

WARNING: Under rule 153 of the Armed Forces Act (Court Martial) 2009 Rules, reporting restrictions apply to the contents transcribed in this document, specifically the publication of the victim's name, occupation, address and the identification of the country in relation to this case. Reporting restrictions prohibit the publication of the applicable information to the public or any section of the public, in writing, in a broadcast or by means of the internet, including social media. Anyone who receives a copy of this transcript is responsible in law for making sure that applicable restrictions are not breached. A person who breaches a reporting restriction is liable to a fine and/or imprisonment. For guidance on whether reporting restrictions apply, and to what information, ask at the court office or take legal advice.

This Transcript is Crown Copyright. It may not be reproduced in whole or in part other than in accordance with relevant licence or with the express consent of the Authority. All rights are reserved.



IN THE COURT MARTIAL

held at

MILITARY COURT CENTRE, BULFORD

on the

21st day of November 2025

in the case of

REX

V

30426344 Private Jordan Hammond

1st Army Training Regiment

JUDGE ADVOCATE

Judge Atwill

SENTENCING REMARKS

JUDGE ADVOCATE: Private Hammond, having been convicted by this Court it remains for us to sentence you for, four offences of disgraceful conduct of an indecent kind and two offences of conduct prejudicial to good order and service discipline. You are 22 years old, these offences were committed when you were 20 years old, you joined the Army on 3rd March 2024, you have thus served for one and a half years holding the rank of Private. You have no previous convictions.

The facts of the offence. In March 2024 you joined the Army, something you had wanted to do for some time. You were assigned for phase one training to the [place redacted] with many other recruits. As is normal for phase one you lived communally sharing accommodation and facilities and you worked together during the day. As can be the way when young men live together for the first time there was a certain amount of jockeying for position, some people who got on better with others and some invariable disagreements about how things should be done or the behaviour of some recruits either during work or down time. Many of those tensions are defused through humour though some can become more difficult. None of those things are unusual but your behaviour was. You sought to dominate your fellow recruits through highly intrusive sexualised behaviour.

You made suggestive remarks, you touched people inappropriately in ways which would have left many of them wondering what your motivations or intentions were. You behaved in a highly sexualised manner towards them, and you chose certain recruits to target because of their personal background or their ethnicity or their manner and you behaved disgracefully towards them even after they had asked you to stop. Your behaviour was persistent and some of them felt significant anxiety about your intentions and about how they ought to deal with it. All of those men were vulnerable to some extent because they all really wanted to succeed in their training and have a career in the Army. And they knew if they responded physically to your behaviour, they would put that career at risk.

You clashed with another recruit, a mature and experienced man, who was repeating the first part of the course due to ill health. He had some experience of what was required and sought to support fellow recruits. You seem to have taken offence at that, and you set out to wind him up by using racial slurs against him. You justified this perhaps in your own mind by reflecting your own racial heritage, but you failed to take into account both the improper way in which you behaved to him and the friction and dissidence that such behaviours can cause in a military setting. Things continued for some time until one of them, concerned that his only recourse would be to fight you, which he knew he should not do, decided he would have to report your behaviour to the chain of command. He having done so, others quite rightly reported their concerns about your actions. You denied those actions at trial but were convicted.

By section 60 of the Sentencing Act the Court's duty in all cases includes imposing upon the defendant in accordance with the relevant guidelines a sentence which is within the offence range. Where the guideline describes categories of case, the Court must decide which of the categories most closely resemble the defendant's case in order to identify the starting point within the offence range. Section 259 of the Armed Forces Act requires Service Courts to have regard to any guidelines issued by the

Sentencing Council. We have had regard to the imposition of community and custodial sentences guideline and the totality guideline in this case and also regard to the sentencing guidelines issued by the Judge Advocate General.

We have read with care the probation officer's report. We note that in the professional assessment of that experienced probation officer you took partial responsibility for these offences, you did not recognise the impact your offence would have had on your victims or the Service. You pose a low risk of reconviction but a medium risk of causing serious harm. The risk you pose can be managed in the community. We listened carefully to everything that was said on your behalf by Mr Volz.

I am going to deal with each of the offences in turn in terms of classification. Dealing with count 1, this is a charge of disgraceful conduct, we find that the conduct was intentionally indecent and persistent. We put it in culpability A. In terms of harm there was real harm caused, not little or no harm or distress, and we put it in category 2. Count 2, a similar charge, similar features and a similar categorisation of A2. Count 3, a similar charge, similar features and a similar categorisation. Count 4 is charged as conduct prejudicial to good order and service discipline. This is a different guideline with different features and in respect of that charge we find that the appropriate level of culpability is level A, there was intention to cause harm, and this was deliberate and repeated conduct. In terms of the harm caused or of risk of being caused there was a significant risk of undermining discipline in this particular case, but we nevertheless categorise it as category 2 that being an A2 categorisation on that particular guideline. Count 5 is another charge of disgraceful conduct of an indecent kind, the features are broadly similar, it was persistent, it was intentionally indecent, we categorise it at category A for culpability and category 2 for harm.

