



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 2017 to 31 December 2017. Comparisons have been made to figures from 2015 and 2016.

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.

Due to a processing error, **a number of revisions** have been made to the Official Statistics published on 29 March 2018. All revisions have been marked with a superscripted 'r'.

Key Points and Trends

- During 2017, the Service Police conducted 135^r investigations into offences contrary to the SOA 03. Of which, 14 were historical offences. This represents a total increase of 22^r investigations contrary to the SOA 03 for 2017 compared to 2016 and an increase of five^r historical investigations.
- Of the 135^r investigations contrary to the SOA 03, 76^r led to charges being referred to the suspect's Commanding Officer or the DSP, 26^r investigations did not lead to a referral and 33^r were still under investigation at the end of 2017. This represents an increase of three^r cases that resulted in a referral of charges and 19^r cases still under investigation since 2016.
- The 135^r investigations involved 153^r suspects (132^r male, four^r female and 17 unidentified suspects) and 135^r victims (100 female, 24^r male and 11 unknown or unspecified).
- The Service Prosecuting Authority (SPA) received 86^r case referrals from the Service Police, preferred charges contrary to the SOA 03 in 43^r cases, discontinued 26^r cases and preferred an alternative non SOA 03 charge in six cases. Decisions in respect of the 11^r outstanding 2017 cases were not reached as at 1 February 2018.
- The Court Martial tried 80 defendants in 2017 who faced 213 charges. Of these charges, 85^r were found guilty and 128^r were found not guilty. No charges were discontinued at Court Martial and 29 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-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? You can subscribe to updates by emailing DefStrat-Stat-WDS-Pubs@mod.gov.uk

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

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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).

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

The majority of the 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. As of 1 March 2018, section 3 (sexual assault non-penetration), section 66 (Exposure) and section 67 of (Voyeurism) of the SOA 03 have been made Schedule 2 offences. 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 or CO 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>

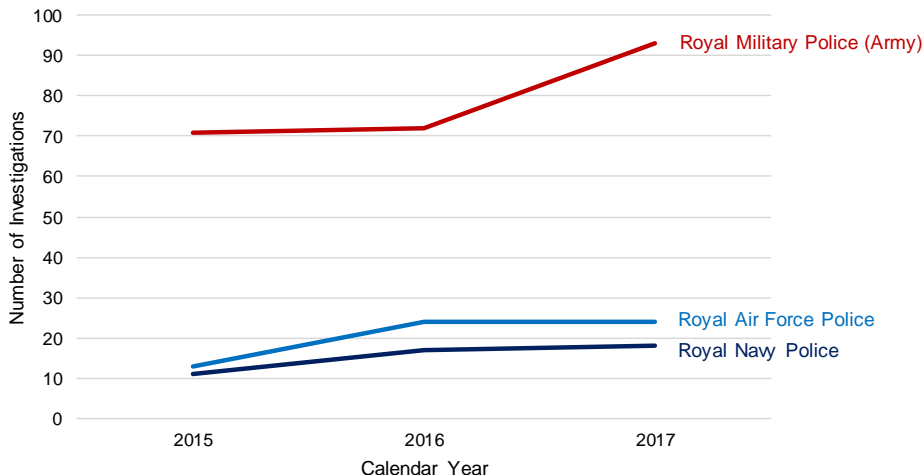
The Armed Forces (Court Martial) Rules 2009 can be found at:

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

Service Police Investigations

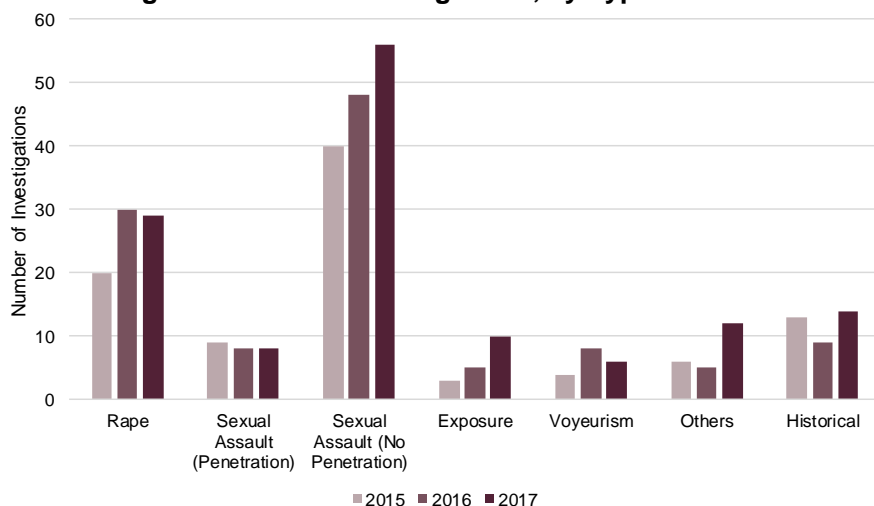
Between 1 January 2017 and 31 December 2017, the Service Police conducted 135^f investigations² into offences contrary to the SOA 03, of which 14 were for historical³ sexual offences. This indicates a year on year increase when comparing against 2015 and 2016 (95^f and 113^f investigations respectively).

