



**Ministry
of Defence**

Ministry of Defence
Main Building (06/K/14)
Whitehall
London SW1A 2HB
United Kingdom

Telephone: +44 (0)20 7218 9000

Ref: [REDACTED]

Email: [REDACTED]

9 June 2015

Dear [REDACTED]

Thank you for your email of 11 May 2015 requesting the following information:

"I am sending this request under the Freedom of Information Act to ask for the following information:

1. How many individuals listed on the Violent and Sexual Offender Register are currently serving in the:
 - a) British Army?
 - b) Royal Navy?
 - c) Royal Air force?
2. Of those in 1) a-c, how many joined the armed forces since the 1st January 2012?
3. Please provide a breakdown of 1) a-c by nature of the relevant offence(s)
4. Please provide a copy of all policies currently in force which relate to the employment of violent and sexual offenders in the armed forces. "

This has been considered as a request for information in accordance with the Freedom of Information Act 2000 (FOIA).

A search for the information has now been completed within the Ministry of Defence (MOD), and I can confirm that information in scope of your request is held.

The information you have requested can be found below.

1. How many individuals listed on the Violent and Sexual Offender Register (SOR) are currently serving in the a) British Army, b) Royal Navy, c) Royal Air Force:

Service	Numbers on the SOR
Army	20
RN/RM	~
Royal Air Force	~

Please note - In accordance with the Data Protection Act and our obligations in relation to the protection of confidentiality when handling personal data, the figures provided have been rounded to the nearest 10, where "~" denotes a number less than or equal to five.

2. Of those in 1) a-c, how many joined the armed forces since the 1st January 2012?

In regard to Q2, the number of individuals currently serving in the Armed Forces who joined since 1st January 2012 and are listed on the Violent and Sexual Offender Register is less than five.

3. Please provide a breakdown of 1) a-c by nature of the relevant offence(s).

We cannot provide further information about individual cases as to do so would constitute the release of sensitive personal information which is exempt from publication under section 40(2) of the Freedom of Information Act. Section 40(2) is an absolute exemption and the MOD is not obliged to consider whether the public interest favours disclosing the information.

Details of convictions at the Court Martial can be found at:

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

4. Please provide a copy of all policies currently in force which relate to the employment of violent and sexual offenders in the Armed Forces.

If anyone in the Armed Forces is required to be placed on the Violent and Sexual Offenders Register, the Services will consider that person's future employment status and take account of the various policies which are to be applied in such cases. These are set out below:

Specific policy guidance following award of a custodial sentence is contained in Queen's Regulations for the Royal Air Force can be found at page 15-34 and 15-35. Guidance on the award of administrative action following a civil conviction can be found in AP 3392 Vol 4 leaflet 1304.

http://www.raf.mod.uk/rafcms/mediafiles/1FA0AF1F_5056_A318_A8FFF50BB13D730D.pdf

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/347108/20100730_-_AP3392_Vol_4_Leaflet_1304.pdf

The Royal Navy's guidance on the award of administrative action following a civil conviction can be found in BR 3 Chap 20 section 19. Guidance on the management of Convicted and Suspected Sex Offenders can be found in section 22 of the same chapter.

<http://www.royalnavy.mod.uk/~media/royal%20navy%20responsive/documents/reference%20library/br%203/20140918-br3-home-u.pdf>

Regarding offending within the Army, further information can be found in the attached Queen's Regulations Army document 9.403, 9.404, 9.405, 9.380-9.410 and 9.414.

You may also wish to view the attached policy documents which provide direction on how the single services should apply their own policies on taking administrative action following conviction for a sexual offence. Please note the documents are currently under review.

Finally the Armed Forces considers the impact on the Service of all those who are found to fall short of the Armed Forces' high standards of conduct and behaviour, particularly where this includes convictions in a civilian or military court. Where appropriate, and depending on the circumstances, a variety of administrative sanctions are available following a conviction which range from a warning through to administrative discharge. While those with a conviction for a

sexual offence are normally administratively discharged each case is dealt with on a case-by-case base and in exceptional circumstances retention can be approved. Registered sex offenders who continue to serve in the Armed Forces are managed by the appropriate civilian Responsible Authority under Multi Agency Public Protection Arrangements (MAPPA)

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, <http://www.ico.org.uk>.

Yours sincerely,

Defence People Secretariat