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IN THE COURT MARTIAL

held at

MILITARY COURT CENTRE, CATTERICK

on the

10th day of September 2026

in the case of

REX

V

30419820 Air Trooper William Park

4 Regiment Army Air Corp

JUDGE ADVOCATE

Judge Legard

Judge Advocate General

SENTENCING REMARKS

JUDGE ADVOCATE: Air Trooper Park, you fall to be sentenced today in respect of a single offence for charge of fraud. To that Charge you have pleaded guilty at the first available opportunity, and for which you will receive full credit, in due course. You are 20 years of age; you are an Air Trooper serving with 4 Regiment Army Air Corp with over 2 years of service behind you.

You have no criminal convictions or cautions recorded against you and aside from a minor matter, an otherwise unblemished service history. You are, however, currently on a formal warning from your chain of command in respect of your overall conduct and performance. That being an administrative as opposed to disciplinary matter.

The essential facts which gave rise to the charge have been opened in commendable detail by Group Captain Blackmore. I do not propose to rehearse them in any great detail but in summary this offending involved you making fraudulent claims on JPA for motor mileage allowance, subsistence and fuel expenses over a period of approximately 4 to 5 months in 2025. It was not particularly sophisticated, and it was uncovered, this fraud, in September last year by Lieutenant French, the Regiment's Expense Auditor who noted that you had been inputting multiple claims on JPA in circumstances where there was no obvious justification for the claims. His or her suspicions were further aroused by the fact that they were often inputted to the maximum permissible value.

You made some 14 separately fraudulent claims on JPA. When Lieutenant French confronted or challenged you, you made full admissions, saying you had done so in an attempt to alleviate your indebtedness. Indebtedness that had arisen as a consequence of you making car purchases or similar.

The amount to which you defrauded the Ministry of Defence was in excess of £1,800. The whole of that sum has subsequently been recovered from you, via deductions from your pay.

We are encouraged to determine the offence category for this offence of fraud by reference to the Sentencing Council Guidelines and, in doing so, to consider whether there are any additional service factors that may affect culpability or harm.

Before I do so, I just set out a few service policy considerations that we must have regard to when sentencing for offences of dishonesty within the service jurisdiction. In doing so, I am going to quote from the Judge Advocate General's Guidance itself as follows:

“These offences should be treated as a breach of a high degree of trust or responsibility demonstrating high culpability. Service personnel have access to JPA and can claim allowances and expenses with limited checks and controls. They are trusted to deal with such claims honestly. Dismissal will be appropriate in all but the most minor cases.”

For the avoidance of doubt, the Board does not consider this to be the most minor of cases. It is also important to stress that defrauding the taxpayer is not, as some may see it, a victimless crime, far from it.

Now, turning to the Sentencing Council Guidance we are satisfied that this offence falls within category B in terms of culpability. On the basis that, although it was sustained over a significant period, and which but for the intervention and eagle eyes of Lieutenant French, would have continued unabated, it was not particularly sophisticated. Nor did it amount to an abuse of trust case.

Category A abuse of trust cases are usually reserved for those cases where the individual has specialist knowledge of and/or access to JPA and uses that knowledge or access to essentially play the system from within. This is not one of those cases.

In terms of harm, this is a category 5 offence. The start points for that category being £2,500. This is not a high or even medium victim impact case, justifying further upwards adjustment. That therefore gives a start point of a medium level community order with a range of up to 26 weeks' custody. Custody meaning imprisonment. Because of the period over which this fraud was perpetrated we have placed our start point towards the upper end of that bracket. There are no statutory or other aggravating factors that would otherwise serve to increase any sentence from that notional start point.

On the other hand, you are a man with no previous convictions for dishonesty, you are a relatively young man of positive good character. Age is an important factor; you are a young man at the beginning of what you hoped would be a career in the Armed Forces. The Board recognises that young people can and often do act spontaneously without thinking through the consequences of their actions. In further mitigation we have taken full account of everything that has been expressed on your behalf by Ms Edington. You have much to thank her for. We note, in particular, your regret, your remorse. We accept that is genuine and not simply the product of the predicament in which you find yourself.

We accept that the offending was out of character. We have read a supportive reference from Sergeant Stainthorpe. That said, whilst he describes a positive attitude, he also states that you require frequent reminders of values and standards within the department. We have also read a pre-sentence report. It is a full report, the contents of which are both helpful and self-explanatory and we are very grateful to the author for it. You are assessed as a medium risk of reconviction, a low risk of harm to

others and you appear to have decent prospects of rehabilitation. The report recommends a service community order by way of disposal in the event that you are dismissed.

Air Trooper Park, will you now please stand? Fraud is rightly considered to be a very serious offence within the context of service life where trust and discipline are essential to the maintenance of operational effectiveness. Defrauding the JPA system represents a significant breach of trust that must exist between employer and the serving soldier. In the civilian world, anyone found guilty of dishonesty, at this level, it would be termed gross misconduct on the basis that theft from one's employer, which this is, fatally undermines trust and confidence between employer and employee.

They would expect to lose their job, even if that resulted in severe financial impact. In this case, you can expect to be treated no differently. You will therefore be dismissed from His Majesty's Armed Forces.

Having considered the matter with care, we do not consider the custody threshold to have been crossed but we are of the view that this offence is sufficiently serious to warrant a sentence of detention in MCTC and we so order.

We considered whether your prospects of rehabilitation would be best met by way of a community order, or a relatively short period of detention. We unhesitatingly decided that it would be in your best interests to go to Colchester, where you will receive unparalleled assistance and support in terms of preparing yourself for life outside of the Armed Forces and for meeting the challenges that you will inevitably face in the civilian world. The appropriate sentence, taking into account our revised start point, but also the fact that mitigation outweighs aggravation, is one of 21 weeks' detention.

Taking into account your guilty plea, and giving you full credit for the same, we further reduce that to 14 weeks' detention. The appropriate punishment and the principles of deterrence and maintenance of discipline can only be achieved by your immediate detention, and we therefore do not consider it possible to suspend that sentence. We considered the factors set out in the Judge Advocate General's Guidance. Furthermore, we also consider the excellent arguably world class rehabilitative regime of MCTC to be ideally suited to offending of this nature and yourself in particular.

Your total sentence is one of 14 weeks' detention, and you will serve up to two thirds of that sentence before your release, and it is also subject to the possibility of some further remission at the discretion

of the commandant for good behaviour. When you are released, there is no period of licence, no probation requirement and no recall provisions.

There is also no order for service compensation in this case, the money having been recovered via your pay. Now, Air Trooper Park, I have no doubt that the sentence of immediate detention may come to you as a shock, invariably it does to those who are sentenced. It is up to you now, go to Colchester, it is only 9 weeks or so, take advantage please of what the staff down there can offer you. Apply yourself with the same professionalism as you have with your unit. You will get a significant amount of assistance and support. So, if you engage with them, if you maintain a positive frame of mind, give yourself time to press the reset button you will likely emerge from it, in a much better place and much better equipped to meet the challenges that lie ahead. Do you understand that?

DEFENDANT: Yes, your Honour.

JUDGE ADVOCATE: All right, Madam President, can you please pass sentence? Before you do so, could the escorts just stand, please? Yes, please, thank you.

SENTENCE

PRESIDENT OF THE BOARD: Air Trooper Park, you are sentenced to 14 weeks' detention at MCTC, and you are to be dismissed from His Majesty's Forces. Court Orderly please march out the defendant.