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IN THE COURT MARTIAL

held at

MILITARY COURT CENTRE, BULFORD

on the

20th March 2025

in the case of

REX

V

30006564 Chief Petty Officer Thomas REVELEY

His Majesty's Ship St Albans

JUDGE ADVOCATE

Judge Large

Judge Advocate General

SENTENCING REMARKS

JUDGE ADVOCATE: Thank you, Mr President, please take a seat everybody. Please keep headdress on.

Chief, I am going to invite you to stay sitting down for the moment. I am going to explain, and it will take a little while, why we have reached the sentence we have reached. Then I am going to ask you to stand up and the President will stand up and he will pass the sentence upon you, all right?

We have to sentence you for an offence of sexual assault, and an offence of disgraceful conduct of an indecent kind. The offences were committed on 11th November 2022 when you were serving in HMS Lancaster as the Chief Ops Radar, a position of considerable responsibility.

On the day of the offences the ship had arrived alongside at Duqm in Oman to begin an operational deployment in that theatre. The ship's company were allowed ashore and many, including yourself and the victim in this case, went to the ad hoc recreation facility called Container Village within the dockyard. Whilst there you spoke to some more junior sailors from the ship in a way which suggested you wanted sexual contact with them. Before sitting next to the victim, who was with a group of his friends from the ship.

He was an Able Seaman. You were a Chief Petty Officer, three ranks senior to him. He was 18 years old; you were 32. During the conversation with him you held his hands, you then put your hand on his upper thigh squeezing it. A little later you showed him a photograph of a naked man with an erect penis. It was clear to you he did not want to be touched or shown photographs such as this.

A few minutes later he reported the matter to a colleague LAET Done, who contacted the chain of command. To note please, Mr Coombes, LAET Done is to be commended for the professional way in which he responded to the complaint.

The next morning you were landed from the Ship and returned to the UK. You were interviewed twice and made no comment. During trial you maintained that the sailors had collaborated together to get you into trouble, a suggestion which was denied by each witness and rejected by the Board. We have read the short victim statement and note its contents and the way this case has, very understandably, affected his attitude towards those senior to him. A statement has been provided from the commanding officer of the ship at the time who reports that your absence at such a critical time, when the ship was commencing a period of intense operations in the Gulf, causing gapping at a high level, affected the workload of other senior rates in the ship and the morale of the ship's company.

The case was investigated by the service police. The investigation involved forensic analysis of your phone in an attempt to find the photograph which would have caused some delay, but the case was not referred to the Service Prosecuting Authority until August 2024. We heard some evidence about why the delay was incurred but we consider the delay in this case was unacceptable. It clearly caused the witnesses difficulties with their recollection, and it has taken its toll on you. You were not responsible for it, and we consider it appropriate to reflect that in the sentence which we pass. You are now 34 years old; you have served in the Royal Navy for 18 years having joined at 16. You had been a Chief Petty Officer for 8 months at the time of the offences. You have an unblemished criminal and disciplinary record, and we have read your impressive references.

We have read the very full pre-sentence report and the accompanying medical report by Jennifer Tomlinson, and we have taken careful note of the contents. In assessing the appropriate sentence in this case, we will deal with the offences of sexual assault first. We follow the stepped approach set out in my guidelines on sentencing in the service courts, which requires us also to have regard to the guidance issue by the Sentencing Council. We note at the outset the purposes of sentencing in the service courts, which include the punishment of offenders, the maintenance of discipline, the reform and rehabilitation of offenders and the protection of the public.

At this stage we have considered the issue of dismissal from His Majesty's Service. We have regard to the observations at paragraph 6 of Part 2 of my Guidance:

“Dismissal will be appropriate in all but the most exceptional circumstances. Even if an offender is not dismissed by the Court, subsequent administrative action by the offender's service leading to discharge is almost inevitable pursuant to the Service's zero tolerance approach to sexual offences and inappropriate behaviour. Service personnel have little choice where and with whom they serve. They may live in close confines with only a curtain or, if on operations, nothing separating them from others. They may share facilities including ablutions and social spaces. They work, eat and socialise together.”

All of that is true for the ship's company of HMS Lancaster. Sexual offending undermines the bond of trust which must exist between those who serve together, affects morale and, as we

have heard, ultimately operational effectiveness. In this case we have no doubt that the test for dismissal is met, that the offence of sexual assault is serious enough to merit it and we consider dismissal is both necessary and appropriate.

We turn next to step one, where we have to consider the definitive guideline issued by the Sentencing Council. We consider that the case comes within Category 3 for harm and Category B for culpability. We do not consider there was an abuse of trust, but we will deal with related issues at a later stage. This provides a start point of a high-level community order with a range from a mid-level order to 26 weeks' custody, by custody I mean prison.

Step two we assess whether there are any additional service factors which may affect culpability and harm. We do not consider that there are factors increasing culpability, but we do consider that the following matters affect harm. Adverse effect on operational effectiveness, adverse effect on morale, unit cohesion or discipline and the victim junior in rank. The first two matters there in that list are based on evidence we received from the commanding officer.

Step three we determined the start point. We have to weigh the aggravating factors I have identified with the nature of the sexual assault in this case, which is at the lower end of the scale. Whilst we consider we could pass a prison sentence we proceed at this stage, on the basis that a high-level community order is appropriate.

We then consider at step four the Sentencing Council's factors increasing or reducing seriousness. We note that you were under the influence of alcohol, although not greatly so. The key factor reducing seriousness is your lack of previous convictions and your positive good character, having served your country with distinction for 16 years, before these offences. We also note a report into your mental health and your responsibilities towards your young daughter.

Turning to step five, which involves service factors increasing or reducing seriousness, we note you held the rank of Chief Petty Officer, and we note the list not being exhaustive the further effect on operational effectiveness. We also take into account at this stage the unjustified delay in the case. Now, taking those two steps together, it seems to us that the

factors increasing and reducing seriousness balance out and the original starting point will be unaffected.

Steps six and seven do not apply. You get no credit for plea at step eight, and you are not dangerous within the provisions of the Criminal Justice Act 2003. That leaves us with a sentence of a high community order for the offence of sexual assault. The offence of disgraceful conduct of an indecent kind in showing the photographs while separately charged is, in our view, all part of the index offence and we do not pass any separate sentence.

There will be a service community order for two years and, taking into account the recommendations in the pre-sentence report and the mental health report, we will impose a mental health treatment requirement but also impose up to 20 RAR days and an unpaid work requirement of 200 hours. As a result of this sentence, you will be subject to the notification requirements of the Sex Offenders Register for five years. You must not leave this courtroom without signing the appropriate documentation in relation to registration.

I am sure you have had explained to you what these requirements entail if you do not do what you are expected to do. Perform work to a good enough standard, do not turn or the like, you will be breached. You will be taken to the Crown or the Magistrates' Court, and they could send you to prison, do you understand?

DEFENDANT: Yes, your Honour.

JUDGE ADVOCATE: Could you stand up, please, Chief? Mr President would you pass the sentence of the court please?

SENTENCE

PRESIDENT OF THE BOARD: On Charge 1, you are to be dismissed from His Majesty's Service, to be disgraced to the rate of Able Seaman and subject to a service community order for two years with a six-month mental health treatment requirement of 12 sessions to be delivered by Tees, Esk and Wear Valleys NHS Foundation Trust under the supervision of Jennifer Tomlinson,

Applied Principle Psychologist MHTR Clinical Lead. Up to 20 RAR days and unpaid work for 200 hours.

On Charge 2 there will be no separate penalty.

JUDGE ADVOCATE: Thank you, Mr President.