



Judiciary of England and Wales

Rex

-v-

Daniel Khalife

Sentencing Remarks

Preliminaries. I make an order for forfeiture of the items of property on the list provided to the Court and agreed by the parties. I also made an order for you to pay £10,000 which will be a small contribution to the costs of the prosecution. This is the figure that appears reasonable to me, it is about two thirds of the money found in your possession, after the sum you must pay towards the costs of your defence is deducted. I make this order on the basis that you undertake not to pursue any reduction in the legal aid contribution you are required to pay. These orders are both capable of satisfaction from what is already held by the prosecuting authorities.

1. Daniel Khalife on 28 November 2024 the jury convicted you of committing an act prejudicial to the safety or interests of the state, contrary to s.1(1)(c) of the Official Secrets Act 1911 and eliciting information about members of the armed forces, contrary to s.58A of the Terrorism Act 2000. At the end of your evidence in chief you pleaded guilty to escaping from lawful custody and the jury returned that verdict. It is time for me to sentence you.
2. I have read the pre-sentence report. I've also re-read the psychological report obtained by your lawyers before the trial. Mr Heywood KC and Mr Hussain KC have provided written submissions to assist the court. I have listened to the speeches made this morning and considered them carefully.
3. When you joined the British army in September 2018, you were two weeks short of your 17th birthday. Anyone who shows willingness to serve their country and take on the discipline of military training is to be admired. To do so at a young age, as you did, is an impressive act of commitment. The oath you took bound you comply with the Official Secrets Act and to put the interests of the United Kingdom first.
4. What a shame then, that starting in May 2019, shortly after you had completed your basic training and joined the Royal Corps of Signals, a specialist communications unit, you spent more than two years in contact with agents of Iran, a country whose interests do not align with and at times threaten, those of the United Kingdom. The

offence contrary to the Official Secrets Act 1911 carries a maximum term of imprisonment of 14 years.

5. By the time you initiated this relationship you had been vetted and cleared to have access to sensitive security information, at 'SC', or security check level. You had a MODNet account. MODNet is the Ministry of Defence's intranet, with what was called 'a sea of sensitive material' available on it. You had access to the primary communications platform for the MOD, Defence Connect too. You were inducted in the handling of sensitive information, as all soldiers are. Your training included the Government Security Classifications Policy which sets out clearly the legal requirements and obligations of those who have access to secure information at Official, Secret or Top-Secret level. This is underpinned by the important principle that access to secure information is only granted, and should only be taken up, on a genuine 'need to know' basis. The duty of confidentiality you owed would have been drilled into you and yet, you passed information you had gathered to those agents of an enemy state; you allowed them to know your personal details and movements, including when you were deployed to an international training operation in the United States of America, you travelled to Istanbul to meet with them and on two occasions you received payment for your services. I have no doubt that you used the fact that your mother is Iranian to demonstrate you were making a genuine offer of help. Deterring others from similar behaviour must be the primary aim of sentence in this case.
6. This began early in your year of training for the Royal Corps of Signals when you found the details of Hamid Gashgavi who had been sanctioned by the United States of America for supporting intelligence and cyber targeting of the US by Iran. Gashgavi was able to connect you to the Islamic Revolutionary Guards Corps, a branch of the Iranian armed forces with its own intelligence service. Through them you communicated with an English-speaking handler who took the information you provided and responded with the views of those more senior to him. Most of this contact took place on a cloud based encrypted messaging applications, Telegram and WhatsApp.
7. In August 2019, a couple of weeks after you received the first payment of £1,500 which was left for you at a rendezvous in Mill Hill Park, Barnet, when you were almost 18 years old, you sent an email to the contact address on the website of MI6, the United Kingdom's Secret Intelligence Service. That email was anonymous. You sent it from a made-up email address. It said that the writer had been contacted five months earlier in relation to providing the Iranian government with information. To obtain their trust the writer had made a fake document and after a week they had paid him \$2000 at a drop off point in Barnet. It ended "*The reason I agreed to do this is because I want to work as a double agent for the Security Service.*" There was no response to the fictitious e-mail address and if you think about it sensibly, that is not at all surprising. The security services must receive many nuisance emails and there was nothing in what you had written to indicate that you were any kind of security risk to the United Kingdom or that you had access to secure information. Still less, was such a message likely to interest those who are charged with responsibility for espionage in the interests of this country.

