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IN THE COURT MARTIAL

held at

MILITARY COURT CENTRE, CATTERICK

on the

24th day of February 2026

in the case of

REX

V

2507907 Lance Corporal Ganeshkumar Lawati

30 Signal Regiment

JUDGE ADVOCATE

Judge Mitchell

Assistant Judge Advocate General

SENTENCING REMARKS

JUDGE ADVOCATE: For the avoidance of doubt let me make it clear that we have considered quite a number of matters of law in this case. We have considered the offence specific sentencing guidelines, we have considered version 7 of the Judge Advocate General's guidelines, we have considered the overarching guidelines in relation to both totality and domestic violence, we have also considered the

effect of the Court of Appeal's decisions in *Ali* and *Arepe* and the imposition guideline when deciding overall what to do with this case.

Lance Corporal Ganeshkumar Lawati, you are 57 years old and you have been in the service of His Majesty for 20 years and 86 days. You have pleaded guilty to three offences, and you will be sentenced shortly for them. The first offence is the offence of threatening your wife an offensive weapon in a private place contrary to section 52 of the Offensive Weapons Act 2019. That matter took place on a date unknown in March of 2024. You also fall to be sentenced for two offences of assault occasioning actual bodily harm, that is assaulting your son Goran and your daughter Rinji on 9th September of 2024. You pleaded guilty at different stages within these proceedings. You pleaded guilty to charge 1, the knife offence, on the day of trial but you pleaded guilty to charges 2 and 3, the assault offences, at the plea and trial preparation hearing. You will be given appropriate credit for those pleas but again to make it clear it is 10 per cent on charge 1 and it is 33 per cent on charges 2 and 3.

You have previous convictions to your name. You have a driving offence recorded against you in 2019 which also resulted in a reduction in rank, but you also have a service conviction in 2020 for failing to perform a duty. Of perhaps more relevance are the matters recorded against you in 2014, you were cautioned for two matters at least one of which it would appear from what we have been told related to an incident of violence against your wife. As I say we have considered this as an instance and these matters instances of domestic violence.

In March of 2024 following an argument you accept that whilst holding a Kukri knife you told your wife that you would kill her apparently to get those present around you to take you seriously and you further acted in a manner that is waving the knife that caused an immediate risk of serious, that is grievous, bodily harm to your wife. At the time she was in bed, she was in her own home, you treated her frankly like a hostage. It is no way at all for any man to treat his wife. And let me make it clear now from the start in terms of what we have heard by way of mitigation we pay no heed whatsoever to the fact that there may have been ongoing disputes in relation to money. That does not matter a jot. If people have disputes over money, they do not settle them this way. Similarly, we are in no way persuaded that the fact that there may have been threats to and fro in your family is any mitigation whatsoever. Six of one and half a dozen of the other does not entitle you in any way to act in any fashion like this. The fact that you said that you were expecting respect again has no bearing on the facts of this case whatsoever. No-one can treat anyone in the way that you have. Those are specifically not matters to which we have had regard.

In March 2024 you produced a knife to your wife, and you told her that you would kill her in her own home. That is quite bad enough and in our view that would of itself cross the custodial threshold. There is no sentencing guidance in relation to that offence. We have considered the available guidance in relation to bladed articles and offensive weapons and threats. We have also considered the guidance that relates to the offence of affray. Frankly having taken it all into account we take the view that the bladed article weapons-threats guideline is the better one to apply in this case analogously and in doing so we take the view in fact that this is an A1 offence. It is higher culpability because it was an offence that you committed using a bladed article, namely a Kukri, that you produced from underneath the pillow and it is category 1 because however we look at it having heard the victim personal statements in this case we take the view that there is no way that anything other than serious alarm and distress was caused to your wife by that matter. But again, we recognise that you are entitled to ten per cent credit for plea.

