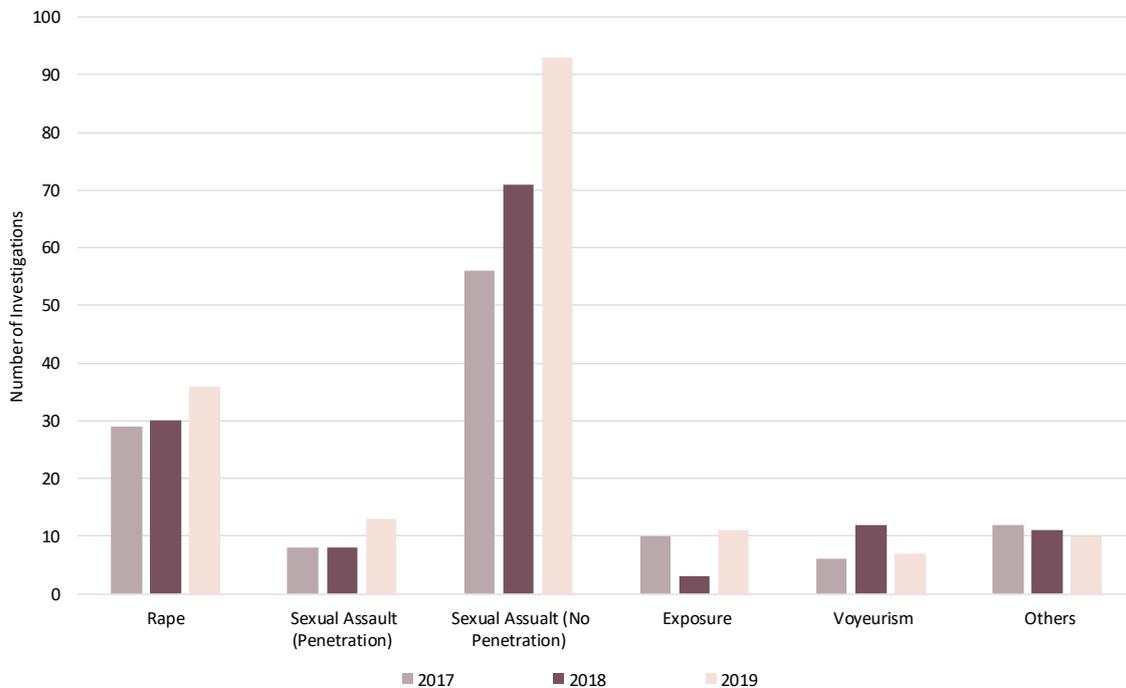
Between 1 January 2019 and 31 December 2019, the Service Police conducted 178 investigations³ into offences contrary to the SOA 03, of which 8 were for historical sexual offences. This indicates a year on year increase when comparing against 2017 and 2018 (135 and 153 investigations respectively).

Figure 1: SOA 03 and Historical Investigations by Service Police in 2019



When broken down by Service, in 2019, 111 investigations were conducted by the Royal Military Police, 35 by the Royal Air Force Police and 27 by the Royal Navy Police. Five investigations were carried out by Joint Service Police Units.