Figure 1: SOA 03 and Historical Investigations, by Service Police^f



When broken down by Service, in 2017, 93 investigations were conducted by the Royal Military Police, 24^f by the Royal Air Force Police and 18 by the Royal Navy Police.

Figure 2: SOA 03 Investigations, by Type⁴ of Offence^f



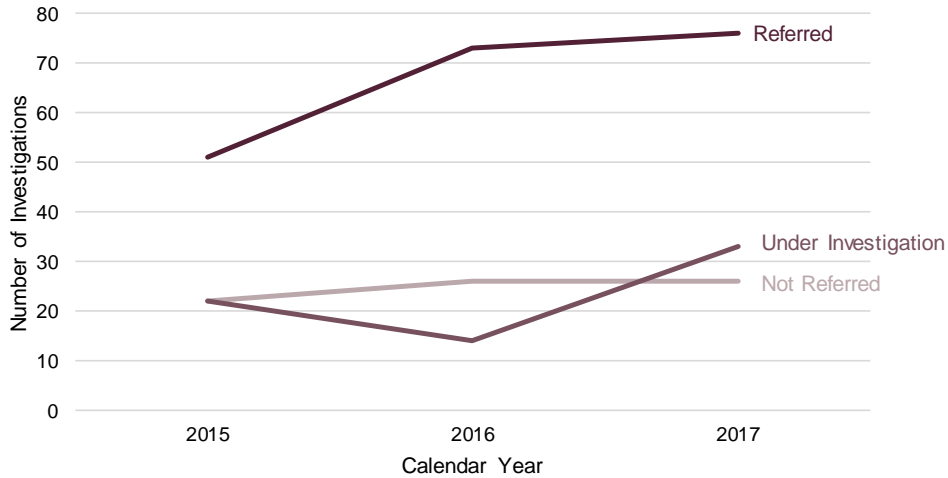
The number of SOA 03 investigations in 2017 for Rape (29^f investigations) and Sexual Assault with Penetration (eight^f investigations) has remained relatively stable in comparison to 2016 (30 and eight investigations respectively). SOA 03 investigations in 2017 for Sexual Assault with No Penetration (56^f investigations), Exposure (10^f investigations) and Historical offences (14 investigations) have increased in comparison to 2016 (48, five and nine investigations respectively). SOA 03 Investigations into Voyeurism has decreased from eight investigations in 2016 to six^f investigations in 2017.

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

³ 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.

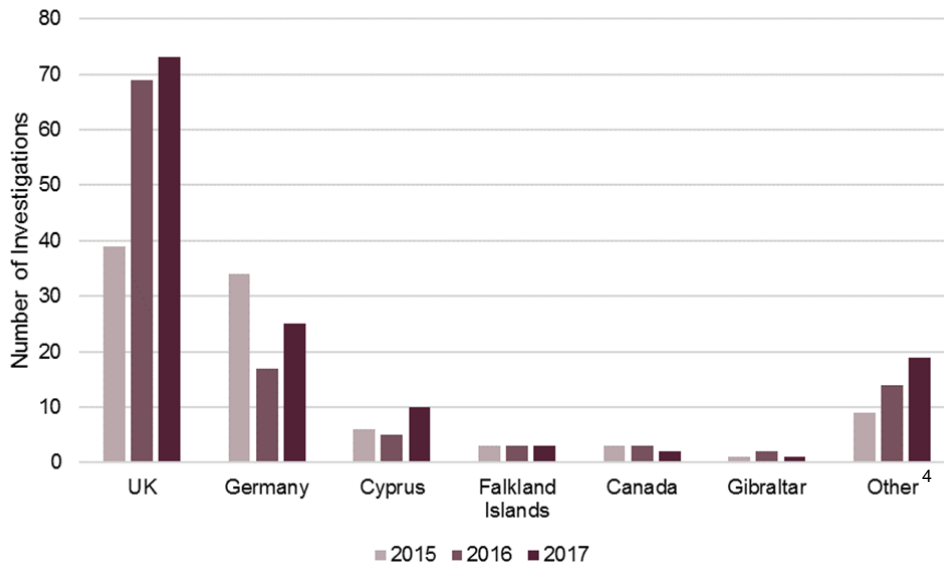
⁴ Regarding investigations with multiple sexual offences, only the most severe (‘headline offence’) is shown.

