

## SERVICE COMPLAINT STATEMENT

Sgt Comely, Cpl Armitage, Sergeant Girault and Sgt Bryan were Army Foundation College (Harrogate) instructors accused of the ill-treatment of a subordinate. Following a trial all four were found either not guilty or had their charges stayed. Redress from service complaints has issued the following statements in respect of these individuals:

...

*Sergeant Comely of 1<sup>st</sup> The Queen's Dragoon Guards was charged by the Service Prosecuting Authority with one count of Ill treatment of a subordinate contrary to section 22(1) of the Armed Forces Act 2006. He was tried before a Court Martial on 12-16 February 2018 and 19 – 21 February 2018. On 21 February 2018 he was found Not Guilty of the charge against him.*

*There was a great deal of press reporting of the trial at the time and extensive commentary on social media.*

*This statement has been issued in order to clarify that Sergeant Comely was found **Not Guilty** of the charge of Ill treatment of a subordinate and that no further charges will be brought against him in relation to the allegations.*

*The Army has formally apologised to Sergeant Comely.*

...

*Corporal Armitage of 156 Regt RLC was charged by the Service Prosecuting Authority with one count of Ill treatment of a subordinate contrary to section 22(1) of the Armed Forces Act 2006. He pleaded Not Guilty to the charge and the proceedings were stayed on 28 February 18.*

*There was a great deal of press reporting of the trial at the time and extensive commentary on social media.*

*This statement has been issued in order to clarify that Corporal Armitage has not been found guilty of Ill treatment of a subordinate. The Judge ordered proceedings against him to be **stayed** due to the investigation not being conducted objectively and fairly such that the Corporal Armitage could not receive a fair trial.*

*It is confirmed that no further charges will be brought against him in relation to the allegations.*

*The Army has formally apologised to Corporal Armitage.*

...

*Sergeant Girault of 1 FUSILIERS was charged by the Service Prosecuting Authority with four counts of Battery and five counts of ill-treatment of a subordinate as follows:*

*Charges 1, 2, 3 and 4: committing a criminal offence contrary to Section 42 of the Armed Forces Act 2006 namely Battery contrary to section 39 of the Criminal Justice Act 1988.*

*Charges 5, 6 and 7, 7A and 7B: ill treatment of a subordinate contrary to section 22(1) of the Armed Forces Act 2006.*

*He was subsequently tried before a Court Martial and pleaded Not Guilty to all charges.*

*On 28 Feb 19 Sergeant Girault was found **Not Guilty** by direction of the Judge on Charges 1,3,4 5,6, and 7, and the proceedings were **stayed** in relation to charges 2, 7A and 7B.*

*There was a great deal of press reporting of the trial at the time and extensive commentary on social media.*

*This statement has been issued in order to clarify that Sergeant Girault was not found guilty of any of the charges brought against him. He was found **Not Guilty** on six charges and the Judge ordered proceedings to be **stayed** in relation to the other charges due to the investigation not being conducted objectively and fairly such that Sergeant Girault could not receive a fair trial.*

*No further charges will be brought against him in relation to the allegations.*

*The Army has formally apologised to Sergeant Girault.*

...

*Sergeant Bryan of 2 MERCIAN was charged with two offences by the Service Prosecuting Authority: Battery contrary to section 39 of the Criminal Justice Act 1988 and Ill treatment of a subordinate contrary to section 22(1) of the Armed Forces Act 2006.*

*He was subsequently tried before a Court Martial and pleaded Not Guilty to both charges. On 28 February 2018 he was found **Not Guilty** by direction of the Judge on the charge of Ill treatment of a subordinate contrary to section 22(1) of the Armed Forces Act 2006, and the proceedings in relation to the Battery charge were **stayed**.*

*There was a great deal of press reporting of the trial at the time and extensive commentary on social media.*

*This statement has been issued in order to clarify that Sergeant Bryan was found **Not Guilty** of the charge of Ill treatment of a subordinate and proceedings in relation to the charge of Battery were **stayed**. The Judge ordered proceedings against him to be stayed due to the investigation not being conducted objectively and fairly such that the Sergeant Bryan could not receive a fair trial.*

*It is confirmed that no further charges will be brought against him in relation to the allegations.*

*The Army has formally apologised to Sergeant Bryan.*