8. You tried again in October 2019. Using a different anonymous and fictitious e-mail address you repeated the lie that you had been contacted by someone in Iran. You said that they knew your job and thought that you had access to information that would be valuable to them, although you claimed that wasn't true. Again, you expressed a desire to be a double agent for the United Kingdom security services. Again MI6 ignored this email.
9. After you were arrested on 6 January 2022, you told the police that having joined the army you hated the initial training. Your ambition was to work in military intelligence, or an elite signals unit attached to special forces. But when you got to the Royal Corps of Signals your commanding officer told you that you were unlikely ever to achieve the higher Developed Vetting (DV) clearance required for such posting because of your ancestry. On being given this news, you said, you decided to try to establish a credible relationship with Iranian security officers which you could then use as a route into security clearance and work in British intelligence.
10. On 2 March 2020 you completed your signals training and were posted to the 16 Signal Regiment, 230 Squadron, Beacon Barracks in Stafford. If what you told the police was indeed your motivation, then the fact that you received no response from MI6 should have been a sign that you had failed in that endeavour. The honourable option was to knuckle down, prove your worth and seek a meaningful career. You were young, resourceful and had some early success in impressing your commanding officer, who was of course, unaware of your clandestine activities. But rather than ceasing contact with enemy agents, you persisted. Indeed, in one conversation of which you kept a screenshot, you said that you were prepared to stay in the military for 25 years or more to do what Iran asked.
11. The investigation has uncovered only limited records of the communications you were engaged in, and it is not possible to know for certain details of everything you provided to your handlers, to maintain their interest in you. The court must reach conclusions based on the evidence, drawing inferences where justified but not speculating.
12. You were prepared to travel to meet Iranian agents although, no doubt with a concern for self-preservation, you resisted suggestions of travel to Iran itself. In August 2020 when you were coming up to 19 years old, you flew to Istanbul supposedly on holiday, but actually to meet them. Later that month, when you were speaking to one of your contacts you indicated that you had left a package for them in Turkey. You have never described what it contained but when they were later analysed your digital devices did indicate the nature of at least some of the material you were collecting. You were working on the United Kingdom's tactical trunk (all channels) communication system for over land use, called Falcon. It has a high capacity and can enable voice, data and video information to be encrypted, transmitted and shared securely. Plainly, it is valuable and must be kept secure. You recorded a great deal of information concerning the operation of the Falcon system including taking photographs of open screens in secure areas showing information marked SECRET which related to iterations of the system and even a password record sheet, as well as details of sensitive IP addresses. Internet Protocol addresses are unique and identify a device on the Internet or on a local network. These included addresses in bands that related to UK SECRET, COALITION SECRET and UK RESTRICTED categories.

You took photographs of selex sentinel handsets used by the army. These were taken while they were connected to a UK SECRET network and in a location where you were not permitted to take the photographs.

