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IN THE COURT MARTIAL

held at

MILITARY COURT CENTRE, BULFORD

on the

12TH day of March 2026

in the case of

REX

V

30339027 Trooper Joeli Naikelekele Ratu

Household Cavalry Regiment

JUDGE ADVOCATE

Judge Large

Judge Advocate General

SENTENCING REMARKS

JUDGE ADVOCATE: Trooper Ratu, I am going to now explain the sentence we are going to pass on you, tell you why we have come to this conclusion. At the end of it I will ask you to stand up and the President will actually pass the sentence. Okay? So, for the moment stay sitting down.

We have to sentence you for two offences of sexual assault which you committed on 4th August 2024 in a flat occupied by [name redacted] in London. The victim of this assault is a citizen of the United

States of America and [name redacted] girlfriend. She was visiting him at the time of the assaults. Having been out socialising with [name redacted] and his girlfriend and others you returned to the flat with a number of them. Further drinking occurred, some of it encouraged by you. The victim decided it was time for her to go to bed. [name redacted] stayed up drinking with you, became very drunk and was vomiting into the toilet. In the early hours of the morning, you went into [name redacted] room where the victim was asleep, got onto the bed and woke her up. You leant over her, grabbed her by the shoulders and repeatedly asked her to have sex with you, you tried to kiss her. She resisted your repeated advances, she thought at one point for about 20 minutes. We are not sure it would have been that long, but it must have seemed like it to her. She asked for her boyfriend, and you brought him into the room and she looked after him. A little later you decided to leave but not before hugging and trying to kiss her again, this being the second sexual assault upon her. And today we heard a very moving victim personal statement making the impact which these events had on her crystal clear. I am just going to quote two sentences:

“I felt trapped, terrified and utterly alone. I realised that no-one could help me, not even my boyfriend and I had to stay calm to protect myself. The fear of physical harm was overwhelming, and I was forced to suppress my panic to navigate the situation.”

And later she summed up by saying this:

“The physical, financial, emotional and psychological impact of that night has been profound. I no longer feel like that strong independent woman I once was. Instead, I feel vulnerable, intimidated and unsafe in situations where once I felt secure. This experience has changed me in ways I am still trying to fully comprehend and the journey to recovery is ongoing.”

As for you, you are 29 years old, you are of previous good character, you have got a clean criminal record, a clean disciplinary record and you have served in the British Army for a number of years. You are single but, in a relationship, and your partner is here with you. We have read the pre-sentence report about you, and we take everything we have read into account. We have the character references of Warrant Officer Waisele, Miss Shakur, Lance Corporal of Horse Raravisa and your SJAR reports well in mind. They speak highly of you, your work, your personality, your temperament. And we have listened very carefully to everything Miss Huleihel has said so eloquently on your behalf. These were, as she says, isolated and out of character instances by you.

Looking at my guidance in version 7 of the JAG sentencing guidance the seriousness of sexual offending in the services is made very clear. At paragraph 6.2 I say this:

“Service personnel have little choice where and with whom they serve. They may live in close confines, with only a curtain or, if on operations, nothing separating them from others. They may share facilities including ablutions and social spaces. They work, eat, and socialise together. Sexual offending undermines the bond of trust which must exist between those who serve together, affects morale and ultimately operational effectiveness. Sexual offending involving uninvited access into a victim’s accommodation is particularly serious.”

And the guide goes on to explain why dismissal is inevitable in almost every case of sexual assault and I have to say this. The facts of this case are clearly serious enough to warrant and justify dismissal as part of the sentence.

In relation to the second offence, we will take that offence, if you like, into consideration when considering the sentence for the lead offence in charge 1. This is a category 2B offence. Category 2 because you entered her bedroom when she was asleep half naked and vulnerable, you persisted in your assault on her and you caused her considerable harm. The combination of these factors make a category 2 offence. That has a start point of one year’s imprisonment with a range of a high community order up to two years’ imprisonment. I look then at the service factors which may increase harm or culpability, there are three. Offending in the victim’s accommodation, well we have already dealt with that, we have already covered that ground, I do not take that into account here. The impact of this type of case has on morale and the reputation of the Armed Forces. It is precisely this sort of offending which young female soldiers abhor. If there was any doubt that this case was not properly in category these serve to confirm that. Now, the starting point is 12 months’ imprisonment but bearing in mind the lack of physical contact between you we consider the start point should be reduced to nine months’ imprisonment.

We look then at further aggravating and mitigating factors. You were clearly under the influence of alcohol, that goes against you, but in terms of mitigation you have not offended in this way in the past and are of good character. In terms of balancing them out they seem to balance each other out to us. But we have to consider whether there are any additional service factors which affect culpability and harm. There are no additional factors. So, the sentence remains at nine months’ imprisonment. You get no credit for a guilty plea. We have to consider whether to suspend the sentence. We have had regard to the imposition guideline, but we consider that after trial where the complainant has had to testify the seriousness of the offences means the appropriate punishment can only be achieved by immediate custody.

Now, Trooper Ratu, this Court has the ability to send someone to prison. It also has the ability to send someone to the Military Corrective Training Centre in Colchester, and we can do that if we think it is in the interests of justice. We have thought about that very carefully. We do consider it is in the interests of justice to send you to the Military Corrective Training Centre at Colchester rather than to one of His Majesty's prisons. It reduces the impact on the prison service and more importantly allows you time to develop and resettle into civilian society using the excellent facilities available at the Military Corrective Training Centre for you to do just that. It is in the interests of justice, and it is in the interests of reducing risk of further offending. With regard to my guidance at 4.5.2 we add two months to the sentence to make a total of 11 months' service detention rather than nine months' imprisonment. We acknowledge this may have an impact on your ability to stay in this country; I am afraid that goes with the territory. You will serve two thirds of that sentence. You may be entitled to extra remission for good behaviour. That will be explained to you when you arrive at Colchester. You will be placed on the sex offenders register for five years.

Before I ask the President to pass the sentence, Mr Peters, are there any matters that I have missed?

MR PETERS: No thank you, your Honour.

JUDGE ADVOCATE: Mis Huleihel?

MISS HULEIHEL: No thank you, your Honour.

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

SENTENCE

PRESIDENT OF THE BOARD: On charge 1 you are sent to service detention for 11 months. On charge 2 there will be no separate penalty. You will be dismissed from His Majesty's Service. March out.