



Ministry
of Defence

Army Secretariat
Army Headquarters
IDL 24 Blenheim Building
Marlborough Lines
Andover
Hampshire, SP11 8HJ
United Kingdom

Ref: FOI2015/04176
ArmyHQ/Sec/04/02/75022

E-mail: Army Sec-group@mod.uk
Website: www.army.mod.uk

20 May 2015

Dear [REDACTED]

Thank you for your email of 5 May requesting the following information:

1. *'Could you please tell me how the army checks that the signatures are genuine on the forms that parents use to give their consent to enlistment?'*
2. *'Also, could you please tell me a) how many times in the past five years have parents/guardians of army recruits under the age of 18 sought to withdraw consent after their child's enlistment and b) how many such applications were successful?'*

I am treating your correspondence as a request for information under the Freedom of Information Act 2000 (FOIA). A search for the information has now been completed within the Ministry of Defence, and I can confirm that some of the information in scope of your request is held.

1. While the Army does not check if the signatures themselves are genuine on the forms that parents use to give consent to enlistment, 'wet' signature consent is required more than once and is just part of the overall procedure. Parental/guardian consent is required before any under 18 candidate engages in any recruiting activity, including outreach activities, interview and assessment. If a recruit aged under 18 is successful through the recruiting process, parental/guardian consent is also required as part of the formal notice that a candidate has been offered a job, which includes an outline of the Discharge As Of Right (DAOR) process and subsequent Terms of Service. Written consent is also required before candidates are enlisted or re-enlisted. The Army is not aware of any cases where parental consent has not been genuine. Parents/guardians are encouraged to seek advice from recruiting staff throughout the process. Information for parents and families is available on the Army website:
<http://www.army.mod.uk/join/25652.aspx>.

2. No cases are recorded of parents/guardians of recruits under the age of 18 seeking to withdraw their consent after their child's enlistment. Anecdotal evidence suggests one case in 2010/11 where parents of a recruit requested to withdraw their consent, but after visiting Army Foundation College (Harrogate) their fears were allayed and they withdrew their request. This instance is not formally recorded.

The policy on discharging a soldier aged under 18 if parental consent to enlistment is withdrawn after attestation is described in the following answer to a Parliamentary Question from 2011:

7 Feb 2011 : Column 26-7W

Fabian Hamilton: To ask the Secretary of State for Defence what legal advice he has received on the retention of an armed forces recruit aged under 18 if his or her parent withdraws consent after attestation. [37948]

Mr Robathan: In developing the provisions as to a person's enlistment and terms of service, the policy teams worked closely with the Ministry of Defence's in-house legal team and received ongoing advice. Provision was made in the Armed Forces (Enlistment) Regulations 2009 for the situation when an appropriate person, such as a parent, did not give or withdrew consent to the enlistment of a person under the age of 18. Such a parent may apply within three months of the enlistment to the Defence Council for a determination that the enlistment is invalid, even if the enlisted person has since attained the age of 18. However, if all necessary consents were obtained prior to the enlistment of a person under the age of 18, and that consent is subsequently withdrawn after the valid enlistment of the person, the enlistment will remain valid.

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 Information Rights Compliance team, 1st Floor, 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, <https://ico.org.uk/>.

Yours sincerely,

Army Secretariat