13. You continued recording and collecting this sort of information in the spring of 2021 when you were deployed to a multi-national training exercise in Texas and achieved NATO SECRET clearance which is the second highest level of security clearance in that organisation. You were also in contact with the Iranians at that time and again, photographing screens clearly marked SECRET. You told the police later, that following your return from the United States your Iranian handler was in touch on an almost weekly basis. In evidence you said you made all these notes and photographic records because you found it helped with the work you were doing, learning how to operate the Falcon system, and you believed you were permitted to do it for your own education. This may well have been part of the reason, and it was certainly a plausible excuse, but I am sure that you sent some of what you recorded about Falcon and in the course of your work, to your handlers.
14. There is evidence that you had asked one of the agents handling you what information he was interested in, for example which regiment or sector and you told him you had access to a Defence Gateway screen to identify personnel. It was in August 2021 when you were nearly 20 years old that you collected the personal details of fifteen soldiers. You had been sent an excel spreadsheet in a work chat group on 1 June. It listed the names of those to be promoted from Corporal to Sergeant in the British Army for the year 2021 to 2022. It included special forces soldiers, but not their full names. By the time your mobile telephone was examined the spreadsheet had been deleted but on 2 August 2021 you extracted the details of 15 of the soldiers and compiled a handwritten list with their service number, rank, initials, surname and unit. Notably, you selected UK special forces soldiers only, including members of the elite SAS (Special Air Service).
15. Later that day you used a pool computer to log onto the Ministry of Defence HR platform, the Joint Personnel Administration System (JPA) as if you were booking leave for yourself. By exploiting a security flaw which allowed you to search for details of seven of the fifteen soldiers you had selected, you took screenshots which included their full names. This information was SECRET. Those promoted to Sergeant typically have 10 years' service. Special Forces soldiers have experience in other units and may attempt to qualify many times with few succeeding. The promotion to Sergeant is a significant achievement, they were described in the trial as the backbone the NCO cadre in the British army.
16. You said you did this to demonstrate there was a security gap, a flaw in the JPA System. You could have done that with one screenshot, or even by simply telling someone that you suspected its existence. The handwritten list was in a folder containing printed out copies of other material you admit having sent to the Iranians and you knew they were interested in the access you had to personnel details and so I am driven firmly to the conclusion that making of that list and obtaining of the screenshots was also to send to the Iranians. Whether or not you did send it, that means this was a very serious example of the offence under s.58A Terrorism Act 2000 for which the maximum sentence is 15 years imprisonment.

17. In October 2021 you collected a second payment of £1,000 cash, left for you in a cemetery in London. Then, in November, you used an unregistered mobile phone to make two anonymous phone calls to The Security Service, MI5. They were recorded. In the first you volunteered that you had been in contact with Iran's secret services for over 2 years having been approached through social media asking if you could spy for them. You claimed that you gave them some secret looking documents obtained from Wikileaks for which they paid you, twice. You said you'd like to help the United Kingdom's security services by maintaining the relationship. Attempts were made by the security services to call you on the unregistered phone, unsuccessfully. Following the second call, in which you said your relationship with Iranian agents had been only for a year but now you wanted an end to it and you were concerned about your job (without specifying that you were a British soldier), the police identified you as the user of the phone and you were arrested on 6 January 2022. In between your two calls to MI5, you were making internet searches for flights to Tehran via third countries and the day before your second call to MI5 you made a recording in which you discussed detailed travel plans to Iran via Lebanon and the opportunity to receive some training for the activities you were engaged in. You continued to ask what specific information Iran was interested in.
18. In November 2021 you created a document called "Nazanin Zaghari-Ratcliffe Intelligence options" on a USB stick, which was also recovered from your room. This set out to be a high-level government position statement. You said that it was incomplete and had not been sent. I am unable to be sure that it was sent. You agreed that if sent, it could have been seriously detrimental to the efforts then being made to secure the release of a British citizen.
19. That same month you had a conversation with your Iranian handlers in which they said they wanted to see you reach the top levels of your job. You said you were one of the top soldiers in your unit, you worked harder than anyone else and had been promoted. You added, "*I am more intelligent than everyone here. I will promote very easily*". The limits of your claimed intelligence are apparent from your own evidence to the jury in which you boasted, speaking of a repressive Islamist regime and a nuclear power, that you were the one in charge of your relationship with the Iranian agents and "*they were not very advanced.*".
20. Because of the clandestine nature of most of your communications, and the self-selected, limited records you kept for your own purposes, the investigation was able to recover only some deleted communications, and other scrambled and partial digital traces, sometimes called artefacts. The court has an incomplete picture. In my judgment you knew that when your activities were discovered, either because you succeeded in gaining the attention of the British security services, or because you were caught, you would have to provide an account of what you had disclosed. That was why you kept screenshots of some chat exchanges with the Iranian agents, and you retained versions and copies of 17 documents on a USB stick and 14 of them in hard copy found in your barracks room after you were arrested. These documents were designed to give the appearance of intelligence material accessed through your work, some of which you had falsely marked TOP SECRET or SECRET, but which were either completely fake, or otherwise an amalgamation of open sources. As I have