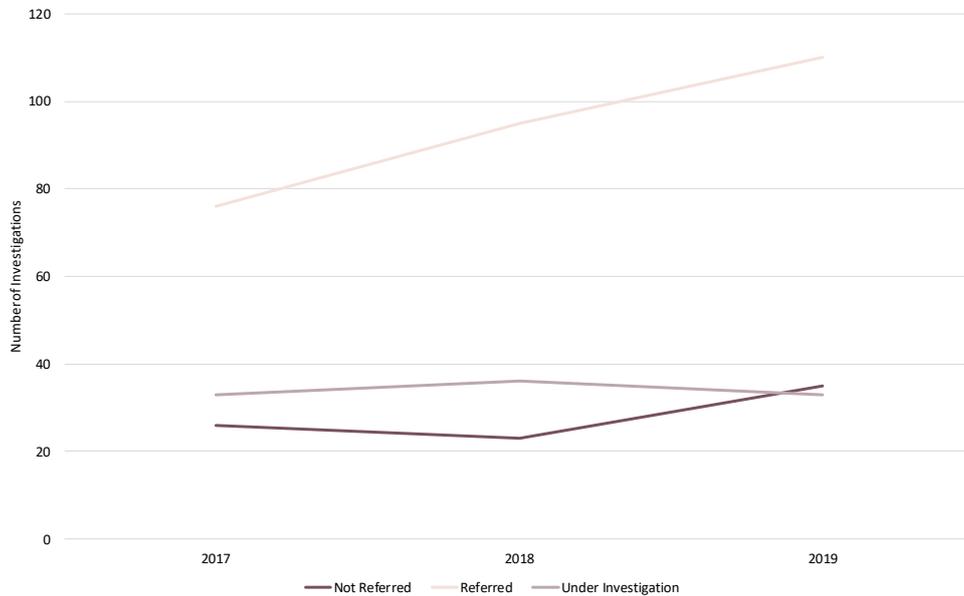
Figure 2: Service Police SOA 03 Investigations by Type of Offence in 2019



³ Investigations that were reported as sexual offences but then reclassified to a non sexual offence have not been included.

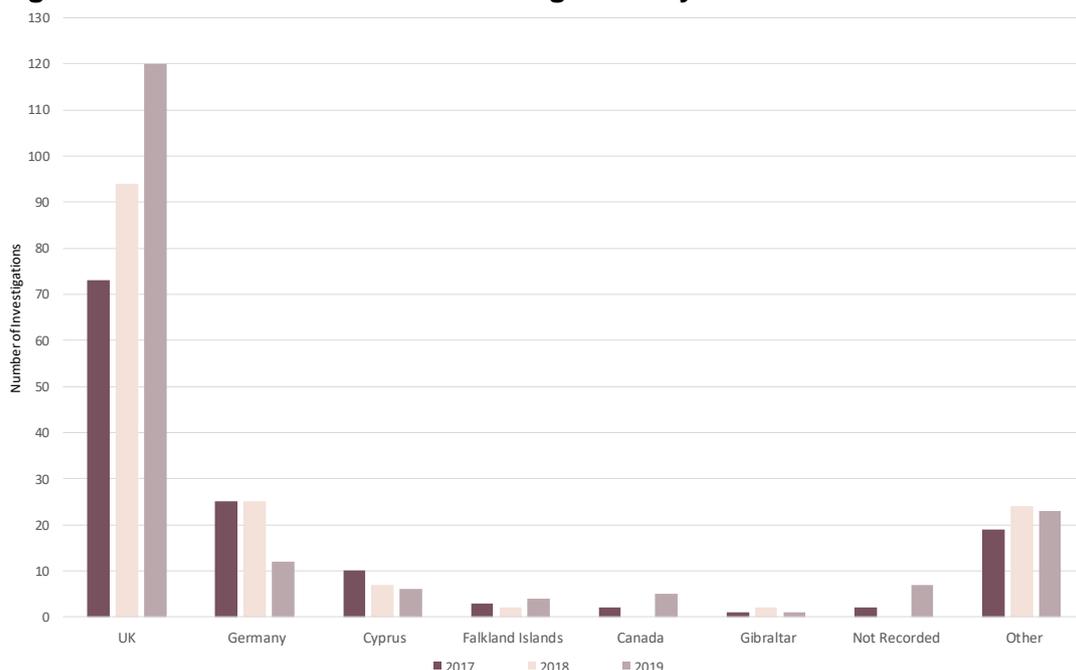
The number of SOA 03 investigations in 2019 for Rape (36 investigations) and Sexual Assault with Penetration (13 investigations) has increased in comparison to 2018 (30 and eight investigations respectively). Investigations in 2019 for Sexual Assault with No Penetration (93 investigations) have increased by 22 investigations compared to 2018. Investigations into Exposure (11 investigations) has increased by eight investigations since 2018. Voyeurism and historical investigations (7 and 8 investigations respectively) have decreased since 2018 by five and 10 investigations respectively.

