



Ministry of Defence

Ministry of Defence
Main Building
Whitehall
London
SW1A 2HB

FOI2018/00478

[REDACTED]

[REDACTED]

26 February 2018

Dear [REDACTED]

Thank you for your email to the Ministry of Defence (MOD) dated 11 January 2018 in which you requested the following information:

"Please could you send me the following information:

- 1) How many claims of sexual offences have been made against members of the Armed Forces (Navy, Army, Air Force) since 2010, irrespective of whether they have resulted in further action, broken down by year.*
- 2) How many claims of sexual offences against members of the Armed Forces have been investigated since 2010, broken down by year.*
- 3) The number of sexual offences found to have been committed by members of the Armed Forces since 2010, broken down by year.*
- 4) How many members of the Armed Forces have been punished for sexual offences since 2010, broken down by year.*
- 5) How many members of the Armed Forces have been discharged for sexual offences since 2010, broken down by year.*
- 6) How many members of the Armed Forces have been imprisoned for sexual offences since 2010, broken down by year."*

I am treating your correspondence as a request for information under the Freedom of Information Act (FOIA) 2000, I apologise for the delay in responding.

The routes for reporting sexual harassment are through the Service Complaint (SC) process or the police process. Rape and sexual assault are abhorrent crimes. The MOD does not tolerate offences of this kind and every reported incident is thoroughly investigated.

The MOD is unable to comply with part of your request under Section 12 of the FOI Act. Section 12 makes provision for public authorities to refuse requests for information where the cost of dealing with them would exceed the appropriate limit. This limit is specified in FOI regulations and for central Government is £600. This represents the estimated cost of one person spending three and a half working days in determining whether the Department holds the information, and locating, retrieving and extracting the information.

An initial scope of your request has found that the identification of claims made against members of the Armed Forces would require a manual check of every complaint that has been received within the specified time period. To locate, retrieve and extract relevant data would exceed the £600 cost limit that applies under Section 12 of the FOI Act.

Section 16 of the FOIA sets out the duty of public authorities to provide advice and assistance, as far as it is reasonable to expect the public authority to do so, to anyone who is considering, or has made, a request for information to it. The MOD may be able to provide some information in scope of your request if you refine your request to bring the cost of compliance under the limit. For example, you may wish to consider focussing your request on the number of Service personnel who have been investigated as a result of an allegation of a sexual offence or the number of cases of sexual offences that have been referred to the Service Prosecuting Authority. However, please be aware other exemptions may be applied. If you wish to make a revised FOI request, please use the email ciofoi@mod.gov.uk.

If you have any queries regarding the content of this letter, please contact this office in the first instance.

I can advise you that part of your request is exempt under Section 21 of the FOIA as the information is already available to you. Statistics are now published annually and have been since January 2015. This information can be found at the following link:

<https://www.gov.uk/government/statistics/sexual-offences-in-the-service-justice-system2015>

<https://www.gov.uk/government/statistics/sexual-offences-in-the-service-justice-system-2016>

Statistics for 2017 will be published in Spring 2018. Court martial statistics for sexual offences in the Armed Forces are also published online. This information can be found at the following link:

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

If you wish to complain about the handling of your request, or the content of this response, you can request an independent internal review by contacting the Information Rights Compliance team, Ground Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail CIOFOI-IR@mod.gov.uk). Please note that any request for an internal review should be made within 40 working days of the date of this response.

If you remain dissatisfied following an internal review, you may raise your complaint directly to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not normally investigate

your case until the MOD internal review process has been completed. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website at <https://ico.org.uk/>.

Yours sincerely,

Defence People Secretariat