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IN THE COURT MARTIAL

held at

MILITARY COURT CENTRE, CATTERICK

on the

29th day of October 2025

in the case of

REX

V

30345406 Lance Corporal Aaron Scott Mann and

[Name Redacted]

1st Battalion The Royal Irish Regiment

JUDGE ADVOCATE

Judge Legard

Assistant Judge Advocate General

SENTENCING REMARKS

This transcript relates only to Lance Corporal Aaron Scott Mann

JUDGE ADVOCATE: Lance Corporals [Name Redacted] and Mann remain seated whilst I deliver these remarks. I will tell you at the appropriate time to stand, I will then announce your sentence. Once I

have done that Madam President will formally pass the sentence and you will then be brought up by the Court Orderly to salute.

Now, you, [Name Redacted] are brought to be sentenced [Name Redacted] in [Section Redacted], and you, Lance Corporal Mann, for three separate charges, namely contravention of standing orders, loss of service property and misconduct through alcohol. To those charges, each of you has pleaded guilty at the earliest available opportunity, for which you will both receive full credit in due course.

Now, [Name Redacted] [Section Redacted]

And you, Lance Corporal Mann are 26 years of age, currently single, and also a junior NCO with the same battalion, you have almost six years' service. You have two matters on your service record, one of which is relevant to these proceedings. That's a 2021 matter concerning the consumption of alcohol in breach of standing orders, in respect of which you were fined three days' pay, but otherwise you are also a man of hitherto good character.

Before I proceed to sentence, I wish to make the following observation, and it's this, court martial is getting demoralised and fed up with the number of matters that it is having to deal with, almost all of which are related in some way to excessive alcohol consumption. It is across the three services, it is across the ranks and trades and I've said it, I will keep saying it, the chain of command needs to get a grip on this drinking culture, which is prevalent and remains prevalent across the three services because it is having and it will continue to have a significant detrimental impact upon operational effectiveness.

Now, the facts of this case can be briefly stated. On 18th December 2024, you were both deployed on operations, a highly sensitive deployment about which I will say no more. Over the course of that evening and into the early hours of the following morning, both of you consumed alcohol to the extent that you both became intoxicated. This was in clear breach of an unequivocal standing order prohibiting the consumption of alcohol on operations, an extremely important directive given the negative reputational and operational impact that drunkenness on operations can give rise to. And it is also an order that is widely promulgated across the forces, it is one which you were both only too well aware. There was simply no excuse for disobeying it. That's charge one in respect of you both.

It may be that initially you, [Name Redacted], [Section Redacted]

And having drunk yourselves into a state of intoxication, you, Lance Corporal Mann, went outside, you laid down, you subsequently left the area without your grab bag. Now, that grab bag contained the following items: a loaded nine-millimetre pistol, 30 rounds of ammunition, a personal locating beacon, two fentanyl lozenges, ops (indistinct) documentation, and you also temporarily mislaid your hand-held device, your LPHD.

Now, these items were missing for a period of some four to five hours. Their loss caused a state of serious concern, if not panic, to arise within the unit, unsurprising given what had been mislaid. The local police were contacted and a search was initiated. Now, quite fortuitously, the items, including the grab bag, were recovered and they were returned by a local civilian. Now, those are the facts which underpin charge two, which relate only to you, Lance Corporal Mann. The view of the board is that this charge represents the most serious of all the charges, and it will therefore be in respect of this charge that you, Lance Corporal Mann, will primarily fall to be sentenced.

Now, when attempting to return to camp, and when being questioned about your missing equipment, you, Lance Corporal Mann, acted aggressively, you assaulted, got into physical confrontation not only with your co-accused but the driver, Ranger Thomas. That aggression continued both inside and outside the van. On one occasion, you opened the side door whilst the vehicle was in motion. And on returning to camp, a colour sergeant arrived to restore order and also attempted to ascertain the whereabouts of the sensitive equipment that had been lost or mislaid but you ended up pushing the colour sergeant and you also became aggressive at a medical technician. Those are the facts that underpin charge three.

There are no victim impact statements as such in this case.

Lance Corporal Mann, just remain seated please for the moment. Now in determining an appropriate sentence in your case, we have also turned the Judge Advocate General's guidance in respect of each of these three separate offences. In relation to charge one, the charge of contravening standing orders, we see no reason to categorise it any differently to that in the case of your co-defendant. The same principles apply. It's an A1 offence and that provides for a start point of 12 months' imprisonment with a range of 12 months' detention to 18 months' imprisonment. Similar aggravating factors also apply.