said I am sure that was not a complete record of what you sent and you did not give a truthful account in evidence.

21. For example, a photograph of the Selex Sentinel telephone handsets which you certainly did send was not kept in the folder or on the USB but the fact that it was sent emerges (albeit probably inadvertently) from a small image of it, and the associated discussion, in one of the chats you chose to take a screenshot of. However, a hard copy of the handwritten list of fifteen special forces soldiers who had achieved promotion was in the folder, although in evidence you denied sending it or the seven screenshots from the JPA to Iran.
22. Nor did the folder and USB stick contain other material you certainly sent, which cements my conclusion that the printed material in the folder was to show a very limited range of what you had sent your handlers. On 3 December 2021, you made records of information referring to the Falcon system and doctrine publications relating to United Kingdom intelligence. While you were on leave over the Christmas holidays you had contact with your Iranian handlers, records of which you deleted. Two days later you said that you had “big” documents to send and on 30 December you sent three large documents which were kept on the Ministry of Defence’s secure portal to which you had access due to your security clearance. It is not necessary to describe the detail of these notes, but you had made two of them look more significant than they were by marking them as SECRET rather than their original designation as OFFICIAL. You later told the jury at your trial that you didn't remember how you got these documents, but that it was from the open internet. I am sure that was untrue and the investigation found computer records indicating that you accessed the three doctrine notes via the Defence Gateway. You said you didn’t even read the detail of these documents before you sent them.
23. During the course of 2022 you were on police bail as the investigation was carried out. You remained contact with your Iranian handler in May 2022 And you travelled to the Iranian embassy in July. The evidence of your notes and activities at this time indicate that you were hoping to obtain some sort of identity or travel document from the embassy. You were told towards the end of the year that the Crown Prosecution Service was considering charges. Sometime before 2 January 2023 you went absent without leave from your post, spending nearly four weeks living in a van stolen from the army in November 2022, and parked not far from the base. You left a letter in your room stating that the police had more evidence than originally expected, charges were anticipated, and you said, “*the UAD is known to the police they can see messages about stolen crypto also with a time stamp of when it occurred...they know I sent documents...Your options are suicide or absconding.*” The letter also refers to a timeframe for use of a passport, awaiting instructions, and how once you were in Iran you could manage life again and travel to interesting places freely. The reference to stolen ‘crypto’ is significant because in 2020, while in conversation with an Iranian agent, you referred to having a stolen piece of crypto taken from another team. This topic is another example of where the investigation has uncovered evidence indicating that the material you gave to the Iranians includes that which you gathered during your working life as a young soldier with privileged access to military locations, hardware and processes.