Later in 2024, that is on 9th September of 2024, following another disturbance you assaulted your children, that is your grown up children, you son Goran and your daughter Rinji when they tried to help their mother and you caused bodily harm to each of them. Ultimately the brawl that you engaged in with Goran led to you grabbing him by the throat and causing him a bruise to his throat. Later we have heard that he has actually suffered some fairly serious mental consequences the diagnosis of which is ongoing. You also kicked Rinji causing bruising to her leg and to her hand. It was nothing short of a disgraceful way to treat your children bearing in mind in particular what you had already done to your wife, that is their mother, back in March of 2024. You pleaded guilty at the plea and trial preparation hearing and that entitles you on counts 2 and 3, that is the offences you committed against your children, to the full measure of credit for plea.

I pause now to tell you how it is overall that we view these matters. There has been a fair bit of discussion in this case as to whether or not the sentences in this case should be imposed concurrently or consecutively. There is a fair bit of analysis that has been paid as to the categorisation of these offences. For what it is worth we see it this way. We take all of it together. There is an argument to say that consecutive sentences should follow for the offence that you committed in March and thereafter for the offences that you committed in September. But in fairness in this case and applying fully the principle of totality we prefer to see all of these offences globally and in the round. Effectively it was an ongoing instance of you behaving awfully to your wife and your children. It may well be that there were common causes for the tensions that blew up in this way but ultimately you were the one that turned it to violence, and nobody can lay any blame at the feet of any of the other members of your family for what you did. For the avoidance of doubt in terms of categorisation looking at the offences that took place on 9th September those we think if they had to be categorised would be B2

offences. But, as I say, overall, for the reasons that I have already expressed we prefer to see this as one global course of conduct which, as I say, leads to a significant reduction on the sentence bearing in mind what could have followed if we had chosen to impose the sentences consecutively.

So, therefore what do we make of it? Well, dealing with it as we have overall, we have had to ask ourselves what it is worth. As I say we have placed it where we have in the guidelines but we have looked very carefully at your personal position, we have looked very carefully at the elements of mitigation, the pre-sentence report that has been prepared and everything that has been said really quite ably on your behalf by your counsel, Mr Lynch. We take the view overall in the round that the appropriate sentence in this case if it had to be a sentence of imprisonment would be one of 15 months' worth of imprisonment and that would have been a sentence that we would impose concurrently on each charge. The question in this case is whether or not that sentence can be commuted to service detention. We think that it is appropriate to do so bearing in mind the current state of His Majesty's prisons, the imposition guideline and the question of whether or not we can avoid an immediate custodial sentence within the jail setting; we do. We take the view, as I say, that the appropriate way to deal with it is to turn 15 months' worth of imprisonment into 18 months' worth of service detention. The next question then is to ask ourselves whether or not that sentence should be suspended. Put very simply it should not be suspended, we are not of that view.

This combination of offences is so serious that only a sentence of immediate service detention will do. We have considered all the appropriate points that we need to within version 7 of the Judge Advocate General's guidance but the one factor that we had to consider overall is the combination of the offences. You took a knife to your wife, you beat up your own children. You only have to say that out loud to realise that that combination of offending is so serious that only immediate service detention will do. And so that will be the sentence that is passed in this case but that is not all of it. We have had to consider whether or not you are to be dismissed from His Majesty's Armed Forces. We recognise that you do not actually have long to do but you will leave His Majesty's Armed Forces not by your choice but our direction. We are of the opinion that this combination of offences is serious enough to warrant your dismissal from His Majesty's Service and so you will be reduced the ranks and dismissed. In forming this opinion, we have taken into account all the available information including the circumstances of the offences, the aggravating and mitigating factors and what we understand to be the inevitable financial effect on your livelihood and any pension that you have accrued.

The sentence of service detention will be imposed on each offence to be served concurrently and immediately

Mr President, if you would be so kind please as to announce the sentence of the Court.

SENTENCE

PRESIDENT OF THE BOARD: Lance Corporal Lawati, for the offences to which you have pleaded guilty you are sentenced to 18 months' service detention, the sentences are to be served concurrently and immediately. Further, you are to be dismissed from His Majesty's Service. March out.