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IN THE COURT MARTIAL

held at

MILITARY COURT CENTRE, BULFORD

on the

30TH day of July 2026

in the case of

REX

V

30319449 Logistician (CS) Sian Dowsett

His Majesty's Ship Drake

JUDGE ADVOCATE

Judge Atwill

Assistant Judge Advocate General

SENTENCING REMARKS

JUDGE ADVOCATE: AB Dowsett having been convicted by this Court it remains for us to sentence you for six counts of sexual assault. You are 24 years old; these offences were committed when you were 22. You joined the Royal Navy in 2019; you have served just less than seven years. You have a number of previous convictions for service offences relating to aggressive or disrespectful behaviour towards others, they post-date these offences.

The facts of the offence are these. You have been convicted of six charges of sexual assault which occurred between 1st June 2023 and January 2024. Throughout this period, you were serving as a chef in HMS Dauntless. The first set of charges relate to sexual assaults on a fellow chef while both of you were working in the galley. In the first offence you slapped him on the buttocks without his consent when he was leaning over working on a document. In the second you again slapped him on the buttocks with some force.

A third charge relates to a female junior rating who lived in the same mess as you. While she was changing and was naked from the waist up, you grabbed both of her breasts pushing them and gripping her nipples. You made a sexualised comment towards her. She told her friend what had happened, but she did not want to take any formal action as she was new to the ship and unsure what would happen.

In June 2023 while the ship was at sea, you sexually assaulted a male Leading Hand during a first-aid training session. You had previously made inappropriate comments towards him. During the training session that man was paired with you for practical training. During which you stroked his arm and made comments which were inappropriate and made him uncomfortable. Then whilst sitting together during the training you touched his chest and pinched his nipple for a protracted period trying to make eye contact with him. He felt extremely uncomfortable about what you were doing and did not know how to react. He did not want to report it at the time as he was embarrassed and unsure about things would progress.

In October 2023 you sexually assaulted a young woman who shared your cabin onboard. She had joined the ship only a few days before and you said that you would look after her. She was laying on her bunk when you entered the cabin and slapped her hard on the bottom. You made a sexualised remark and then smacked her bottom repeatedly. When she responded you tried to turn the whole thing into a joke. It was not.

In January 2024 when the victim from the June 2023 offence was working in the hangar you sexually assaulted him by grabbing and squeezing his genitals through his clothing. When interviewed by the service police you denied all of these offences, and you maintained that denial at trial. Saying that all of the witnesses had fabricated these events and that factually they had not occurred.

You heard the prosecutor read parts of the victims' personal statements and you heard one of the victims in court today. It is as clear to us as it ought to be to you the impact that your offence has had on those people. 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. That not doing so may have consequences for them, for you, and for others.

The fact that they have to relive the event in order to report it is an inevitable consequence of this type of offending. 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 the ship's company of a ship on operational deployment. That harm is very real, and it undermines both the effectiveness of individuals and risks harming the operational effectiveness of the ship as a whole.

You know there are no passengers in a warship. That carries meaning into how we must approach this case. By Section 60 of the Sentencing Act 2020, 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 had regard to a number of Sentencing Council guidelines specifically the offence specific guideline for the criminal of sexual assault. The guideline on the imposition of community and custodial sentences, the totality the guideline and the guideline on sentencing offenders with mental and developmental disorders. We have also had regard to the sentencing guidelines issued by the Judge Advocate General.

We have read with care the probation officers' reports. We note that in the professional assessment of that experienced probation officer you took no responsibility for the offences. You did not recognise the impact your offences would have on your victims or the service. You pose a low risk of reconviction and a medium risk of causing serious harm. The risk you pose can be managed in the community.

We listened carefully to everything that was said on your behalf by Mr Green. We have also read the psychiatric reports from Dr Bacon and Dr Batool which set out a history of neuro-developmental symptoms from childhood. Dr Batool diagnoses autism spectrum disorder without intellectual impairment. Her assessment is that without support this would leave you vulnerable to social

exploitation, interpersonal misunderstandings, emotional dysregulation, deterioration in mental health and difficulties navigating complex social and institutional environments.

