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**IN THE COURT MARTIAL**

held at

**MILITARY COURT CENTRE, BULFORD**

on the

**22<sup>nd</sup> day of January 2026**

in the case of

**REX**

V

**30248586 Craftsman Navin Gohil**

**8<sup>th</sup> Battalion Corps of Royal Electrical and Mechanical Engineers**

**JUDGE ADVOCATE**

Judge Atwill

Assistant Judge Advocate General

**SENTENCING REMARKS**

JUDGE ADVOCATE: Craftsman Gohil, having been convicted by this Court it remains for us to sentence you for three charges of rape. This is an offence for which the dangerousness provisions of schedule 18 of the Sentence Act 2020 apply but we do not consider that a finding of dangerousness is appropriate in this case.

You are 30 years old; this offence was committed when you were 29. You joined the Regular Army on 4<sup>th</sup> February 2024, you have served for nearly two years. Before that you served for ten years in the Army Reserve. You have no previous convictions or disciplinary findings against you.

In December 2024 you were serving at RAF Lyneham undergoing trade training having joined the Army in February of that year. That training establishment has a large population of trainees of all ages. Some, like you, came to the Regular Army later in life but some were, in effect, school leavers. One such trainee was the victim in this case, a young woman who was 17 at the time. She had recently arrived at Lyneham while you were slightly further ahead in the training pipeline. You were an experienced vehicle mechanic having worked in the automotive industry since leaving school yourself and you had spent nearly ten years in the Army Reserve before joining the Regular Army. You had seen the complainant around and you had exchanged pleasantries though you were not friends and you had never spoken before the night of these events.

On 11<sup>th</sup> December 2024 many trainees were socialising in the run up to Christmas leave. You consumed alcohol with friends both off camp and then in a bar on camp. Your consumption was relatively unremarkable and you were largely sober at the end of the evening. The victim was socialising with her group of friends in the camp bar. Despite being underage she was consuming alcohol and by the end of the evening she was obviously drunk. Towards the end of the evening, you approached the victim and made conversation with her. You put your arm around her and she hugged you. Later, the bar was closed because of an unrelated incident, and you offered to walk the victim back to her accommodation block her friends having already left. She agreed and was content to walk with you because she trusted you.

Rather than do as you had suggested you took her back to your room in a different block. You put the television on perhaps to cover the noise of what you intended. Once there you suggested that you should have sex. She said no that she did not want to do so. You persisted despite both her refusal and clear explanations of why you should not do so not least that she did not want to but also the fact that no contraception was available. The victim had no sexual experience, she was a young woman, and she was quite simply dominated by you in a physical and psychological sense. She simply did not understand what was going on. Despite her refusals you removed her clothes and then you went on to have sexual intercourse with her despite her telling you that you were hurting her and that you should stop. You ignored her requests to stop telling her that it was normal. It was not. Later, you raped her again this time by making her kneel on the bed so that you could penetrate her from behind. This event was particularly painful, and she was unable to say whether you penetrated her vagina or anus because the pain was so severe that she cried and screamed and told you to stop. You continued.

Again, you told her that it was normal and that it was okay. It was not. She did not know what to do because you would not stop. You carried on until she managed to move in such a way that you could not continue. After that rape both you and the complainant slept. She did not know what to do and you told her not to leave. At about 0100 you raped her again this time by lifting her from the bed and putting her on top of you pulling her on to you despite her trying to get off. It was very painful for her and she told you so. She screamed and you stopped.

You heard the prosecutor read parts of the victim personal statement. It is clear to us as it ought to be to you the impact that your offence has had. That young woman has had to live through not only your sexual violence but the consequences of challenging that violence through the system. In the inevitable close-knit confines of a training establishment.

By section 60 of the Sentencing Act 2020 the Court's duty in all cases includes imposing upon the defendant in accordance with the relevant guideline 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 resembles 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 three guidelines in this case, the guideline on the offence of rape, the guideline on the imposition of community and custodial sentences and the totality guideline. We have also had regard to the sentencing guidelines issued by the Judge Advocate General. We listened carefully to everything that was said on your behalf by Mr Evans.

We are going to deal with charge 1 as the lead offence though clearly, we are dealing with you for three offences. I will explain how we will address the totality of your offending in due course. With any offence, be it service or civilian, the Court has to consider both your culpability and the harm caused by the offences. This particular guideline deals with harm first. This was a sustained incident; we place the harm caused into category 2 as a consequence. Culpability. Dealing with your culpability given that there was a degree of planning in that we find that you chose the victim because of her state of intoxication and immaturity, but we do not consider that that rises to the extent of significant planning as described in the guideline. None of the other category A features are present and so we conclude your culpability falls into the lower bracket that being category B.