Now, in terms of charge two, relating to the loss of your grab bag with the contents therein, as well as the hand-held device, this is, as I've already indicated in our judgement, the more serious offence.

That said, the charge is rightly brought as one of recklessness as opposed to deliberate intent. I'll just quote from the guidance in relation to this particular charge:

"Dismissal should be considered in more serious cases and will be inevitable in the most serious case of intentional damage. In all cases, the court should consider whether, if the offender is a non-commissioned officer, he should be reduced in rank."

Now, we are satisfied that your culpability falls to be assessed by reference to category B, the loss of this equipment was reckless as opposed to intentional and it clearly meets the test of recklessness as to whether significant impact in relation to operational effectiveness and security. And there are no, in our judgement, category C factors present, and we find it bizarre that the Crown elected to categorise this as a C3 offence. In any event, we remember that these are guidelines not tramlines.

And there is no doubt in our minds that this is a harm one case. The loss, even if it is temporary, of a loaded firearm and ammunition, together with classified documentation on operations, will almost in every circumstance, amount to placement within the highest category of harm. In order for an offence to fall within harm one, it does not have to result in actual damage. It is sufficient, in our view, if the risk of harm is severe and substantial.

We note that, and I quote "damage to safety equipment, causing significant risk of injury," is a category one harm factor. Well, there's no doubt that the loss of a loaded firearm in an operational theatre, together with the classified operational documentation, gives rise to a significant risk of harm. And in your pre-sentence report, you accept that the loss of a loaded side arm and ammunition in this specific operational environment would have led to, and I quote from you, "massive operational consequences if it had been found by the wrong person." You say, quote,

"I was so very lucky that it was found by the correct people, as I can't even put into words the consequences would be so severe on the British Army itself, as well as others, with how sensitive things were."

They are your words.

A category B1 placement provides for a start point of two years' imprisonment, with a range of 12 months' detention to two years. And in this particular case, we've already factored in the fact that it took place within an operational environment when determining an appropriate category. That said, the offence was aggravated by you being under the influence of alcohol at the time, indeed it was the

operative cause, and the potential for such an offence to have in terms of damaging UK reputational relationship with the host nation.

In relation to charge three, misconduct through alcohol, again I quote briefly from the guidelines:

“Abuse of alcohol can reduce efficiency, lead to further offending, bring discredit on the service. Drunkenness on active service is very serious.”

We are satisfied by reference to category A, it was intentional. In other words, a deliberate decision on your part to drink. The misconduct was committed in an operational environment, the consumption of alcohol took place whilst you were armed effectively, and it was in clear breach of a standing order. And there is no doubt in our minds that this is a harm one case, undermining operational effectiveness, and endangering the safety of others.

Now, the fact that you can remember very little about the events of that evening due to the level of your intoxication speaks for itself. Now, again, similar aggravating factors apply. We only add to that the fact that you do have that previous conviction, or service disciplinary offence, to which I have referred. And that provides for a start point of 12 months’ detention, with a range of six months’ detention to 18 months’ imprisonment.

Now, in terms of mitigation, we have listened with care to all that’s been very eloquently advanced on your behalf by Mr Lynch. Again, you have much to thank him for as well, and we’ve read with care your letter, together with some very supportive and heartfelt letters from your parents, both of whom sit in court supporting you today. We have also read a reference from your former platoon commander, Captain (indistinct).

And in your case, we’ve had particular regard to your mental health issues, and I don’t propose to rehearse those in any detail within my sentencing remarks, it is there for us to read. We’ve read a note from Dr Hardwick, consultant psychiatrist from DCMH and from Emma Pipe, a cognitive behavioural therapist. It is clear that those matters preceded the offence, may well have contributed, as Mr Lynch points out, towards you committing the offence itself.

And furthermore, we note that these proceedings have taken their toll upon you. And finally, we take account of the fact that you are shortly to be medically discharged from the Army in October, a matter which, for you, and no doubt your parents, is profoundly disappointing. And we’ve also read your most recent (indistinct). And there’s a pre-sentence report in your case, and the author describes you

as clearly remorseful, and no doubt you are, and you are noted to have essentially refrained from consuming alcohol for some significant time.

