



Ministry
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Dear xxxx

Thank you for your email of 17 January 2022, in which you requested the following information:

“Under the FOI Act, could you please provide details of the number disciplinary offences committed by staff members at ITC Catterick, ATC Pirbright, AFC Harrogate and ATR Winchester between 2019 to date. I would like a breakdown of the offences by name, and whether the soldiers involved were dealt with by summary hearing or court martial.”

I am treating your correspondence as a request for information under the Freedom of Information Act 2000. A search for the information has now been completed within the Ministry of Defence, and I can confirm that the information in scope of your request is held and is attached below in Annex A. Due to the small numbers involved, any further breakdown of these figures would be exempt under section 40 (personal information).

Under Section 16 of the Freedom of Information Act (Advice and Assistance) you may find it useful that you can find information regarding Summary Hearings and Court Martials in Chapter 6 of the JSP 830. Please see here for a link: <https://www.gov.uk/government/publications/joint-services-publication-jsp-830-manual-of-service-law-msl>

If you have any queries regarding the content of this letter, please contact this office in the first instance. Following this, 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 CIO-FOI-IR@mod.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,

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Army Secretariat

Annex A

Notes:

- Disciplinary cases recorded on JPA with a date of incident between 1 January 2019 and 14 February 2022. This includes non-criminal conduct (disciplinary offences) and criminal conduct offences, as detailed in chapters seven and eight of JSP 830.
- In order to answer this FOI within the cost limit we have made the assumption that individuals with the rank of Private (or equivalent) are recruits/trainees and individuals with the rank of Lance Corporal (or equivalent) and above are staff members. Staff members may include individuals who are not instructors or recruit facing.
- Please note that the figures provided are single Service estimates based on data which is not gathered for statistical purposes or subject to the same level of scrutiny as official statistics produced by Defence Statistics. The figures provided may therefore be subject to data quality issues affecting their accuracy.

Figure 1: Breakdown of the charges dealt with by Summary Hearing or Court Martial (proven/guilty finding)

Offences dealt with at Summary Hearing:

- Using threatening or disrespectful behaviour towards a superior officer
- Disobedience of a lawful command
- Failing to perform a duty /Negligently performing a duty
- Conduct prejudicial to good order and Service discipline
- Unfitness or misconduct through alcohol or drugs
- Ill-treatment of a subordinate

Offences dealt with at Court Martial:

- Rape
- Sexual Assault
- Attempted sexual communication with a child
- Theft

Offences dealt with at either Summary Hearing or Court Martial:

- Common assault/Battery
- Absence without leave
- Contravention of standing orders

Figure 2: Total number of charges dealt with by Summary Hearing or Court Martial (proven/guilty finding)

	Summary Hearing	Court Martial
Total Number of Charges	32	14