



# Ministry of Defence

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1 August 2022

Dear [REDACTED]

Thank you for your email of 3 July 2022 in which you requested the following information:

*Can you please tell me how many recruits at the Army Foundation College have been charged summarily for being Absent Without Leave in each of the last five years, and how many such hearings led to a sentence of detention or dismissal?*

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 information in scope of your request is held.

Please note that some of the information falls entirely within the scope of the absolute exemption provided for at section 40 (Personal Data).

Section 40(2) has been applied to some of the information in order to protect personal information as governed by the Data Protection Act 2018. Section 40 is an absolute exemption and there is therefore no requirement to consider the public interest in making a decision to withhold the information.

From 1 July 2017 to 30 June 2022 the total number of Army Foundation College (Harrogate) (AFC(H)) AWOL cases dealt with at a summary hearing was less than five. To provide any further breakdown would be disclosive. None of the summary hearings for AWOL recruits/junior soldiers at AFC(H) during this period led to a sentence of detention or dismissal.

The following notes and caveats apply to the information provided.

## **Notes/Caveats**

- Dismissal is not available as a punishment at Summary Hearing under the Armed Forces Act 2006.
- Please note that the figure provided is a single Service estimate 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 figure provided may therefore be subject to data quality issues affecting their accuracy.

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](mailto: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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