We conclude that your disorder is a relevant feature in this case and that while it does not in any sense excuse or justify your actions, it does have some bearing on your culpability and on the way that we should sentence you. We are required to categorise each offence separately in terms of culpability and harm. I am going to deal with all of the offences in turn and explain how we have categorised them. There are some slight differences between them.

Charges 1, 2, 4, 5 and 6 are all categorised at 3B on the guideline. Charge 5 occurred in the accommodation belonging to the victim. Charge 3 we have categorised in category 2 for harm and as B for culpability on the basis of the touching of naked breasts, being a guideline factor that puts it at level 2. There are service factors which increase culpability and harm in almost every case. The ship is at sea for some charges, and in operational circumstances when alongside in others.

Two of the offences occurred in the victim's accommodation which increases culpability we find to a significant extent. There is an effect on unit cohesion, an effect on operational capability and an effect on the reputation of His Majesty's Forces. Balancing all of those we do not see the Charges move up in categorisation but combined they are sufficient to move the starting point up within each of those categories.

Therefore, we adjust the starting point for the 2B offence from the guideline starting point of 12 months' custody with a range from a high-level community order to 2 years' custody to an adjusted starting point of 18 months custody on that count. The 3B offences have a starting point on the guideline of a high-level community order with a range from a medium-level community order to 26 weeks' custody. The adjusted starting point is three months' custody on each of those offences.

Having categorised the offences by reference to your culpability and the harm you have caused we then go on to consider the aggravating and mitigating factors relevant to the offence. We have considered your other convictions which we find are relevant to how we dispose of the case but not as aggravating factors because while they relate to inter-personal aggression, they are not previous convictions in guideline terms because they happened after these offences.

Conversely, we find your age and lack of maturity, your neuro-developmental disorder, your difficult background and your prospects in work to be mitigating features justifying a downward adjustment to the category starting point. We have read with care the two psychiatric reports. They conclude

that you have an autistic spectrum disorder without intellectual impairment and that this may affect in a number of ways. They say there is a potential impact on your social understanding and function. We have considered how this impacts both your culpability and as mitigation.

As you maintained your denial of the facts of these offences, your counsel is constrained in what he can say on your behalf. The recent character statements, while they speak to the impact on you of a custodial sentence and of these proceedings, speak of your adequate, indeed positive, social function before these proceedings. We also reflect on the fact that you successfully joined the Royal Navy and completed Phase I and Phase II training and were written on most positively by the experienced divisional officer who has supervised your most recent work in the service. That you maintain proper relationships with your family and with your partner.

Taking all of those things together and accepting the diagnosis, we consider that your disorder may have contributed to your behaviour and to the way in which your colleagues viewed you, but we do not consider that it reduces your culpability for acts which any adult person would have understood to be unacceptable. Many people with autism spectrum disorder function well in society and in the Armed Forces. We accept that the impact of your disorder will mean that the sentence we are passing may impact on you differently to some other people and we have taken that into account.

Taking into account both the aggravating and mitigating factors we consider it fair to make a significant downward adjustment to the category starting point. The sentence on that Charge would be one of 14 months' imprisonment. The category starting points and ranges are for a single offence, we are sentencing you for six offences which are of a similar kind and took place one after the other over a relatively long period. Concurrent sentences will be appropriate. All courts when sentencing for more than a single offence should pass a total sentence which reflects all of 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. We will increase the sentence on the lead count to reflect the totality of your offences.

We are going to treat Charge 3 as the lead offence; it is the most serious on the Sentencing Council Guideline. We will make an appropriate upward adjustment to that sentence to take into account the existence of the other offences. This will be an uplift of four months' imprisonment. The offence is so serious that the custody threshold is passed.

Dismissal: these offences taken together are so serious that dismissal is appropriate. No service person could expect to behave this way against multiple victims and retain their role in the Armed Forces; you will be dismissed from His Majesty's Service.

