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IN THE COURT MARTIAL

held at

MILITARY COURT CENTRE, BULFORD

on the

3rd day of July 2025

in the case of

REX

V

30342909 Guardsman Saikou BOJANG

1st Battalion Grenadier Guards

JUDGE ADVOCATE GENERAL

His Honour Judge Large

SENTENCING REMARKS

JUDGE ADVOCATE: Thank you. Guardsman Bojang, you can stay sitting down for the moment. I am going to explain the sentence we are going to pass on you and then I am going to ask you to stand up and the President will pass the sentence.

We have got to sentence you for one offence of theft and one offence of fraud. You committed those offences on 4th October last year. The victim of your offences, Guardsman Soya, who you knew as a colleague had left barracks for an exercise the day before. While he was away his debit card had been stolen from his wallet in his SLA by someone. You deny that that was you and we do not sentence you

on the basis it was, but you accept that you found his debit card on the floor of the accommodation block, and you picked it up. You knew it belonged to him, one of your Service colleagues, you certainly knew it did not belong to you and at that moment you had two choices, hand it in so it could be returned to its owner and that is not difficult, you just hand it in to the guardroom, or keep it and use it dishonestly to get yourself some money and you chose that latter course. You took the card, you went to Betfred, and you were able to get £100.00 out. Guardsman Soya received notification of that. He reported it, CCTV was examined, and you were identified as the person using the card. You were arrested and interviewed. To your credit you admitted the offences on 10th October. You also pleaded guilty at the first opportunity here at this court. You will receive full credit for that.

You are 32 now; you have been in the Army for nearly five years. You have got, unfortunately, a poor disciplinary record. Before you joined the Army you have got a civilian conviction, within the Army disobedience of a lawful order, making a false official record, fighting, sentenced to detention by this Court in October 2023 for battery and then a year later these offences in October 2024. On a more positive side we have read the pre-sentence report, a character reference from Warrant Officer Simpson and we note that it all has not been plain sailing for you. You have difficult family and financial circumstances and a difficult start to your life.

In determining sentence, we need to consider sentencing guidance issued by both the Sentencing Council and by me as Judge Advocate General. In relation to offences of dishonesty I say this at 5.1 of my guidance:

“Dishonesty is not consistent with Service in the Armed Forces because it is corrosive to unit cohesiveness and morale and breaches the bond of trust which exists between Service personnel. Dismissal will be appropriate in all but the most minor cases.”

At 5.3 I deal with fraud and theft from other Service personnel:

“These offences should be treated as a breach of a high degree of trust or responsibility demonstrating high culpability. Service personnel enjoy a mutual bond of trust and respect as part of Service life. They often live and work in close quarters. In accommodation blocks occupants understandably do not always lock their doors when moving around their block. Any theft from a fellow Service person is to be treated as having the aggravating feature of breach of trust.”

And reading between the lines from what Mr Cannon told us once you breached that trust in doing what you did your Service colleagues have not treated you and accorded you with any trust thereafter.

In dealing with sentence, it says:

“Dismissal will be appropriate in all but the most minor cases.”

What we are going to do is follow the stepped approach set out in my guidance and I am going to deal with that issue of dismissal first. We note the guidance I have just read out in relation to dismissal for offences of this type. We have no doubt that this case is not only serious enough to merit dismissal we consider it is an inevitable consequence of the offending which you have admitted and your poor previous record. So, you are going to be dismissed from His Majesty’s Service. Turning then to the remaining issues of sentence and dealing first with the theft. Our first step is to look at the Sentencing Council guidance. We take the view that this is culpability A for the reasons I have already set out; it is a breach of a very high degree of trust which exists between Service personnel. We consider the harm is at level 4 so the starting point of the sentence is a high level community order with a range of a medium level order to 36 weeks in prison. Step 2, we have to look and see whether there are any Service factors affecting those assessments of culpability and harm and there are none which apply that have not already been taken into account. We then have to determine the start point. In my guidance at 4.6.4 or Part 1 it is said that a high community order equates to 30 weeks’ detention, Service detention, with a range of 25 to 35 weeks. Accordingly reading across using that guidance we take the start point for the sentence for charge 1 to be 30 weeks’ detention. At step 4 we look at Sentencing Council factors increasing or reducing seriousness and although they are not offences of dishonesty, we do take into account your previous convictions which reflect a disregard for the accepted values and standards of the British Army. At step 5 we have to look at Service factors affecting seriousness and we note, and this is a particular factor in our jurisdiction, that you were fully co-operative with the police in your interview and that should be credited.

It seems to us that balancing those matters out, previous convictions and your full co-operation the sentence remains at 30 weeks. You pleaded guilty so you get full credit for that and that reduces the sentence to 20 weeks on charge 1. In relation to charge 2 and bearing in mind the guidance in the Sentencing Council’s guideline on totality we consider a sentence of 10 weeks’ detention is appropriate to be served consecutively making a total of 30 weeks’ detention. We have considered with care the issue of suspension. We do not consider it appropriate to suspend the sentence. We note the guidance in the Sentencing Council’s imposition guideline and consider that appropriate punishment can only be obtained by an immediate sentence and the guidance concerning suspended

sentences of detention in my guidance. An immediate sentence is required in this case not least to reinforce the message that offences of this type committed against fellow Service personnel will be treated seriously by the courts. Similarly, we do not consider that a sentence of a service community order is appropriate. It would not reflect the gravity of your offending, nor do we have much confidence that you would comply with it. In relation to the terms of the sentence of detention you will serve two thirds of the sentence. You may be entitled to extra remission; that will be explained to you when you arrive at Colchester. The two days which you have spent in custody will be deducted from your sentence.

Have I missed any matters before I ask the President to deal with sentence?

MR CANNON: No, your Honour.

JUDGE ADVOCATE: Captain Lorriman?

CAPT LORRIMAN: No thank you, your Honour.

JUDGE ADVOCATE: Thank you. Could you stand up please? Mr President would you pass the sentence of the Court please?

SENTENCE

PRESIDENT OF THE BOARD: Guardsman Bojang, on charge 1 you are to be dismissed from His Majesty's Service and sentenced to detention for 20 weeks. On charge 2 you are to be sentenced to detention for 10 weeks, the sentence to run consecutively making a total sentence of 30 weeks. March out.