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IN THE COURT MARTIAL

held at

MILITARY COURT CENTRE, BULFORD

on the

31st day of July 2026

in the case of

REX

V

X30429215, Gunner Daniel Adams

7th Parachute Regiment Royal Horse Artillery

JUDGE ADVOCATE

Judge Atwill

Assistant Judge Advocate General

SENTENCING REMARKS

JUDGE ADVOCATE: Gunner Adams, you were found guilty by this court. It remains for us to sentence you for three charges of sexual assault. This is an offence to which Schedule 18 of the Sentencing Act 2020 applies, but we do not make a finding of dangerousness in your case.

You are 23 years old, and this offence was committed when you were 21 years old. You had joined the British Army on 12 May 2024, and you have now served for just over two years. You have no

previous criminal convictions. You have some service matters recorded against you, a matter of being unfit to perform a duty due to alcohol and other offences which are alcohol-related, but they post-date the offences we are dealing with today.

On 22 June 2024, you travelled to Southampton with the complainant and another recruit and other members of your platoon during a weekend of leave following military training. Accommodation had been arranged by the complainant and that other recruit. You had not arranged any accommodation, but they allowed you to stay in their accommodation with them.

During the evening, the group consumed alcohol in Southampton in various places. You became heavily intoxicated and the complainant also consumed alcohol and was likewise heavily intoxicated when you returned to the accommodation. That accommodation contained two single beds and a sofa bed. The complainant occupied one of the beds, the other recruit occupied the other and you were expected to sleep separately on the sofa bed.

During the early hours of the following morning, however, you repeatedly asked the complainant if you could get into her bed. She made clear that she did not want you to do so, but despite that, you entered the bed with her.

Once in the bed, you positioned yourself behind the complainant and over the course of the night you subjected her to repeated sexual intrusion. You placed your arm around her waist, you kissed her on the back of the neck, you kissed her on the chest, you repeatedly attempted to pull down her trousers and, having done so, you touched her buttocks and the outside of her vagina underneath her clothing.

She repeatedly told you not to. She did so on numerous occasions throughout the night. Each time she objected, you would briefly stop and then subsequently resume your sexual behaviour a short while later. Your conduct was persistent and repeated rather than a single impulsive action.

She had been drinking and she was drifting in and out of sleep during the night. She described to us periods of reduced awareness and of blacking out. But rather than recognising her vulnerability and stopping your behaviour, you continued to pursue your sexual interest in her. She felt overpowered and unable effectively to resist or leave the situation.

In addition to the kissing and touching, she described you making movements simulating sexual intercourse while lying against her. The offending continued intermittently over several hours before finally coming to an end during the early morning. The next morning, she was so concerned over what

she remembered of the night and the fact that she could not remember all of it that she asked you what had happened. Your response was, "Fuck all."

The complainant reported the matter at the earliest reasonable opportunity. She disclosed what had happened to her friends, to welfare staff and subsequently to the service police. Multiple witnesses described her as upset, tearful, distressed when she was recounting what had occurred.

In interview you accepted that you had got into her bed, that you had put your arm around her, that you had kissed her on the back of the neck and had asked to pull down her trousers. You accepted that your intentions were sexual, but you denied the further sexual touching which she said had happened and you claimed that you believed she consented to what you had admitted.

The board rejected your account. Accordingly, the offending before the court is that over a prolonged period during the night you repeatedly engaged in non-consensual sexual activity towards the complainant, including kissing her neck, kissing her chest, touching her buttocks and her vaginal area beneath her clothing. You persisted despite repeated verbal refusals, and you took advantage of the situation in which she was intoxicated and therefore vulnerable. You carried out the offending in what should have been the safety and privacy of her own bed.

You heard the prosecutor read parts of the victim's personal statement. It is as clear to us as it ought to be to you the impact that your offending has had. Sexual violence causes significant trauma to those who are subjected to it. The impact here is direct and spans many aspects of her life, from professional performance and confidence in the workplace, through her relationship with other colleagues and into her personal life. That is an entirely predictable and nonetheless regrettable consequence. The responsibility for that harm lies entirely with you.

Sexual violence undermines confidence. It causes direct and lasting harm, and it completely undermines the trust that victims can have in those they live and work with. Part of that harm comes from the responsibility that victims feel for reporting or not reporting an event, when they are aware that doing so will have consequences for them and for you and not doing so may have consequences for them, you and others.

