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IN THE COURT MARTIAL

held at

MILITARY COURT CENTRE, CATTERICK

on the

24TH day of June 2026

in the case of

REX

V

30316458 Sapper Thomas Joseph EDEN

39 Engineer Regiment

JUDGE ADVOCATE

Judge Mitchell

Judge Advocate General

SENTENCING REMARKS

JUDGE ADVOCATE: Would the defendant please stand. Sapper Thomas Joseph Eden, you are 28 years old and have been in service of His Majesty for seven years and 79 days. You are single with no dependent children. You have one criminal conviction for drink driving in May of 2022. You also have a service disciplinary matter recorded against you in 2020 when you went AWOL for seven days. We know something about the circumstances of that, and you were not much punished for it for reasons we fully understand. At the plea and trial preparation case for this hearing you pleaded guilty to the offence of damaging service property. You will receive full credit for your plea.

The facts are simple. Just before midnight on Saturday, 3rd May 2025, now over a year ago, you stumbled to the guardroom at Kinloss Barracks. You were obviously very drunk, and you were angry. You walked into camp across the car park towards the electric vehicle charging points and damaged them. The cost of replacing the damaged charging points amounted to £7107.62. We agree that this was an offence committed on a drunken impulse in the moment. We are neither the wiser nor the better informed as to why you did this. Frankly we are not even sure that you understand why you did this, but you are there on video doing it and there is no doubt whatsoever. We frankly doubt that you gave much thought at any point of the value of the damage that you were causing. Nonetheless you caused a fair high level of damage.

On both version 7 of the Judge Advocate General's sentencing guidelines and the relevant civilian sentencing guidelines this we find would have been a culpability C harm category 2 offence. After trial were you still in service and had this matter been tried sooner, we believe the appropriate punishment would have been in civilian terms a high level community order and if indeed you were dismissed, translating into 30 weeks' worth of service detention or there and thereabout if not. If this case had been pursued more quickly the chances are that you would already have completed an appropriate term of service detention and would be getting on with what was a half decent career in the Army. As it is, the last year has weighed heavily upon you to the extent that you have applied to leave the Army and indeed very shortly will do so. That, as we have explored, is indeed your final answer. With that in mind you have to your credit saved up £5000.00 to make amends for the damage that you did and you offer that to this Court in good faith regardless of the outcome.

Your counsel asks us therefore to dismiss you and to further sentence you to a community order in effect to recognise what you have done and to make up any difference between the sum that you can offer and the overall cost of this, not just in monetary terms but also to the justice system as a whole. You are fully aware of what you are asking for, and you are, we find, fully aware of the long term consequences of such an order but we therefore are prepared to agree, given where we are now, that is the better way forward. To be clear this is not a case of you choosing your own punishment or you buying your way out of trouble. The key factor in this case is the factor of delay and recognising where we are now. As General McChrystal is often quoted as saying, "you cannot start from where you want to be." This is where we are now. Were you, as you soon will be, not in service and being dealt with by a civilian court you would not lose your liberty for this offence given your background and all that can be said for you. MCTC would in your specific circumstances as they are now do little for you or indeed make much if any difference to the way the public might view this case. You now need to make amends and get on with your life outside the service and that we will now allow you to do.

Therefore, for the offence of damaging service property, you will be subject to a service community order, and you will complete 80 hours of unpaid work reduced from 120 hours to reflect your credit for plea. Further, you will pay a service compensation order to the value of £5000.00, that is the sum you have saved up within the next 28 days. Finally, you will be dismissed from His Majesty's Service. We come to that decision on the basis of all the information before us including the financial and future consequences of that action. Mr President, please pronounce the sentence.

SENTENCE

PRESIDENT OF THE BOARD: Sapper Thomas Eden, for the offence of damaging service property you will be made subject to a service community order for 12 months and complete 80 hours of unpaid work you are also to pay £5000.00 within 28 days by way of a service compensation order. Finally, you are dismissed from His Majesty's Service.