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IN THE COURT MARTIAL

held at

MILITARY COURT CENTRE, BULFORD

on the

2nd day of July 2026

in the case of

REX

V

P052258L Colour Sergeant Matthew SYMES

30 Commando Royal Marines

JUDGE ADVOCATE

Judge Large

Assistant Judge Advocate General

SENTENCING REMARKS

JUDGE ADVOCATE: Thank you, take a seat, please. Please keep your headdress on, everybody. Colour Sergeant Symes, you can stay sitting down. I will explain to you why we have come to the sentence we have, then I will ask you to stand up and the President will pass the sentence on you. Do you understand?

DEFENDANT: Yes, your Honour.

JUDGE ADVOCATE: We have to sentence you for one offence of misapplying service property. You were a Warrant Officer Logistician. You are now an FTRS Colour Sergeant. It was your job to order vehicles. You ordered them and then, realising that this one had not, for some reason, been put on the books, you decided to take it home, and you decided to use it for your own personal use, and that use included commuting to and from your work, and you drove it for a year. You drove over 5,000 miles until it was spotted by a colleague of yours at work as missing from the books, and it was located and recovered from you. The cost to the taxpayer is assessed as £8,620, that is the financial cost. You did this in breach of trust. The considerable trust which is placed in someone of your quality has been abused by you, by your treating this brand new electrical vehicle as your own for a year.

To your credit, you made full admissions in interview, and you are obviously deeply embarrassed and ashamed about this offence. You have an otherwise unblemished career, with operational service in Afghanistan and elsewhere. We have read the presentence report very carefully. We have heard about your distressing situation at home, but we do not accept that that explains your behaviour. Even if it did for a few days, you had every opportunity to return the vehicle, yet you continued to use it. We have listened with care to Mr Green's submissions. We take great account of the character references, and I say again, you were clearly going through a difficult time, but you maintained your offending throughout an entire year, knowing that every day you were committing an offence because the vehicle was not on the books.

In terms of sentencing guidance, we consider this must be a Category A1 offence. We consider you must have had the intention to cause serious financial loss. You must have known that your actions would damage morale in your unit. Your actions must have been premeditated, and you benefited significantly from them, and we consider the loss in this case was not only the sum of £8,620, but also the loss of a brand new and very useful vehicle to your unit. It is the sort of vehicle that could be used for a whole range of different things, and you deprived your unit of that vehicle for a year. So, the start point for sentence is a high service community order or 30 weeks' service detention.

In terms of mitigation, you have your substantial cooperation, your previous good character, your good professional record, your exemplary service and the difficulties that you were having in your relationship. Taking all that together, we nonetheless consider that this case is serious enough to warrant dismissal. Indeed, we consider that is essential when you have, as we do, a senior non-commissioned officer, formerly a warrant officer, offending in breach of trust over the period of a year. We also attach a service community order to the sentence of dismissal, but we reduce the length of the unpaid work requirement from 150 hours to 80 hours to reflect the significant character mitigation we have heard on your behalf. Mr Symes, it is essential that you turn up and do the work as directed or you will be breached, returned to Court and resented. Do you understand that?

DEFENDANT: Yes, your Honour.

JUDGE ADVOCATE: Thank you. In terms of a service compensation order, since you are losing your income, we do not consider it appropriate to impose a service compensation order.

MR GREEN: No, your Honour, thank you.

JUDGE ADVOCATE: Could you stand up, please, Mr Symes. Mr President, would you pass the sentence to the Court, please.

SENTENCE

PRESIDENT OF THE BOARD: You are to be sentenced to dismissal from His Majesty's service and a service community order of 12 months, with an unpaid work requirement of 80 hours.

JUDGE ADVOCATE: Thank you, just take a seat for the moment. In terms of reduction to the ranks, that follows automatically the sentence of dismissal, we think. If it does not, it does not. If it does, it will happen whether we say it or not, but we are not saying it because we are not entirely sure what will happen because of your rank, but there we are. I would like to thank both Counsel for their help, and we will rise.