Finally, count 6. Count 6 involves the use of racial epithet to directly attack an individual during an argument. It is charged as conduct prejudicial to good order and service discipline. That was not the only occasion in which that language was used in the presence of that man, there was a significant risk of escalation, and it was a definite intention to cause harm to him in the way that language was used at the time. Therefore, we put it at culpability A. In terms of harm the harm is twofold. There is direct harm to the individual who did not deserve in any sense to be treated in the way that you treated him but there was also a significant effect on good order and service discipline. The use of that epithet against another soldier in the presence of other soldiers is fundamentally unacceptable. If you felt it was acceptable anywhere it is not acceptable in His Majesty's Forces. There is a real risk of escalation when language of that form is used in that way and there is a significant undermining of good order and service discipline. Nevertheless, we are going to put that in category 2 with the caveat that we regard it as being at the very top of category 2 in terms of harm. There was a real risk that the harm

could have been more. It was only the maturity and good sense of your colleagues that meant that that did not happen.

We then turn to whether factors which increase seriousness are present in either case. In respect of the disgraceful conduct offences this was deliberate targeting of your victims, you chose those men. Whilst we accept that it took place in shared accommodation, we do not feel that the aggravating feature relating to a victim's room is appropriate in this case. But this was abuse of trainees in initial training. That is separate to an offence by an instructor who holds rank or is in a position of responsibility. It is to reflect on the vulnerability of trainees because of the fact that they are in initial training, they are less experienced in both what is both acceptable and not acceptable and how they should react and how they should seek help. They are at a time in their careers when they are most vulnerable, they feel it, you felt it and that feature does increase the seriousness. Reducing seriousness, we accept of course that you were inexperienced in the Service context, you were in the very earliest weeks of what would have been your career. You are a young man, and we accept that this was immature behaviour. You were in initial training, which is in itself a factor reducing seriousness, but you did not need any training to know that this behaviour was very wrong. You are of previous good character. We do not accept that you lacked appreciation of seriousness of your actions or words, nor do we accept that this was horseplay gone too far, it was way beyond horseplay.

Taking all of those factors into account, we find it appropriate dealing with each count separately to apply a significant downward reduction to the starting point for each offence. For each offence dealt with on their own the sentence would have been a service community order with 180 hours of unpaid work. But we are not dealing with you for a single offence. Accordingly, we must apply the totality principles to deal with these offences as a whole. The first question is whether you can remain in His Majesty's Forces. Service people have little choice who they live and serve with. Sexualised behaviour of this sort has no place in His Majesty's Forces, indeed it has no place in civil society. Your behaviour was so extreme, so intrusive and so divisive that you cannot credibly continue to serve. You fundamentally broke the bond of mutual trust that is essential to the proper functioning of the Armed Forces, and you did so with vulnerable people at the very start of their career. You failed to heed the sensible warnings of many of your colleagues there and you will be dismissed from His Majesty's Service.

We are dealing with you for six offences which are of a similar kind and took place one after the other therefore concurrent sentences will be appropriate but all courts when sentencing for more than a single offence have to pass a sentence which reflects all of the offending behaviour before it and is just and proportionate. Therefore, concurrent sentences will ordinarily be longer or more severe than

a single sentence for a single offence. We are going to increase the sentence on count 1 to reflect the totality of your offending and all of the other sentences will be concurrent. Taking those things into account, Private Hammond, you need to understand that you came very close to being sent to prison today. You and other young men cannot expect to use sexualised bullying to dominate other people. The consequences for them are real and the punishment that the courts will impose will meet that harm. We have considered whether the most appropriate sentence is one of Service detention or a community order. On balance we conclude that the right sentence is a service community order. This will both punish and rehabilitate you. But to take into account both the multiple offences and the nature and seriousness of those offences we are going to increase the punitive element on charge 1, we have chosen that charge only for its numbering. On that count the punitive element will be 300 hours of unpaid work. These offences are so serious that a service community order is appropriate.

You will be under the supervision of the Probation Service for 18 months, you must comply with their directions, and you are to complete 300 hours of unpaid work in the next 12 months. You must attend when and where they direct you to, to do that work and you must do it to a proper standard. You will also undertake up to 15 rehabilitative activity requirement days as directed by the Probation Service. If you fail to comply with these requirements or you commit further offences, you can be brought back before the Court, and you may be re-sentenced for these offences which could lead to you being sent to prison.

I am going to say a word for the victims who showed real dignity in their conduct both at the time and at your trial. We are glad to hear that all of them passed successfully through training and are now serving. We hope this case can be put behind them for good. We are not going to make any orders for compensation or any ancillary orders as you will lack the means to pay it in any meaningful way at least for some time.

Private Hammond, taking into account the appropriate sentencing guidelines, the conclusions of the probation officer, considering your personal mitigation we therefore sentence you as follows. On charge 1 Dismissal from His Majesty's Service, a service community order for 18 months with a requirement that you complete 300 hours of unpaid work and up to 15 rehabilitative activity requirement days. On count 2 a service community order for 18 months concurrent to count 1. On count 3 a service community order for 18 months concurrent to count 1. On count 4 a service community order for 18 months concurrent to count 1. On count 5 a service community order for 18 months concurrent to count 1. And on count a service community order for 18 months concurrent to count 1. I am going to ask the President to formally pronounce sentence. Would you stand up please? Madam President.

SENTENCE

PRESIDENT OF THE BOARD: Private Hammond, the sentence of the Court is as follows. On charge 1 Dismissal from His Majesty's Service, and a service community order for 18 months with requirement that you complete 300 hours of unpaid work and up to 15 RAR days. On each of charges 2 to 6 a service community order for 18 months concurrent to charge 1.