Figure 3: Service Police SOA 03 Investigations by Investigation Outcome in 2019



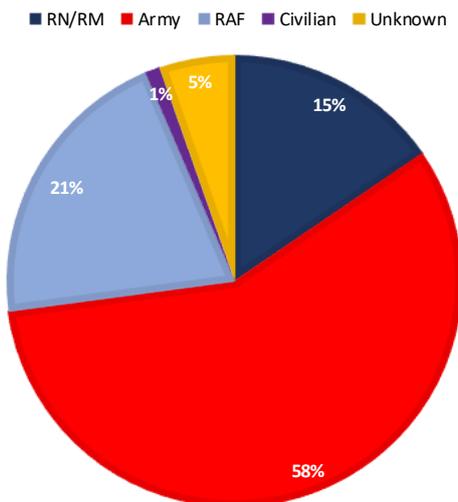
Of the 178 SOA 03 investigations conducted by the Service Police in 2019, 110 investigations led to the referral of charges against the suspect(s), 35 investigations were not referred and 33 investigations were still ongoing at the end of 2019. Comparisons with 2018 show that there has been an increase of 15 cases that have been referred, and an increase of 12 of those not referred in 2019. The number of ongoing investigations has remained relatively stable compared with 36 in 2018.

Figure 4: Service Police SOA 03 Investigations by Location of Offence in 2019



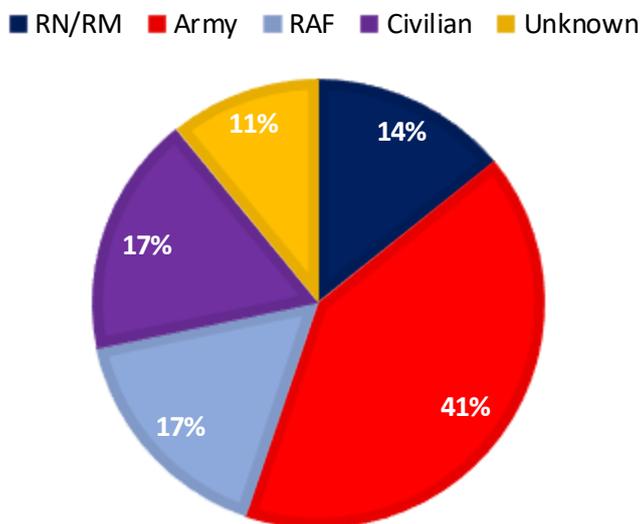
Of the 178 SOA 03 investigations conducted by the Service Police in 2019, 120 investigations occurred in the UK, which is an increase of 26 cases compared to 2018. 12 investigations occurred in Germany, which is an decrease of 13 from 2018 and six occurred in Cyprus, which shows a decrease of one since 2018. There were five investigations conducted in Canada which is an increase of five over 2018. There was a decrease of one investigation occurring in other countries (23 investigations) compared to 2018. 2019 investigations remained relatively stable for the remaining locations listed in comparison to 2018 (see supplementary Excel tables that accompany these statistics for more information).

Figure 05: Percentage Of 2019 SOA 03 Suspects By Service



188 suspects were identified in investigations conducted by the Service Police in 2019. This figure does not include historical offences but does include suspects who, upon completion of the Service Police investigation, were referred for non-SOA 03 offences where there was at least one suspect referred for a sexual offence. Of these suspects, 178 were male, none were female and 10 were unknown. By Service, 108 were recorded as Army, 29 were Royal Navy/Royal Marines, 39 were RAF, two were civilians and 10 were unknown.

Figure 6: Percentage Of 2019 SOA 03 Victims By Service



212 victims were identified in investigations conducted by the Service Police in 2019. This figure does not include historical offences but does include victims who, upon completion of the Service Police investigation, were reported as victims of non-SOA 03 offences where there was at least one suspect referred for a sexual offence. Of these victims, 164 were female, 29 were male, and 19 were unknown or unspecified. By Service, 87 were recorded as Army, 30 were Royal Navy/Royal Marines, 35 were RAF, 37 were civilians and 23 were unrecorded or unknown. Further breakdowns by age and rank, together with comparisons to the 2017 and 2018 figures can be found for both Suspects and Victims in the supplementary Excel tables that accompany these statistics.

