

# Military Offences

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Offences against Military Law in the United Kingdom, which are set out in the Armed Forces Act 2006, fall into two main categories. These are discipline offences and criminal conduct offences.

Discipline offences are those that can only be committed by service personnel and, in some cases, by civilians subject to service discipline. These offences range from the most serious such as mutiny, assisting the enemy, misconduct on operations, hazarding a ship, and dangerous flying through a range of other offences including desertion, absent without leave, misconduct towards a superior officer, disobeying lawful commands, failing to perform a duty, contravening standing orders, conduct prejudicial to good order and discipline, fighting, disgraceful conduct, misconduct through drugs or alcohol, or failing to provide a sample for drug testing. All of these offences can carry sentences including detention or imprisonment.

Criminal conduct is covered by s42 of AFA 2006 and relates to any act anywhere in the world that, if committed in England and Wales, would be subject to civilian criminal law. Examples of such offences can be found under [General Criminal Offences](#)

In addition to sentences imposed, either by court-martial or Commanding Officer, the effect on your future service career and promotion prospects could be substantial.

It is essential therefore that you seek legal advice from those who not only have an in depth knowledge of discipline offences but also understand how criminal conduct offences are perceived and sanctioned within the military framework. You should seek that advice as soon as you become aware that you are, or are likely, to be investigated. Investigations invariably start with an interview in a Military Police Station by the RMP or SIB. **You are entitled to free legal advice for that interview from a solicitor of your choice. This also applies to interviews overseas where, contrary to some advice given, you are not obliged to accept advice or representation from a local military lawyer.**

The TriALS team has extensive experience of representing military personnel of junior and senior ranks and officers in both court-martial and civilian courts across the full range of military and civilian offences. This includes all aspects of case preparation at every stage of the legal process (i.e. from initial interview and investigation through to the court and appeal process and the conduct of Public Inquiries) both in the United Kingdom and in proceedings conducted under military law overseas.