24. The investigation established that on 30 June 2020 at an early stage of your posting with 16 Signal Regiment the army was informed that a plug-in piece of equipment described as a crypto USB was missing from the squadron. It is capable of holding digital data and is part of the encryption system which ensures that only those for whom communications are meant can read them. The report was investigated, the crypto USB had last been physically checked just before the COVID lockdown on the 12 March 2020, you were at the regiment from 2 March 2020. Full lockdown was announced on 23 March and the USB was not checked again until the 30 June when it was found to be missing. It had been lost while in the possession of another team, not yours, this is consistent with what you said to your handler about it. The loss was investigated by the Royal Military Police, but it was never found. The USB on its own was of no practical use without other information or access, in particular a password sheet with relevant passwords and a hard drive disc which would also need to be put into a relevant terminal or other device to access the system that controls communications. That terminal is known as a user access device, UAD. The system in which it was deployed was described as a deployable communication system that can be used in the Falcon set up when it goes out into the field.
25. You were arrested in January 2023, charged and remanded into custody. You escaped from Wandsworth Prison on 6 September 2023 having been escorted to work in the kitchen. You climbed under a food delivery lorry to which you had previously attached a makeshift sling made of bed sheets and metal carabiner clips. You were arrested three days later. In the meantime, you obtained cash from a third party, you purchased a mobile phone and the day before your arrest you did an internet search 'can a phone be tracked from IMEI?' and then sent a message to an Iranian identity stating, "I wait." The maximum sentence for the offence of escape is life imprisonment.
26. I must analyse the seriousness of your offending and determine your culpability, that is the degree to which you bear responsibility for your conduct, and I must also assess the harm that you caused, intended to cause, or might foreseeably have caused: s.63 Sentencing Act 2020. There is no specific Sentencing Council Guideline that applies to any of the offences in this case.
27. Culpability - In my judgment you did not start out deliberately with an intention to harm the interests of the United Kingdom. You embarked on the course of conduct I have described because of a selfish desire to 'show off', to achieve by unregulated means what you were told would be difficult for you to achieve by conventional promotion. The mere fact that you started on this dangerous and fantastical plan demonstrates your immaturity and lack of wisdom. That you thought it appropriate to consider inserting yourself, an unauthorised, unqualified and uninformed junior soldier into communication with an enemy state is perhaps the clearest indication of the degree of folly in your failure to understand, at the most obvious level, the risk you posed. The exacting programmes and structures in place for selection to special service and intelligence posts are there for good reason. You put yourself into danger too because if you had not been caught and dismissed from the army, you would have been a blackmail risk for the entirety of your career.

28. However, the greater mischief in your offending is that having failed to engage any response from the intelligence services of the United Kingdom you continued betraying your country, and exposed others to the possibility of harm.
29. The full extent of actual and potential harm in your case is unascertainable. The expert evidence was that the two doctrine notes not openly available, were of some real use to an enemy. The crypto key would provide one piece in a jigsaw and was indirectly valuable in assessing the capabilities of His Majesty's forces.
30. The details of special services personnel are undoubtedly valuable and giving them to an enemy state would have very substantially increased the risk to them and to their operational effectiveness. I cannot be sure that you did pass them to your handlers, but I am sure that you did obtain them for that reason. As Major A told the jury there is an operational security risk if they are deployed out on operation because a real name could provide a beneficial start point to any hostile state or terrorist hostile adversaries, also to anyone wanting to 'out' people working in the kinds of environments that the special units are deployed in. Individuals in those roles are taught good security practises from the start of their careers to protect their personal data because once it is compromised their whole career could be lost because the army cannot use them if their data is out in the public domain. In terms of their role's contribution to national security these units are very important and the operations they are expected to be deployed on are of paramount significance. In her own experience as an intelligence officer, it is extremely hard to get a start point. Being given a lead such as an authentic name helps work out how information pieces together, what information is relevant or is not relevant. There was a serious risk to those individuals if the information you obtained was shared to an enemy state but there was also a risk that if the fact that an individual is in such a position became publicly known, that would end their careers in the elite unit they had striven to join
31. Furthermore, the fact that a serving British soldier was in covert contact with Iran provided that state with the potential for blackmail material in the future. I also accept the prosecution's submission that a British soldier being in contact with Iranians while on American soil during a large multi-force joint exercise has the potential for diplomatic harm to the United Kingdom's relationship with its allies. I conclude that the level of harm in your case is of a moderate to high degree, rather than minimal or the most grave.
32. These are the aggravating features I find present.
 - a. You initiated contact directly with an enemy state while serving as a member of His Majesty's armed forces having taken an oath of allegiance.
 - b. You were motivated by a personal grievance to betray your colleagues and superiors.
 - c. Your conduct was pre-meditated and continued for over two years.
 - d. You were aware that the Iranians had technology which could access your mobile phone and track where you (and by direct inference, your colleagues) were serving.
 - e. Although it may be that some of your early material was bogus and of no direct importance, you did not stop when you realised the domestic security services were not going to respond to your overtures.