Figure 3: SOA 03 Investigations, by Investigation Outcome^f



Of the 135^f SOA 03 investigations conducted by the Service Police in 2017, 76^f investigations led to the referral of charges against the suspect(s), 26^f investigations were not referred and 33^f investigations were still ongoing at the end of 2017. Comparisons with 2016 indicate that the number of investigations referred (73 investigations) and not referred (26 investigations) remained relatively stable whilst the number of ongoing investigations increased (14 ongoing investigations in 2016).

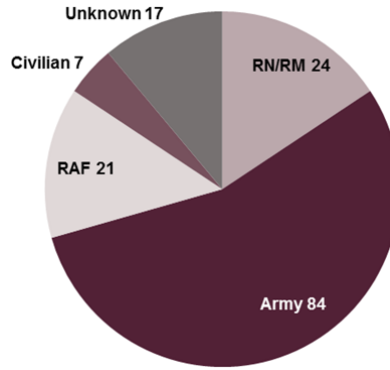
Figure 4: SOA 03 Investigations, by Location⁵ of Offence^f



Of the 135^f SOA 03 investigations conducted by the Service Police in 2017, 73^f investigations occurred in the UK, 25^f occurred in Germany and 10^f occurred in Cyprus, all increasing from 2016 (UK: 69, Germany: 17, Cyprus: five respectively). This reflects the higher number of Armed Forces Personnel based in the UK and Germany compared to other countries. 2017 investigations remained relatively stable for the remaining locations listed in comparison to 2016 (see Supplementary Excel Tables for more information).

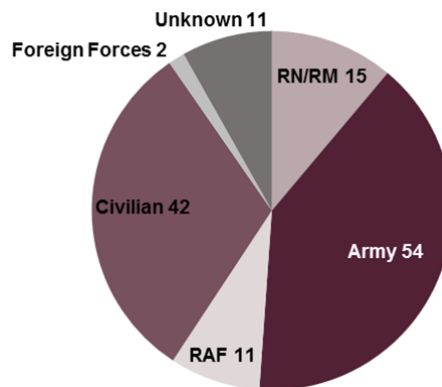
⁵ `Other` includes all other offences that have occurred in Europe, the USA, Africa, the Middle East, Asia and at Sea.

Figure 5: Number of 2017 SOA 03 Suspects⁶, by Service^f



153^f suspects were identified in investigations (including historical offences) conducted by the Service Police in 2017. Of which, 132^f were male, four^f were female and 17^f were unknown. By Service, 84^f were recorded as Army, 24^f were Royal Navy/Royal Marines, 21^f were RAF, seven^f were civilians and 17 were unknown.

Figure 6: Number of 2017 SOA 03 Victims⁷, by Service^f



135^f victims were identified in investigations (including historical offences) conducted by the Service Police in 2017. Of which, 100 were female, 24 were male, and 11^f were unknown or unspecified. By Service, 54^f were recorded as Army, 15^f were Royal Navy/Royal Marines, 11^f were RAF, 42 were civilians, two were Foreign Forces and 11 were unknown. Further breakdowns by age and rank, together with comparisons to the 2015 and 2016 figures can be found for both Suspects and Victims in the Supplementary Excel Tables that accompany these statistics.

The 14 Historical⁸ Sexual Offences that were investigated in 2017 consisted of 15^f identified suspects, of which 12^f were male, none were female and three were unknown. By Service, six^f were recorded as Army, four were RAF, none were Royal Navy/Royal Marines, two were civilians and three were unknown. There were 14 identified victims, of which eight^f were female, four were male and two were unknown. By Service, three were recorded as Army, one was RAF, none were Royal Navy/Royal Marines, eight were civilian and two were unknown. A more detailed breakdown of these offences, with comparisons to 2015 and 2016 can be found in the Supplementary Excel Tables that accompany these statistics.

⁶ There could be more than one suspect per case. Therefore, the total number of investigations may not sum to the total number of suspects.