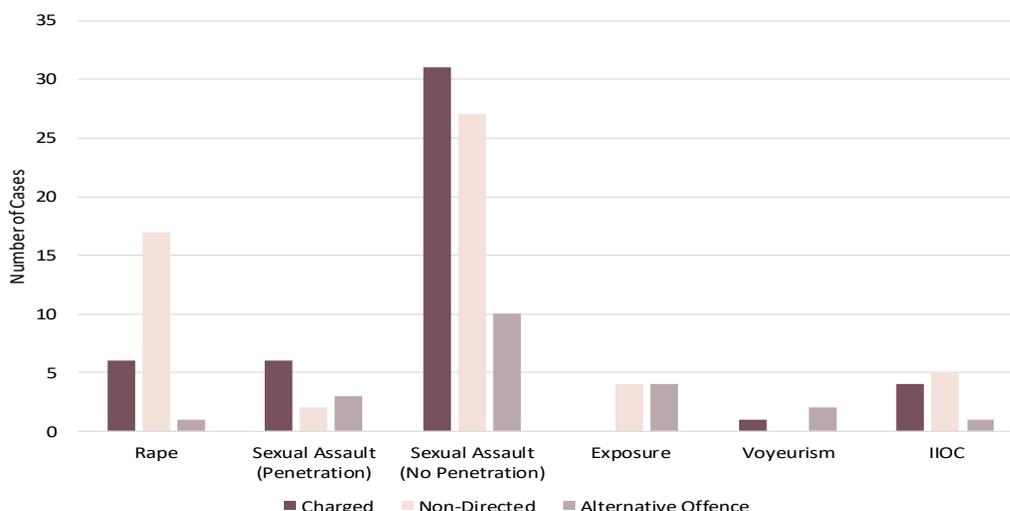
The 8 Historical Sexual Offences that were investigated in 2019 consisted of eight suspects, five of whom were male and three were unrecorded or unknown. For suspects by Service; four were recorded as Army, one was RAF and three were unrecorded or unknown. There were eight identified victims, of which; five were female and three were male. For victims by Service; one was recorded as Army, one Royal Navy or Royal Marine and six were civilian. A more detailed breakdown of these offences, with comparisons to 2017 and 2018 can be found in the supplementary Excel tables that accompany these statistics.

Service Prosecuting Authority

Between 1 January 2019 and 31 December 2019, the SPA received 157 cases of offences contrary to the SOA 03, an increase 34 cases from 2018. The SPA subsequently decided to prefer charges contrary to the SOA 03 in 48 of these cases, 55 cases were non-directed and alternative non-SOA 03 charges were preferred in 21 cases. The decision whether to prosecute in the 33 remaining 2019 cases had not been made as at 31 December 2019. Further breakdowns of these figures against those for 2017 and 2018 can be found in the supplementary Excel tables that accompany these statistics.

The Service Prosecuting Authority statistics represent the number of cases charged and not the number of offence types charged. 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, it is reported that a charge was non-directed, there may have been other charges made in this case but, in these figures, it is only reported that the headline charge has been non-directed. 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 to 31 Dec 2019



Of the 157 cases the SPA received in 2019, the Army accounted for 105 cases, of which 34 cases were charged, 36 were non-directed and 15 were charged with alternative non-SOA 03 offences.

The RAF accounted for 30 cases, of which 6 were charged, 15 were non-directed and four were charged with an alternative non-SOA 03 offence. The Royal Navy/Royal Marines accounted for 22 cases, of which eight cases were charged, four were non-directed and two were charged with a non SOA 03 offence.

Court Martial Results

Between 1 January 2019 and 31 December 2019, the Court Martial heard a total of 98 sexual offence charges (including charges relating to historic sexual offences) against 59 defendants. This is an increase of four defendants and 15 charges from 2018. The outcome of these trials was that 17 Service Personnel and Civilians subject to Service Discipline were found guilty of 31 charges. Further Breakdowns and comparisons are presented in the Excel supplementary tables that accompany these statistics.

