

**Case Summary**  
**Office of the Judge Advocate General**

**DEFENDANT:** FLTLT Langford  
**TYPE OF PROCEEDING:** Defence Force Magistrate  
**DATE OF TRIAL:** 12 Dec 22  
**VENUE:** RAAF Base Edinburgh

**Charges and plea**

	<b>Statement of Offence</b>	<b>Plea</b>
Charge 1	DFDA, s. 61(3) and Criminal Code, s.60(1) Act of Indecency without consent	Withdrawn
Charge 2	DFDA, s. 61(3) and Criminal Code, s.60(1) Act of Indecency without consent	Withdrawn
Charge 3	DFDA, s. 61(3) and Criminal Code, s.60(1) Act of Indecency without consent	Withdrawn
Charge 4	DFDA, s. 61(3) and Criminal Code, s.60(1) Act of Indecency without consent	Guilty

**Trial: Facts and legal principles**

The defendant entered a plea of guilty and was convicted of an act of indecency in touching the breast of complainant.

**Findings**

	<b>Finding</b>
Charge 1	No finding required
Charge 2	No finding required
Charge 3	No finding required
Charge 4	Guilty

**Sentencing: Facts and legal principles**

On sentence, it was concluded that the offending fell at the lower end of the scale of objective seriousness, being a fleeting grab on the outside of clothing of the wife of a FSGT. The offence had had a significant impact on the complainant. A discount for the guilty plea, along with good prospects of rehabilitation (in relation to alcohol abuse linked to PTSD) and excellent service history of 30 years mitigated the punishment that might otherwise have been imposed.

Having regard to issues of general deterrence, the need to maintain service discipline, the seriousness of the offence, and the subjective case relied upon, it was concluded that a fine and severe reprimand were the least appropriate sentence consistent with the sentencing principles

**Punishments and orders**

Charge 4	Fine of \$7,455.44 (14 days pay) to be paid in equal instalments of \$1,242.57 over six fortnights. Severe reprimand
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- *This summary is not intended to be a substitute for the reasons of the Service tribunal or to be used in any later consideration of the tribunal's reasons.*

**Outcome on automatic review**

The Reviewing Authority's decision on automatic review was handed down on 18 Jan 23.

	<b>Conviction</b>	<b>Punishments / Orders</b>
Charge 4	Upheld	Upheld

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