⁷ There could be more than one victim per case. Therefore, the total number of investigations may not sum to the total number of victims.

⁸ If the offences occurred over two or more decades, the decade of the earliest incident has been recorded.

Service Prosecuting Authority

Between 1 January 2017 and 31 December 2017, the SPA received 86^r cases of offences contrary to the SOA 03, a decrease of 44^r cases from 2016. The SPA subsequently decided to prefer charges contrary to the SOA 03 in 43^r of these cases, 26^r cases were discontinued and alternative non SOA 03 charges were preferred in six cases. The decision to prosecute in the 11^r remaining 2017 cases had not been made as at 1 February 2018. Further breakdowns of these figures against those for 2015 and 2016 can be found in the Supplementary Excel Tables.

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.

Figure 7: SPA SOA 03 Charging Decisions, 1 January 2017 to 31 December 2017^r

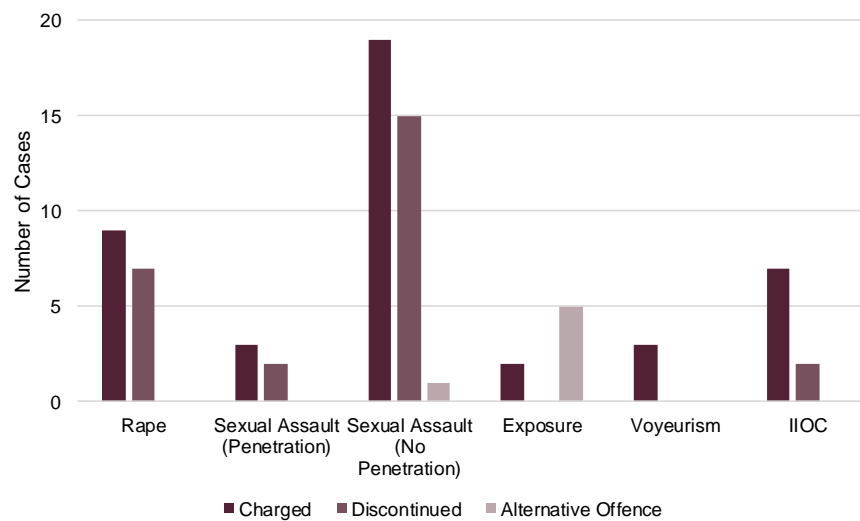
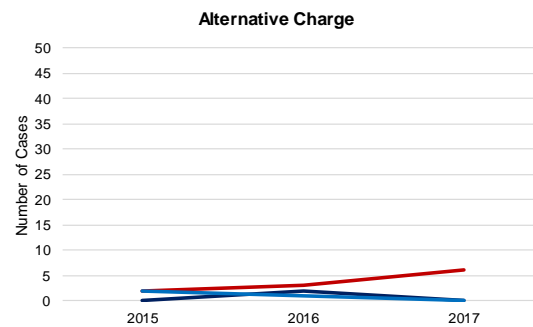
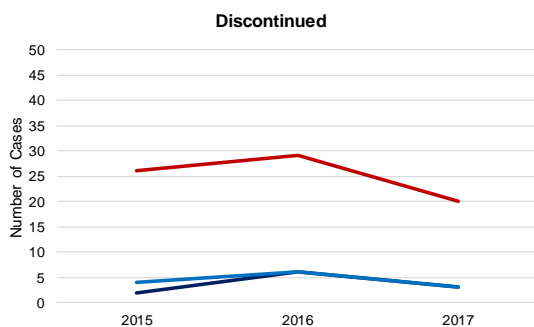
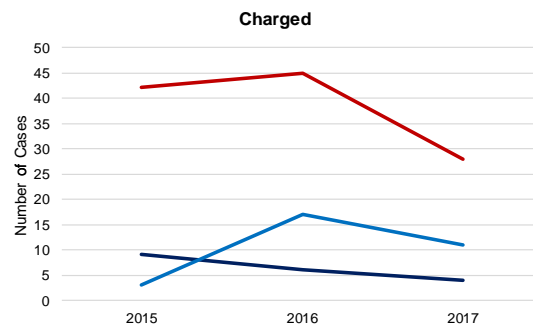


Figure 8: SPA SOA 03 Charging Decisions, by Service^r

Of the 86^r cases the SPA received in 2017, the Army accounted for 61 cases, of which 28 cases were charged, 20 were discontinued and six were charged with alternative non-SOA 03 offences. The RAF accounted for 17^r cases, of which 11^r were charged and three^r were discontinued. The Royal Navy/Royal Marines accounted for eight cases, of which four cases were charged and three were discontinued.