Figure 8: Court Martial SOA 03 Verdicts 1 January to 31 December 2019

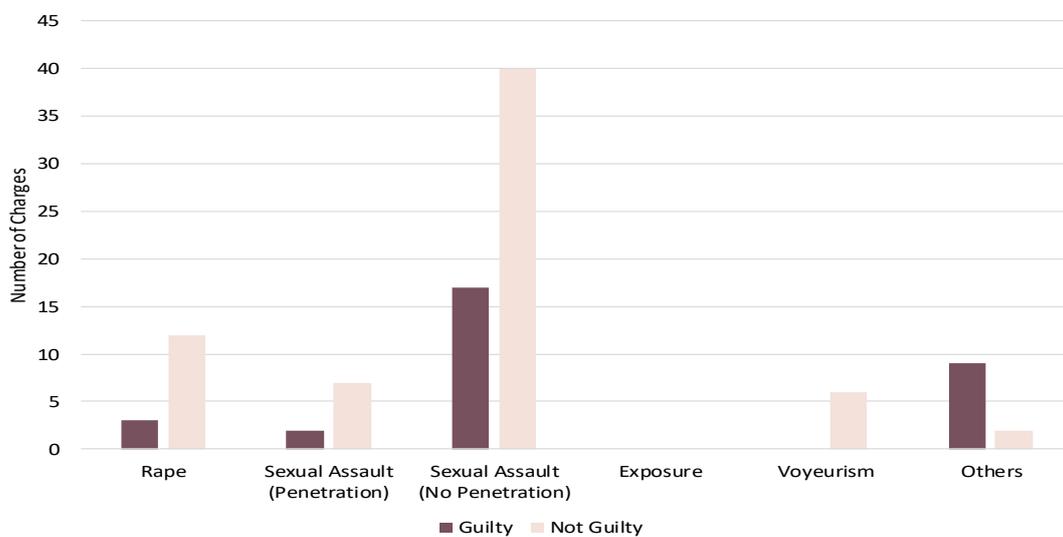
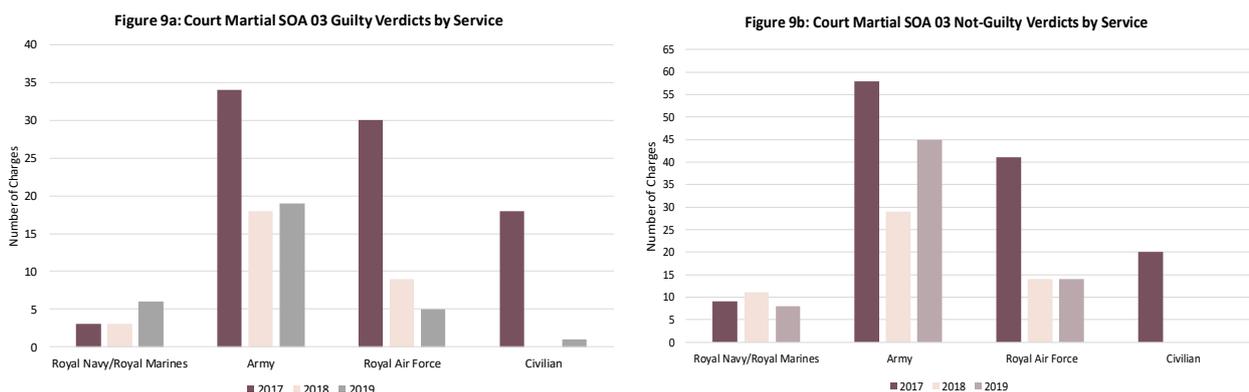


Figure 9: Court Martial SOA 03 Verdicts by Service for 2019



Of the 98 charges heard by Court Martial in 2019, the Army accounted for 64 charges, of which 19 were guilty and 45 were not guilty. The RAF accounted for 19 charges, of which five were guilty and 14 were not guilty. The Royal Navy/Royal Marines accounted for 14 charges of which six were guilty and eight 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

MOD Analysis Directorate 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:

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