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**IN THE COURT MARTIAL**

held at

**MILITARY COURT CENTRE, CATTERICK**

on the

**16<sup>th</sup> day of January 2026**

in the case of

**REX**

V

**30350215 Private Christopher Kerr Laird**

**Formerly of 3<sup>rd</sup> Battalion The Royal Regiment of Scotland**

**JUDGE ADVOCATE**

Judge Mitchell

Judge Advocate General

**SENTENCING REMARKS**

JUDGE ADVOCATE: Thank you, please be seated. Service personnel retain service headdress. Yes, would the defendant please stand. Private Christopher Laird, you are 24 years old; you have no previous convictions or disciplinary matters to your name aside from that with which we deal now. Can I say for the avoidance of doubt that we have considered carefully all the paperwork in this case in particular the pre-sentence report, the submissions made on behalf of both parties and also version 7 of the Judge Advocate General's Sentencing Guidance in so far as it relates to the offence that you have pleaded guilty to. You pleaded guilty at the first opportunity and therefore you are entitled to

full credit for your plea. Put simply you have pleaded guilty to the offence of desertion which is a serious offence. On the particulars of the charge, you were absent without leave from 24<sup>th</sup> February 2023 to 21<sup>st</sup> June 2025. That is a period of 849 days, and you were absent with an intention to remain permanently away.

It is an aggravating feature in this case that you effectively disappeared and thereby managed to avoid a summary charge. That was coming to you when you were arrested previously on 15<sup>th</sup> February 2023. It is of little help to you that in July of 2023 you sent your Colour Sergeant a message seeking effectively to negotiate the terms upon which you could surrender. They were not yours to do. You should simply have surrendered and taken what was coming to you at that stage rather than make the situation all the worse. That said you had not been in the Army long; you joined it would appear in November of 2020. It became apparent to you reasonably quickly that you were a square peg in a round hole and it became apparent to you and probably everybody else that you were not an enormous amount of use either then or in the future to the Army. No doubt that coloured to an extent your thinking.

I want to make it clear now to anybody who either hears these remarks or reads these sentencing remarks in due course the Army will not tolerate people going absent without leave. Those who go absent without leave can in ordinary course expect on summary dealing a period of detention for that and certainly by the time they get to the Court Martial a period of detention, and there are guidelines that relate to that. Certainly, when absence without leave turns into desertion that is a more serious thing again. But what we have to remember in this case is that you are still a young man. You are 24 years old, you were a much younger man when you went absent without leave and that properly has to be factored into our calculation. In so far as there is a message to be sent the message remains clear; those who go absent without leave can expect condign punishment for it. But whereas here a person goes absent without leave, indeed deserts, but then manages to re-establish his life there are certain overriding concerns that have to be considered. For the avoidance of doubt, they are set out in the extract, which is on the digital case section Q2, paragraph 1.

I will go to that now to work out where we go on the guidance because overall, we are presented with a binary choice. In this case it is one of two outcomes. It is either six months' worth of immediate service detention, or it is a hefty service community order and dismissal. We remind ourselves that in ordinary course no person should be dismissed having pleaded guilty to an offence of AWOL. The reason for that is in order to ensure that in cases of desertion and absence generally we maintain the important deterrent effect of sentencing in such cases. People should not and cannot think that they can AWOL themselves out of the Army. But there is an exception to that. The exception to this is in cases of desertion or absence offences involving very long periods of absence with no other significant

aggravating features where the offender has effectively settled into civilian society and a sentence of detention would be unduly punitive. In such cases a sentence of dismissal coupled with a service community order may be appropriate.

Our view very simply is this. It is true that your absence has been long both by comparison to your youth and also by comparison to the amount of time which you were actually in the Army. It is also the case that whilst there is significance in the aggravating feature of you avoiding a summary hearing, that significance diminishes because of your youth. It happened at a relatively early stage when you were young and you were, as I have said, discovering that you found yourself to be a square peg in a round hole. That all being so, we do not draw on that factor as hard as we might. If you had been in service longer, we would be doing so, and this debate would not be happening. The binary choice would exercise itself only one way. But frankly bearing in mind, as we say, your youth and your circumstances then we do not attach as much weight as otherwise we might to that particular aggravating feature. That being so you fall we think within the exception that is identified within version 7 of the Judge Advocate General's Sentencing Guidance.

Whilst therefore for the avoidance of doubt this was a culpability B harm 2 case for which in ordinary course a sentence of at least six months service detention would be due given your plea, we take the view that in this case the alternative course is indeed the better one. Bearing in mind of course that in the meantime you have managed to find yourself with a partner and a child, they are abroad at that moment but you are making arrangements for entry to this country and in due course you will have to provide for them, we put it this way. The appropriate punishment in this case is that which has been identified within the pre-sentence report and so we propose to dismiss you, we propose to make you subject to a service community order that will have a single term and that single term will be that you complete within the next 12 months 240 hours' worth of unpaid work. Let me make it clear, Private Laird, if you do not do it, we will be back. If we breach you, you will be re-sentenced, and you can reasonably anticipate that that will be a painful experience for you.

In dismissing you from the Armed Forces let me say this. We are of the opinion that this offence is serious enough to warrant dismissal from His Majesty's Service and so you already being effectively on the lowest rank you will be dismissed. In forming this opinion, we have taken account of all the information available to us about the circumstances of this offence including the aggravating and mitigating factors including what we understand to be the inevitable financial effect on your livelihood and any pension that you have accrued. The reality in this case is that you have asked for dismissal. Ordinarily that would not be granted but on the particular circumstances of this case we take the view that your case is not the hill for all to die on, more particularly it is not a hill for you to die on and so

we have decided effectively on a Friday afternoon as an act of decency and act of justice to give you that part of your life back and not deprive you effectively of the next four months.

Therefore, the sentence of the Court will very shortly be announced by the President. Madam President, in fact could I call upon you to do that now.

**SENTENCE**

PRESIDENT OF THE BOARD: Private Christopher Laird, for the offence of desertion you are sentenced to a service community order. Within the next 12 months you will complete 240 hours of unpaid work. Further, you are dismissed from His Majesty's Service. March out.