

Case Summary
Office of the Judge Advocate General

DEFENDANT: LS Carkeet
TYPE OF PROCEEDING: General Court Martial
DATE OF TRIAL: 18 – 19 November 2024
VENUE: Court Martial Facility, Fyshwick, ACT

Charges and plea

	Statement of Offence	Plea
Charge 1	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Guilty
Charge 2	DFDA, paragraph 55(1)(b) Making false entry in service document	Guilty
Charge 3	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 4	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 5	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 6	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 7	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 8	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 9	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 10	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 11	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 12	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 13	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 14	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 15	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 16	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 17	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 18	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 19	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn

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Charge 20	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 21	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 22	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 23	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 24	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 25	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 26	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 27	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 28	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 29	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 30	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 31	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 32	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 33	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 34	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 35	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 36	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 37	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 38	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 39	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 40	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 41	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 42	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 43	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn

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Charge 44	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 45	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 46	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 47	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 48	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 49	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 50	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 51	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 52	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 53	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 54	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 55	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 56	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 57	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 58	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 59	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 60	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 61	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 62	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 63	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 64	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 65	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 66	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 67	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn

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Charge 68	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 69	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 70	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 71	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 72	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 73	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 74	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 75	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 76	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 77	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 78	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 79	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 80	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 81	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 82	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 83	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 84	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 85	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 86	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 87	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 88	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 89	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 90	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 91	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn

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Charge 92	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 93	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 94	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 95	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 96	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 97	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 98	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 99	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 100	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 101	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 102	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 103	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 104	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 105	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 106	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 107	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 108	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 109	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 110	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 111	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 112	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 113	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 114	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 115	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn

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Charge 116	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 117	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 118	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 119	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 120	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 121	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 122	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 123	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 124	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 125	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 126	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 127	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 128	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 129	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 130	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 131	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 132	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 133	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 134	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 135	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 136	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 137	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 138	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 139	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn

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Charge 140	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 141	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 142	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 143	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 144	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 145	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 146	DFDA, paragraph 55(1)(b) Making false entry in service document	Withdrawn
Charge 147	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 148	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 149	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 150	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 151	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 152	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 153	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 154	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 155	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 156	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 157	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 158	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 159	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 160	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Withdrawn
Charge 161 amended to Charge 3	DFDA, s. 47Q Unauthorised use of Commonwealth credit card	Guilty
Charge 162 amended to Charge 4	DFDA, s. 47C Theft	Guilty

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Pre-Trial: Closed hearing and non-publication orders

Application made:	No.
Determination:	Not Applicable.

Trial: Facts and legal principles

The offender was originally charged with 162 separate offences the majority of which were constituted by individual transactions that he was alleged to have effected using a Commonwealth credit card and his making of false entries in the Card Management System (CMS). At the commencement of the General Court Martial, the Prosecuting Officer made application to amend Charges 1, 2, 161 and 162 and to withdraw Charges 3-160. With the consent of the Defending Officer, the Judge Advocate allowed the application. The effect of the amendments was to roll up the allegations that constituted Charges 3-160 so that those allegations formed part of Charges 1, 2 and 161 and for Charges 161 and 162 to be renumbered as Charges 3 and 4. The offender entered pleas of guilty to four amended charges.

Nil, as the case proceeded by way of guilty pleas.

Findings

	Finding
Charge 1	Guilty
Charge 2	Guilty
Charge 3	Guilty
Charge 4	Guilty

Sentencing: Facts and legal principles

During the period 25 July 2022 – 6 May 2023, the offender used a Defence Purchasing Card (DPC) and a fuel card on a total of 76 occasions without authorisation. Charge 1 involved the offender making 61 transactions to a value of \$39,584.33 using his DPC to pay for rent, pet expenses, electronic goods, furniture, car modifications, cleaning, internet services as well as other purchases. Charge 2 involved the offender making false entries in the CMS when acquitting those transactions. Charge 3 involved the offender on 15 separate occasions between 07 December 2022 and 07 May 2023 using a fuel card to obtain diesel from BP Australia without authorisation totalling \$1,891.57. Charge 4 involved the offender stealing the fuel card.

In respect of all charges, the Prosecuting Officer submitted that the offender's behaviour was deliberate, long running, motivated by greed and involved an egregious breach of trust. The majority of the purchases were for discretionary items and he compounded his offending by attempting to cover his tracks by falsifying entries when acquitting the transactions on the CMS.

It was conceded by the Defending Officer that the offender's behaviour was objectively serious, that it occurred over a significant period, it involved a breach of trust and was motivated by personal gain. Emphasis was placed on the psychological report and the opinions expressed therein, the early pleas of guilty, remorse and favourable character references. It was conceded that all punishments were available to the panel, including civilian imprisonment.

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By imposing the respective punishments, the court martial panel concluded that they were the minimum required to satisfy the principles of general deterrence and need to maintain discipline and good order in the Defence Force.

Punishments and orders

Charge 1	Sentenced to imprisonment for 6 months. Order a non-parole period of 2 months. To be dismissed from the Defence Force. Reparation to the Commonwealth of Australia in the sum of \$39584.33.
Charge 2	To be reduced to the rank SMN with seniority in that rank to date from 19 November 2024. To be dismissed from the Defence Force.
Charge 3	To be reduced to the rank SMN with seniority in that rank to date from 19 November 2024. To be dismissed from the Defence Force. Reparation to the Commonwealth of Australia in the sum of \$1891.57.
Charge 4	Sentenced to imprisonment for 6 months. Order a non-parole period of 2 months. To be dismissed from the Defence Force. The court orders that the sentences of imprisonment imposed in connection with the first and fourth counts are to be served concurrently.

Outcome on automatic review

The Reviewing Authority's decision on automatic review was handed down on 06 December 2024.

	Conviction	Punishments / Orders
Charge 1	Upheld	Upheld
Charge 2	Upheld	Upheld
Charge 3	Upheld	Upheld
Charge 4	Upheld	Upheld

Outcome on petition

The Reviewing Authority's decision on petition was handed down on 11 December 2024.

	Conviction	Punishments / Orders
Charge 1	Upheld	Upheld
Charge 2	Upheld	Upheld
Charge 3	Upheld	Upheld
Charge 4	Upheld	Upheld

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