- f. You took payment on two occasions and travelled to meet intelligence officers from Iran in Turkey.
 - g. You handed over genuine military information which was at OFFICIAL classification including the doctrine notes.
 - h. You continued in contact with your handlers even after arrest when you were released on police bail while under investigation; and
 - i. In respect of count 2 the information you elicited from the JPA information about members of His Majesty's armed forces is at SECRET classification. They were members of the protected population in highly sensitive roles, so the details of those particular soldiers would not be potentially merely useful, but highly valuable to a terrorist. I also have regard to the context in which you did this particular piece of information gathering.
33. In respect of your escape from the category B Wandsworth Prison, I do not accept that there was any significant compulsion from circumstances in prison putting pressure on you to escape. These matters were thoroughly investigated when you sought, before trial and later declined to pursue, any positive defence such as that you were forced to escape because you felt under personal threat. Where you should be located once on trial and after a conviction is a matter for the prison authorities and I do not accept that you were in fear of attack. The truth is you did it because you thought you could. You later boasted that as a soldier you were trained to escape. You were facing trial on very grave charges to which you had no real defence. You also abused the trust placed in you when working in the kitchen. The fact that you seem to have been in touch with an Iranian contact during your period at large is an aggravating feature, as is the degree of planning involved. You told the jury you put the sling in place under the lorry at least a week before you escaped. It is also clear that you had some assistance, at least one person met you and provided you with £400 cash. You did not surrender yourself. Features relevant to an assessment of the harm this offence caused include the very large manhunt that resulted because of the serious underlying offences you were charged with. This involved hundreds of police officers called away from other duties at an estimated cost of £250,000 in overtime and further costs to the Border Force. This was an unusual and grave situation given you were charged with offences under the Terrorism Act and the Official Secrets Act and there was significant public concern that someone of your category had escaped. The anxiety caused to thousands of members of the public who were in the local area added to the trouble caused to whose travel was disrupted has also to be taken account of. Contrary to your claim to the jury, I do not accept that you had planned to hand yourself in. On the other hand, you were captured after a relatively short period, and you did not use any violence in your escape.
34. As to mitigation Mr Hussain has stressed your age, both at the time of the offending and now. It is well understood today that the developmental process of the human brain continues into the third decade of life and, in general, does not reach maturity until the mid-20s. This means I am dealing with someone who, for all your bravado and superficial capability, is still a little distance from full adulthood. Dr Wood found no evidence of any neurodevelopmental disorder. He assessed you as someone who feels a strong need to impress. He diagnosed narcissistic and antisocial personality disorders. Taking these in turn, they indicate a sense of entitlement, expectation of

special treatment without assuming reciprocal responsibility, and someone who is untrustworthy and unreliable. You experienced some adversities in childhood including a lack of support from your violent and absent Lebanese father, and difficulties in your relationship with your mother, who you felt favoured your sister. You attended mainstream school and achieved 10 GCSEs. You are an attention seeker, and you enjoyed the notoriety you attracted following your escape from prison. In that context you told Dr Wood you didn't ever want to be just a number, with no one looking at you.