The fact that they have to relive the event in order to report it is an inevitable consequence of this type of offending and it is compounded when the events themselves are then denied by the offender.

The other effect of this type of offending is the particular harm it does within the close-knit, necessarily inter-reliant population, which is a unit, whether on operations or in training. That harm is very real. It undermines both the effectiveness of individuals and risks harming the effectiveness of the unit or the training course as a whole. Such offending drives good people out of the service.

By section 60 of the Sentencing Act, the court's duty in all cases includes imposing upon the defendant, in accordance with the relevant guideline, a sentence which is within the offence range. Where the guideline describes categories of case, the court must decide which of the categories most closely resemble the defendant's case in order to identify the starting point within the offence range.

Section 259 of the Armed Forces Act requires service courts to have regard to any guidelines issued by the Sentencing Council. We have regard to three Sentencing Council guidelines in this case: the offence-specific guideline for sexual assault, the guideline on the imposition of community and custodial sentences, and the totality guideline. We also have regard to the sentencing guidelines issued by the Judge Advocate General.

We read with care the probation officer's report. We note that in the professional assessment of that experienced probation officer, you took no responsibility for the offence. You partially recognised the impact your offence would have on individuals and the service. You pose a low risk of re-conviction, a medium risk of causing harm to others. The risk you pose can be managed in the community.

We listened carefully to everything that was said on your behalf by your counsel.

Classification of offences. We are dealing with you for three offences. This was a legitimate charging decision to allow clear findings by the board. In effect, this was a continuing course of conduct over a relatively prolonged period. We will take charge 3 as the lead offence as it contains guideline features which are more serious. I will deal with totality further later in these remarks.

In respect of charge 3, with any offence, be it service or civilian, the court has to consider both your culpability and the harm caused by the offences. Turning to harm, the guideline features are these. There was touching of naked genitalia. This was a sustained incident, and the victim was obviously vulnerable due to the extent of alcohol that she had consumed and its effects upon her. We place the harm caused or intended to be caused by this offence into the medium bracket, that being category 2.

There are two service factors which increase harm. They are impact on unit cohesion and impact on the reputation of His Majesty's Armed Forces.

Dealing with your culpability, there are no category A factors present. Your culpability therefore falls into the lower bracket, category B. We conclude that the service factors are not enough to move up a category, but they are sufficient with the other factors to merit an upward adjustment of the category starting point.

Having considered both culpability and harm, we place this charge into category B2 which provides for a category starting point of one year's imprisonment, with a range starting at a high-level community order and rising to two years' imprisonment.

Because of the multiple features of culpability and harm and the service factors increasing harm, we consider this a case of particular gravity which merits an upward adjustment of the category starting point before we consider any aggravating or mitigating factors. The starting point is therefore adjusted to one of 20 months' imprisonment.

We then go on to consider the aggravating and mitigating factors relevant to the offence. We consider the fact that you were under the influence of alcohol at the time of the offence and your poor disciplinary record to be aggravating factors justifying upward adjustment of the category starting point.

Conversely, we find that there are no relevant previous convictions, your age and lack of maturity and your prospects in work to be mitigating factors justifying a downward adjustment to the category starting point.

Taking into account both aggravating and mitigating factors, we consider it fair to make a significant downward adjustment to the category starting point. The sentence would therefore be 18 months' imprisonment.

Dismissal. Sexual offending is incompatible with serving in the Armed Forces. Particularly when committed against another service person. It is anathema to the ethos of the British Army and represents such a fundamental breach of trust that dismissal is appropriate.

On charges 1 and 2, we categorise the offences at 3B on the guideline. The Sentencing Council guideline harm features are different, though there are service factors which in that case justify an

upward adjustment to the category starting point for 3B. The sentence on each count would therefore be three months' imprisonment.

Category starting points and ranges are for a single offence. We are sentencing you for three offences which are of a similar kind and took place one after the other. Therefore, concurrent sentences will be appropriate. All courts when sentencing for more than a single offence should pass a total sentence which reflects all the offending behaviour before it and is just and proportionate. Therefore, concurrent sentences will ordinarily be longer than a single sentence for a single offence. But reflecting the facts of this case and including the sustained feature in respect of the lead offence as we have, we conclude that a further uplift is not appropriate in this particular case.