You are assessed at being at a low risk of reconviction and harm. The author of that report sets out her concerns regarding detention or imprisonment, that specifically the impact that such a disposal may have upon your fragile mental health, and recommends a community-based sentence, albeit one without any punitive elements, an alcohol abstinence monitoring requirement being a limited inconvenience given, as Mr Lynch has correctly pointed out, you've not consumed alcohol for some significant period of time.

And in light of the above, Mr Lynch urges upon us not to follow the recommendations within the pre-sentence report, but to retain you in the armed forces and to impose upon you a severe reprimand. Unfortunately, despite the eloquence of Mr Lynch's submissions, we consider such a disposal unrealistic.

Lance Corporal Mann, will you please stand? I will deal first with dismissal. As the Judge Advocate General's guidance makes it clear, in the most serious of cases, the court must consider dismissal. This in the view of the board is one of those cases and the board has concluded that these offences, considered together, and notwithstanding the mitigation in your case, are serious enough to warrant dismissal. Indeed, charge two in isolation, is clearly serious enough to warrant dismissal and you will therefore be dismissed from His Majesty's Armed Forces and reduced to the ranks.

Now, we have treated charge two as the headline offence and we have adjusted your sentence accordingly. You will receive concurrent sentences for each other offence. And having considered the matter with care, we've concluded that charge two is so serious an offence that only an immediate -- only a custodial sentence can be justified. Nevertheless, we also concluded that detention as a direct alternative to imprisonment, was the most appropriate action for you. As I've already told your co-defendant, detention is a much more benign environment than civilian imprisonment and does not carry the same stigma. But, more importantly, in your case, you will receive unparalleled rehabilitative assistance and training if you need it, but also support, particularly for any issues to do with your mental health. And when you are released, there are no licence requirements or threat of recall.

Now, when a sentence of service detention is imposed as an alternative to prison, which is happening in this case, it is generally appropriate to apply an increase to the length of the sentence of service detention to reflect the difference in regimes, whilst the extent of any increase will depend upon the circumstances of the case, an increase of more than 25 per cent is unlikely to be appropriate.

Now, our start point was 24 months imprisonment. Aggravation led us to 28 months, but taking account of the mitigation in this case, which does, in your case as well, clearly outweigh aggravation, that brought us back to 18 months' imprisonment. We decided, in your case, not to apply any increase to reflect the fact that you're being sentenced to detention as a direct alternative to imprisonment. So, with credit for your guilty plea, that is 12 months' detention. There will be concurrent sentences of eight months' detention on charge one, four months' detention on charge three. Both those sentences take full account of both the aggravating and mitigating factors and also incorporate the full credit for your guilty plea.

We also considered very carefully whether to suspend your sentence. We took full account of everything that was very eloquently advanced on your behalf by Mr Lynch. We took account of your remorse and had particular regard to your mental health issues and the supporting letters from your parents and medical practitioners. We note that you were convicted after 22nd March this year, however the new sentencing regime set out within the 2026 Act, which incorporates, amongst other things, a presumption for suspension for sentences of 12 months or less, does not apply to sentences of military detention.

So, having considered the matter with care, the board has decided, having applied the guidance on the imposition of custodial sentences, and the corresponding guidance, that we should not suspend this sentence of detention. Given the severity of this offence, or offending, appropriate punishment and the principles of detention and maintenance of discipline can only be achieved by immediate detention.

And, as I have already indicated, we have also taken account of the fact that MCTC has excellent links with DCMH and there will be continuity of treatment and supervision and support that will be arranged accordingly. And MCTC will also assist you in preparing the ground for life as a civilian. So, your total sentence is one of 12 months' detention. That is the shortest possible sentence commensurate with the seriousness of these offences and significantly less than that which we originally had in mind.

You will serve up to two-thirds of that sentence in custody before release, and that, again is subject to the possibility of further remission at the discretion of the commandant for good behaviour. When you are released, there is no period of licence, no probation requirement, no recall provisions. And in detention you will be offered any specialist support that you require. Again, it's a matter for

you how you engage when you get down there. I sincerely hope you do so with a positive frame of mind. Yes, please, Madam President.

SENTENCE

PRESIDENT OF BOARD: Lance Corporal Mann, you are sentenced to 12 months' detention at MCTC, you are reduced to the ranks and dismissed from His Majesty's Armed Forces. Court Orderly, please carry on.