Consequently, having considered both culpability and harm we place your offences into category B2 which provides for a category starting point of eight years' custody within a range starting at seven years' custody and rising to nine years. Custody. Having considered the offence by reference to your culpability and the harm caused we then go on to consider the aggravating and mitigating factors

relevant to the offence. We consider that you specifically targeted a particularly vulnerable victim. She was obviously and significantly intoxicated, she was relatively young and immature and she was sexually inexperienced. You took her to an isolated place which you controlled. We are not double counting the location feature. You were under the influence of alcohol though to a significantly lesser extent. Those are aggravating features which justify an upward adjustment to the category starting point. Conversely, we find you have no previous convictions to be mitigating factor justifying a downward adjustment to the category starting point. Taking into account both aggravating and mitigating factors we consider it fair to make no adjustment to the category starting point. The sentence on charge 1 will therefore be one of eight years' imprisonment.

Category starting points and ranges are for a single offence. We are sentencing you for three offences which are of a similar kind and took place one after the other. Therefore, concurrent sentences will be appropriate. All Courts when sentencing for more than a single offence should pass a total sentence which reflects all the offending behaviour before it and is just and proportionate. Normally concurrent sentences will be longer than a single sentence for a single offence. In this case however with the agreement of counsel we consider that the most appropriate way to approach totality is to treat the continuing incident characterisation as adequately reflecting the additional counts. There will therefore not be an additional uplift to the first charge to reflect the others, but neither will there be any lesser categorisation of charges 2 and 3; all were part of a sustained incident. There will therefore be concurrent sentences of eight years' imprisonment on each count. The total sentence therefore is one of eight years' imprisonment.

Dismissal. This offence is so serious that dismissal from His Majesty's Service is appropriate. Sexual offending permanently fractures the bond of trust that must exist between service personnel. It undermines unit cohesion, it drives people, even those who are not themselves victims, out of the Army and it seriously damages the reputation of the Armed Forces. It represents such a fundamental breach of personal discipline that no person convicted of such an offence could expect to continue to serve. You will be dismissed from His Majesty's Service. These offences are so serious that only an immediate sentence of imprisonment is appropriate and the least sentence we can pass is one of eight years' imprisonment.

Registration. I certify you have been convicted of a sexual offence so that you must for the rest of your life keep the police informed at all times of your personal particulars, the address at which you are living and any alteration in the name you are using. You will be given full details of these requirements on a form at the end of this hearing. If you breach these requirements, you can be sentenced to up to five years' imprisonment.

Barring. The offence of which you have been convicted is one which will make you subject of barring from working with children or other vulnerable adults. You will be told of these restrictions under the Safeguarding Vulnerable Groups Act 2006 by the Disclosure and Barring Service.

Effect of sentence. You will serve up to two thirds of your eight year sentence in custody. You will serve the remainder on licence. You must keep to the terms of your licence and commit no further offence, or you will be liable to be recalled, and you may then serve the rest of your sentence in custody.

Rape is a crime of sexual violence however it occurs. It sets aside the personal integrity and dignity of the victim for personal satisfaction. We accept that you probably did not get up that day with the intention of raping someone but that is what you did and at least two lives were changed forever as a result. That responsibility is yours alone.

A word for the victim. We consider that the victim showed tremendous courage and considerable dignity in the way she dealt with what must have been a terrible experience. We are encouraged you found the strength to deal with it so far and continue your career in the Army. We hope that the conclusion of this case now allows you to begin to put it behind you. We are confident that the courage and dignity you showed will stand you in good stead to progress successfully in that career.

Craftsman Gohil, taking into account the appropriate sentencing guidelines and considering your personal mitigation we therefore sentence you as follows. On charge 1 dismissal from His Majesty's Service, eight years' imprisonment. On charge 2 dismissal from His Majesty's Service, eight years' imprisonment concurrent to charge 1. On charge 3 dismissal from His Majesty's Service, eight years' imprisonment concurrent to charges 1 and 2. I now ask the President to formally pronounce sentence. Would you stand up please?

### **SENTENCE**

PRESIDENT OF THE BOARD: Craftsman Gohil, the sentence of the Court is as follows. On each count dismissal from His Majesty's Service, eight years' imprisonment concurrent.