— Royal Navy/Royal Marines

— Army

— RAF

Court Martial Results

Between 1 January 2017 and 31 December 2017, the Court Martial heard a total of 213 sexual offence charges (including charges relating to historic sexual offences) against 80 defendants. This is an increase of 29 defendants in the overall number of charges from 2016. The outcome of these trials was that 29 Service Personnel and Civilians subject to Service Discipline were found guilty of 85^r charges and no charges were discontinued. Further Breakdowns and comparisons are presented in the Excel Supplementary Tables.

Figure 9: Court Martial SOA 03 Verdicts, 1 January 2017 to 31 December 2017^r

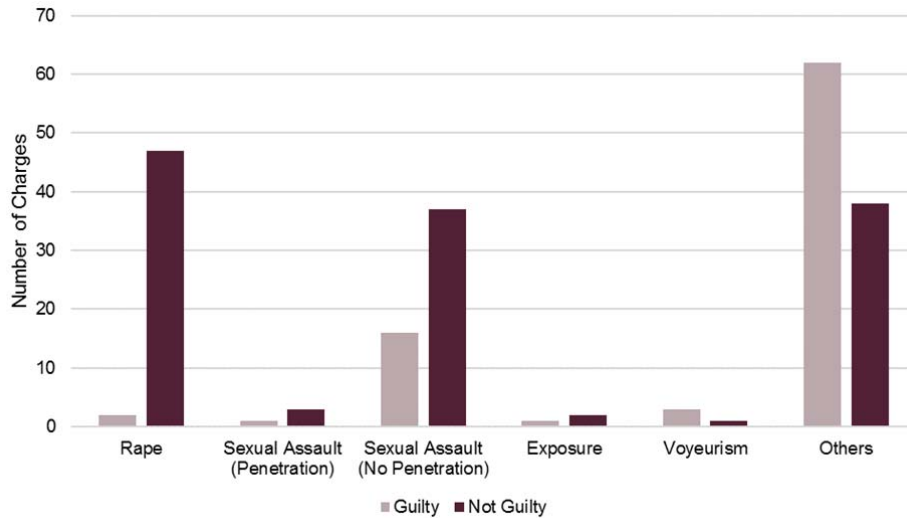
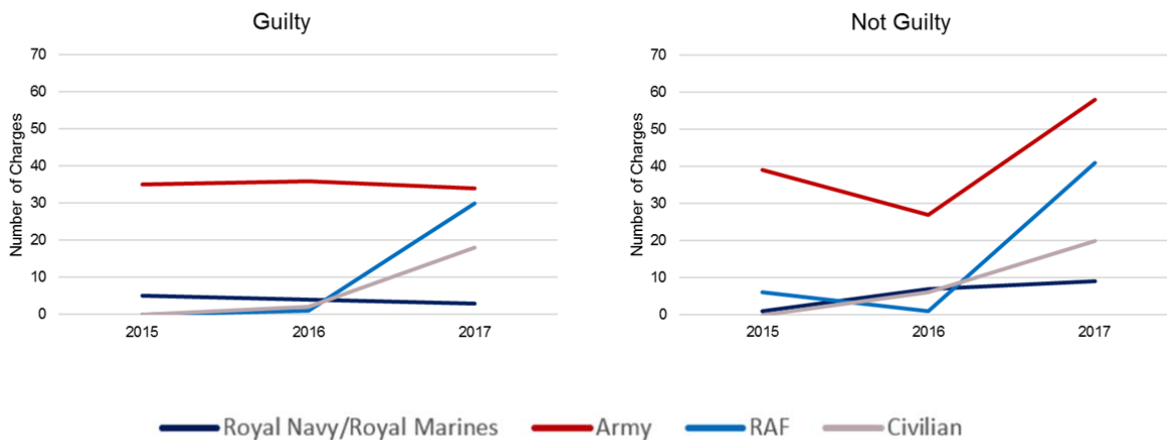


Figure 10: Court Martial SOA 03 Verdicts, by Service^r



Of the 213 charges heard by Court Martial in 2017, the Army accounted for 92 charges, of which 34 were guilty and 58 were not guilty. The RAF accounted for 71 charges, of which 30 were guilty and 41 were not guilty. The Royal Navy/Royal Marines accounted for 12 charges of which three were guilty and 9 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:

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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.)

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