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IN THE COURT MARTIAL

held at

MILITARY COURT CENTRE, CATTERICK

on the

24th day of April 2026

in the case of

REX

V

30045152 Private Carl Edward Lewkowicz

4th Battalion The Parachute Regiment

JUDGE ADVOCATE

Judge Mitchell

Assistant Judge Advocate General

SENTENCING REMARKS

JUDGE ADVOCATE: Private Carl Edward Lewkowicz, you are 39 years old and you have been in service on your current term for just short of three years but that follows previous periods of service between 2003 and 2006 and from 2008 to 2010. At 1.00am on the morning of Saturday, 27th September 2025 when you were obviously very drunk you got into a row with Gunner Morgan-Taylor, a man you did not even really know. How that happened is not as important as how it ended. It ended with you throwing a bottle against a wall, smashing another bottle and lunging at Gunner Morgan-Taylor getting close to him and threatening him. You were aggressive, you were unpredictable and you were

dangerous. You calmed down to the extent that Gunner Morgan-Taylor was able to escape and call for assistance from the Military Police. Unfortunately, when the Military Police turned up you did not come quietly and you resisted the proper use of handcuffs, you were verbally abusive. It took a full team to take you in and the use of significant force and indeed the threat of the use of a defensive weapon. Overall that process took about 40 minutes or there and thereabouts.

You pleaded guilty at the first opportunity, and you will receive full credit for your plea. The offence at charge 2 is the more serious offence. The fairest way to pass sentence is to see your behaviour towards Gunner Morgan-Taylor as an aggravating feature of your behaviour towards the Service Police and pass a sentence on the second charge relating to your resistance to the arrest that wraps all that behaviour all together. The sentence on charge 1 will therefore be served concurrently. You have 11 previous convictions totalling some 19 offences. You were first convicted in 2008, you were last convicted in 2023. The majority of those offences were of violence or public disorder. In 2013 you served a prison sentence for violence and racially aggravated offences. Your service was terminated in 2006 due to problems with your discipline. The same was true when you were discharged in 2010. You have a service conviction in 2006 for disobeying a lawful command.

You have a bad record. It is hard to understand how and why you were taken back into service on your most recent engagement but there we are. I am afraid we need to put that right now. This combination of offences bearing in mind your background is so serious that dismissal is warranted. In forming this opinion, we have taken into account all the information available to us about the circumstances of these offences including the aggravating and mitigating factors and what we understand to be the inevitable financial effects on your livelihood and any pension that you have accrued. You will therefore be dismissed.

For the avoidance of doubt let me make it clear that we have considered all of the relevant documents provided to us including character documents and also version 7 of the Judge Advocate General's sentencing guidance and the pre-sentence report. Turning to version 7 of the Judge Advocate General's sentencing guidance and the pre-sentence report. Turning to version 7 of the Judge Advocate General's sentencing guidance we agree that for the most serious offence, threatening those arresting you, this is an A2 case. That is also agreed on your behalf quite rightly by Mrs Edington. Your blameworthiness is category A because for 40 minutes you ignored warnings to stop doing what you were doing and you were persistently and significantly threatening. We have no doubt that the harm you caused falls into category 2 because it was significant.

The starting point for sentence is therefore 30 weeks of service detention. That sentence would follow after trial for someone with no previous convictions. Your case is aggravated because you have earlier threatened Gunner Morgan-Taylor with a broken bottle and previously committed a number of significant violent offences. You were drunk; that is also an aggravating feature. Your behaviour at the time demonstrated a number of prejudices; that is also an aggravating feature. The maximum sentence for that offence is 2 years' worth of imprisonment. The upper range in the relevant sentencing bracket for the main offence is six months' worth of imprisonment.

There are mitigating factors. We do accept that you have shown some genuine remorse and to an extent there is some mitigation in the fact that you were off duty at the time but really very little. It is your remorse and your early guilty plea that saves you in this case from worse and it could be a lot worse than it is going to be.

Taken as a whole this case would be well worth a sentence of somewhere between 10 to 12 months' imprisonment after trial and that is imprisonment in a civilian jail. But in your case, we have decided that service detention rather than immediate imprisonment is the more constructive option which nonetheless demonstrates the severity of your offending given your background. With appropriate credit for plea applying the appropriate mechanics indicated by the sentencing guidelines we believe that all in the appropriate sentence should be nine months' worth of service detention but that will be served immediately and that sentence will be imposed on each charge and served concurrently. We do not order compensation in the circumstances, it is unnecessary and, in any event, you will not have the means to pay. So, the sentence will be nine months of service detention, and you will be dismissed. Mr President, please announce the sentence.

SENTENCE

PRESIDENT OF THE BOARD: Private Carl Edward Lewkowicz, for each charge the sentence is nine months' service detention. Those sentences are to be served concurrently and immediately. Further, you are dismissed from His Majesty's Service. March out.