Suspension. We have considered the imposition guideline on suspension. While some of the features are made out, we conclude that the seriousness of the offence in its service context is such that an immediate sentence is necessary. It will not be suspended.

Alternative to imprisonment. This court is fortunate to have the alternative to prison which is service detention. Such an alternative restricts your liberty, punishes your actions, but does so in a setting which has a significantly better prospect of rehabilitating you when you return to civil society. We will convert your sentence therefore to one of service detention. We have decided that in light of the particular circumstances of this case and the length of the sentence that there is no requirement to increase the sentence further. The sentence on charge 3 will therefore be one of 18 months' service detention.

I certify you have been convicted of a sexual offence so that you must, for a period of five years from today's date, keep the police informed at all times of your personal particulars, the address at which you are living and any alteration in the name you are using. You will be given full details of these requirements on a form at the end of the hearing. If you breach these requirements, you can be sentenced to up to five years' imprisonment.

The offence for which you have been convicted is one which may make you subject to barring from working with children or others. You will be told of the restrictions under the Safeguarding Vulnerable Groups Act 2006 by the Disclosure and Barring Service.

Compensation. We have considered whether compensation should be ordered. The guideline figures are regrettably extremely low, but you will not have the means to pay for a protracted period and even then, at potentially a very low rate. Accordingly, we conclude that making such an order would

simply compound the injury and extend the period within which you were relevant to the life of the complainant. We will not therefore order compensation.

Gunner Adams, sexual assault is a crime of violence. It has serious and long-lasting effects on every victim. You set aside the dignity and personal integrity of a young woman who you took advantage of in many ways. That you and she were both serving in the British Army at the time was, in effect, a matter of chance. That she trusted you sufficiently to let you into her accommodation and, while there, you physically dominated her and, despite her clear refusal, protest and resistance, you sexually assaulted her repeatedly.

Whatever intoxicated or ill-informed opinion you held about sexual behaviour was fundamentally wrong. The days when men felt entitled to press on with sexual contact, long after it was and ought to have been apparent that there was no consent to such behaviour, ended long ago, if indeed they ever existed. Your behaviour on that night was entitled and disgraceful.

That you committed these offences against a fellow soldier compounds the moral injury. Not only was she entitled to trust you, but the direct and obvious harm you did to her undermined her performance in the vital role of public service which both of you had agreed to take on.

Prior to this offence, and subject to you working out your obvious difficulty with behaving responsibly in drink as demonstrated by your other service offending, you had every prospect of a respectable career in the British Army. All that is gone. No one could expect to behave this way and retain their position as a member of His Majesty's Forces or their liberty.

The only possible sentence is one of immediate service detention and the least sentence we can pass is one of 18 months' service detention. You will serve two thirds of that sentence at MCTC. You will be entitled to earn remission of up to one sixth of the period in excess of 90 days at the discretion of the Commandant MCTC.

I want to say a word for the complainant, and I choose that label deliberately. We entirely appreciate the challenge that reporting an offence of this nature represents. The impact of the offence and the effects on victims and witnesses are dreadful. We acknowledge the grace with which you have approached this very difficult issue and hope that the completion of this case will now mean that you can start to rebuild all of the things that have been undermined by it.

When you gave evidence, we noted your determination that you should no longer be defined by this offence. We commend you for it. We hope that, with appropriate support, you can have the very promising career in the British Army which your determination and obvious value deserve.

Gunner Adams, taking into account the appropriate sentencing guidelines, the views of the Court of Appeal in respect of conditions in prison as expressed in the cases of Manning and Ali Ahmed, the conclusions of the probation officer, considering your personal mitigation and noting in particular that, as contained in the appropriate guideline, passing the custody threshold does not mean that a custodial sentence should be deemed inevitable, and that there is an alternative non-custodial sentence of service detention available to this court which would restrict your liberty, assist in your rehabilitation and take place in a regime which does not suffer from the conditions pertaining the civilian prison estate at this time, we therefore sentence you as follows.

On each charge, dismissal from His Majesty's Service.

On Charge 3, Eighteen months service detention.

On charges 1 and 2, three months' service detention, concurrent to charge 3 and to one another.

I now ask the President to formally pronounce the sentence.

SENTENCE

PRESIDENT OF THE BOARD: Gunner Adams, the sentence of the court is as follows:

Dismissal from His Majesty's Service, 18 months service detention.