We have considered the imposition guidelines on suspension. Our view is that this offending is so serious that appropriate punishment and deterrence for others can only be achieved by an immediate custodial sentence. While we have concluded that the custody threshold is passed, and that immediate custody is necessary, we have decided that the most appropriate sentence is one of service detention. The facilities and regime at MCTC are better than those available in the civilian prison estate and are much more suited to addressing both your treatment needs and your rehabilitation into society.

We are required by the guidelines to consider an uplift to take into account the different regime and release routine between service detention and prison. We have thought carefully about the case and the service factors which lead to the sentence and have concluded that it is not appropriate, in this particular case, to increase that sentence. The sentence is therefore one of 18 months' service detention. You will serve two thirds of that sentence before release. You will be entitled to earn remission of up to one sixth of that part of the sentence which is over 90 days at the discretion of the Commandant MCTC.

I certify that you have been convicted of a sexual offence so that you must for a period of five years from the date of your conviction, 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 after the hearing. If you breach these requirements, you can be sentenced to up to five years' imprisonment. This offence 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 by the Disclosure and Barring Service.

Compensation. We have considered whether compensation is appropriate. You will not have the means to pay it. There are a number of victims. The guideline amounts are very low and so we conclude that any award would both extend and exacerbate the harm you have done to them, there will be no order for compensation.

AB Dowsett, service personnel have little choice over who they work and live with. The confines of service life, particularly in ships, invariably brings them into close physical proximity with work colleagues. The abuse of that proximity for personal sexual satisfaction or the use of sexualised

behaviour to dominate or bully others, is fundamentally against the tenets of comradeship and the legitimate requirement for respect for others. It sets aside their autonomy and drives division into the team in which it occurs. It drives good people out of the service and harms others.

Your behaviour towards your ship mates was disgraceful. You had no regard for them, their dignity or their contributions in that ship. You upset, frightened and disconcerted them. You seem to have made a habit of targeting new members of the ship's company, or those who you perhaps considered would not complain. You were a predator in that ship, and the impact of your behaviour was widespread. When challenged you denied it all and have continued to do so in discussion with the probation office and the psychiatrist. You said that the people who made complaints about you were liars, they were not.

We recognise that your neurodiversity may be a feature in this case and that your social function deficit is real and relevant, but your intellectual capacity is unaffected. While your understanding of the impact of your actions both at the time and afterwards may be genuinely different to others. You understood the rules sufficiently both to deny these events and to understand the impact of an event outside the service of which you were the victim.

We conclude therefore that while your culpability is reduced it is not removed entirely. Fundamentally you used sexualised behaviour to dominate or embarrass a number of your colleagues. That sexualised behaviour extended to the sexual violence of which you were found guilty. You may have lacked some insight into your behaviour then and continued to deny it now is a matter of concern for us. Sexual offending of this sort undermines the bond of trust which is an essential part of service. It affects morale, team cohesion and ultimately operational effectiveness. There is no place for behaviour of this sort in His Majesty's Forces.

These offences are so serious that the least sentence we can pass is one of 18 months' service detention.

I am going to say a word for the people who came to court to give evidence. I have referred to them as "victims" for the last time in the hope that they can now move on from your offending. It was our view that you dealt with both the events, the aftermath, your place as a witness, and your evidence before the Court today with considerable grace. With real courage and living the values that the service expects of you and of everyone.

We drew considerable hope from the way that you explained yourself to us today and the way that all of you handled yourself when you came before the court as witnesses at the trial. We encourage you now to find a way to put these events behind you, and to continue with those careers which we expect to be very successful.

AB Dowsett 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. 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.

That there is an alternative non-custodial sentence of service detention available to this court which will restrict your liberty, assist in your rehabilitation and take place in a regime which does not suffer from the conditions pertaining in the civilian prison estate at this time.

We therefore sentence you as follows: on all Charges dismissal from his Majesty's Service. On Charge 4 18 months' service detention. On each other Charge 3 months' service detention concurrent to Charge 4. I will now ask the President to formally pronounce sentence.

SENTENCE

PRESIDENT OF THE BOARD: AB Dowsett, the sentence of the Court is as follows: Dismissal from his Majesty's Service, 18 months' service detention.