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IN THE COURT MARTIAL

held at

MILITARY COURT CENTRE, CATTERICK

on the

12th September 2025

in the case of

REX

V

30054783 Petty Officer Audie Julio Rohan JOHN

His Majesty's Ship Glasgow

JUDGE ADVOCATE

Judge Mitchell

Assistant Judge Advocate General

SENTENCING REMARKS

JUDGE ADVOCATE: Thank you very much. In the matter of Petty Officer Audie John. I make it clear from the outset for these sentencing remarks that we have considered all the relevant documentation that has been provided to us and that we should consult at this stage. In particular, we have consulted the Sentencing Council Guidelines for the offences for which the defendant has been convicted. We have considered version 7 of the Judge Advocate General's Sentencing Guidance. We have considered the character references that have been put before us, the professional documentation, the SJARs

that have been put before us and also the pre-sentence report that has been prepared on the defendant's behalf.

Petty Officer Audie John, you are 40 years old and prior to your conviction in this court, you had no previous convictions or indeed any disciplinary findings against you. To date your service has lasted some 17 years and 83 days.

After trial, the Board convicted you of three offences of sexual assault that is Charges, 1, 3 and 4 on the Charge-Sheet that you faced. There is, in your case, no credit for plea, nor indeed is there any credit for remorse because frankly, looking at the pre-sentence report, you have shown none.

Between October 2020 and May 2021, you touched [name redacted] three times whilst you were both aboard HMS Richmond and away on operations. On the first occasion you touched her bottom, whilst she was conducting daily checks at her desk. On the second occasion, when she was up a height working in the main gearing room, you put your hand inside an open pocket in her overalls and tried to move your hand towards her underwear and touched her upper thigh on the skin. On the third occasion, whilst she was working at a computer in the combined workshop, you did much the same again. Putting your hand inside her lower overalls, touching her skin in a fashion similar to the second occasion and worse still propositioning her for further sexual activity. To be clear she was not in any way interested in you. Your attentions were wholly unwanted.

Each of these three offences is taken in isolation on the relevant sentencing guidelines a category 3B offence within those guidelines but each offence aggravates the other when taking them as a whole for the sake of totality as a course of conduct.

The harm that you caused to [name redacted] was not severe as that term is understood within the relevant sentencing guidelines but there is no doubt that what you did caused her real and lasting harm. We have heard the victim personal statement in this case, we have read it, and we have no doubt that she really has suffered at your hands.

Other service factors increase your blameworthiness and the harm that you have caused. [Name redacted] was a junior rank then on HMS Richmond on her first draft at the start of what we hope will nonetheless be a long career in the Royal Navy if she can put behind her what you did to her. These offences were committed, as we have already observed, on a ship deployed at sea. It was therefore much harder for her to escape or avoid you.

In terms of other service factors that aggravate and mitigate the situation, obviously as a Petty Officer, you held rank. You were significantly more senior to her. You targeted a person of junior rank and indeed you were both on duty when you assaulted her. However, we have to bear in mind the following mitigating features. You have no previous convictions, hitherto before this you had positive if not exemplary character and you also have a very good professional record. It is a real sadness that a career of your kind comes to an end like this.

Overall, taking it altogether, bearing in mind your course of conduct and indeed course of misconduct, we have no doubt that particularly bearing in mind the service and operational context of your offending, together with the disparity in your ranks that this case crosses the custodial threshold. We have no doubt of that.

The appropriate sentence in your case, after a trial, is that which is indicated at the top of the B3 sentencing range taking it all together, that is a sentence of 26 weeks' that is a sentence of 6 months. That being so we now have to consider whether or not that sentence of 6 months' imprisonment should be suspended. In doing so we have considered carefully the relevant imposition guideline from the Sentencing Council. We have considered the decisions of the Court of Appeal in Ali, and Aripa, and everything else that we need to, to come to a final outcome.

Making our assessment we say this. What is crucial in this case, is the fact that when you were told to stop, you did. That was in 2021 in September at the latest and thereafter there has been no further behaviour of this kind on your part. That leads us therefore to a number of conclusions. We take the view that that means that you pose a lower risk of harm to anybody else. As is clear, you do not have a poor history of compliance with court orders. The order that you will get will be the first one that you will face. We take the view, notwithstanding the lack of remorse and the fact that you did not plead guilty, nonetheless there is a realistic prospect of rehabilitation, bearing in mind the fact that you stopped and have not started doing anything like this again.

For similar reasons, we take the view that you do not present a high risk of re-offending or further harm. There is some real strength to your personal mitigation which lies principally in your record of good service. We do take the view, hearing what we have heard, about your children aged 11, 16 and 17 and bearing in mind, in particular, their special needs, that in your case immediate custody would have a harmful impact upon other members of your family.

Having considered everything, we take the view that the sentence in this case, can properly be suspended. That six-month sentence of imprisonment will be suspended for a period of 18 months.

It will, however, be suspended on terms. You will be required to complete 240 hours' worth of unpaid work within the next 12 months.

You will also be subject to rehabilitation activity requirement days. We take the view that they could be important to you bearing in mind that you will be dismissed from the service, because if you have to up to 30 of those days that may help you adjust to your new working life and your new general prospects.

You will be subject to registration, bearing in mind that you have been convicted of a sex offence and that is notification for the next seven years. That means that if you change your name or your address, you will have to tell the police of those details, within 72 hours. If you do not do so, then you commit a further offence and you are liable to arrest, prosecution and potentially a further period of imprisonment.

Coming to the question of dismissal, we have factored this into our decision in any event but for the sake of the record we are of the opinion that this combination of offences is serious enough to warrant dismissal from His Majesty's Service and so, in due course, you will be reduced to the rates and dismissed.

In forming that opinion, we have taken account of all the information available to us about the circumstances of these offences, including the aggravating and mitigating features, including also what we understand to be the inevitable effect on any pension that you have accrued.

Let me explain therefore, PO John, the effect of this sentence, will you stand, please? The effect of this sentence will be this, that when in a few moments I invite the President to formally pronounce the sentence, you will be subject overall to a total term of imprisonment of 6 months, which will be suspended for the next 18 months. If you commit an offence which renders you liable for further imprisonment, within the 18-month period, then I can tell you that your sentence will start at 6 months because this one will be activated and to that will be added anything else that you are due. We sincerely hope that it does not come to that.

You will be subject to rehabilitation activity requirements and unpaid work. Those conditions are not optional; you will do them. You will complete them properly. If you do not, then you may find yourself being breached for failing to comply with those orders. If you are breached, you may be returned to court and you may be resentenced. The sentence may well be activated. What that means is this, that you shall do no harm further and you will comply with the orders of this court. If you do not, as I

say, the sentence of 6 months may be imposed immediately rather than being suspended throughout that period of time.

SENTENCE

PRESIDENT OF THE BOARD: Petty Officer Audie John, for each offence of sexual assault, which is Charges 1, 3 and 4, you are sentenced to 6 months' imprisonment. That sentence will be suspended for 18 months. You will perform 240 hours of unpaid work within the next 12 months, and you will carry out up to 30 rehabilitation activity requirement days. That sentence will be imposed on each Charge and served concurrently. Further you are reduced to the rates and are dismissed from His Majesty's Service.