35. I have considered the Sentencing offenders with mental disorders, developmental disorder or neurological impairments Guideline but do not find that your culpability is reduced to any degree relevant to sentence by your personality disorders which, by their nature, are within your ability to control. The disappointment you may have felt after your ambition to join an intelligence unit was discouraged was no justification for jeopardising national security and breaching the absolute prohibition on unauthorised contact by a member of the military with an enemy state such as Iran. You had received some plaudits early in your career winning best junior soldier in December 2020, but this was insufficient attention for your personality.
36. I accept that at the start you may have been deceiving the Iranians, but you will soon have realised this was insufficient to keep their interest. I accept you were not motivated by financial greed.
37. I have in mind the purposes of sentence as set out in s.57 Sentencing Act 2020. The authorities cited by the prosecution make plain the aims of sentence in such rare cases as this one are threefold: punishment, deterrence and safeguarding; R v Blake (1961) 45 Cr App R 292.
38. As I have said, I reject the submission that you were anxious for your safety at HMP Wandsworth. Dr Wood concluded that you were not able to tolerate being an 'invisible' man in that setting and so acted to ensure you were noticed. Sending a message to an Iranian contact and remaining in the West London area until you were apprehended indicates some kind of plan was in place, or at the very least, even then, you hoped for some response from your handlers. Whatever you had hoped would happen was frustrated by your arrest following a widespread and intensive police operation. Your offence does not fall cleanly into either of the two categories of escapes considered in the authorities, as I have found you were not under personal pressure to escape nor were you assisted by outside associates to make an escape.
39. To the author of the pre-sentence report you expressed regret and remorse while not giving any further details of what you had shared with the Iranians. You insisted that throughout you had no nefarious intent. The officer formed the view that with greater maturity you are developing a more critical account of your behaviour. One of the things you regretted was the degree of public concern as reflected in the media after your escape, this indicates of course that you had little understanding of the impact on others of your conduct at the time. You must continue to work on developing self-awareness now you have lost the career you were showing some promise for.
40. You are to be sentenced as an adult, having been convicted at the age of 23 and although your offending began when you were 17 you persisted in it for a considerable period. That said, an older man committing the offences you have been found guilty of would face a noticeably longer sentence. Your previous offending

history is minimal, you were involved in incidents of shop-lifting aged 15 and fare evasion aged 20.

41. On count 2 I must pass a special sentence for an offender of particular concern pursuant to s.278 of the Sentencing Act 2020.
42. Stand up Daniel Khalife, when you joined the army as a young man, you had the makings of an exemplary soldier. However, through the repeated violation of your oath of service you showed yourself to be, instead, a dangerous fool.
43. The only sentence open to me is one of immediate custody. Anyone who is prepared to betray his country and subject serving soldiers to increased risk of harm must be punished.
44. In respect of deterrence the court observes that advances in gathering and storing information, means that those, like you, in relatively junior positions often have access to a precious and substantial repository of sensitive material which could endanger the security of the State. Alongside, the ability of individuals to communicate across borders via encrypted and auto-deleting social media platforms provide the means to rapidly pass on sensitive material, in breach of trust, without obvious physical risk to themselves. Preventing, detecting and exposing such conduct is difficult: the armed forces operate on trust which it is the responsibility of each soldier to honour. This is why when, rarely, breaches such as in this case are found, weighty punishment must follow.
45. I must reflect a series of disclosures within the ambit of a single offence contrary to s.1 Official Secrets Act 1911, each of which could have been charged separately, attracting consecutive sentences. Similarly for count 2, obtaining the full name of one special forces soldier would have been an offence, and you obtained seven. Consecutive sentences are justified because the list of protected personnel is, in my judgment, the most significant material you specially accessed for the purpose of sending to Iran. Had you begun your two-year relationship with an enemy state aged 18, my starting point after trial on count 1 would have been 8 years and on count 2, 7 years consecutive. I reduce those terms for your age and the circumstances I have described at the start. The sentence for escape must also be a consecutive sentence.
46. I make some reduction for totality, which means that I have looked at the total sentence I impose to ensure that the individual components are adjusted to produce a fair and proportionate term overall.
47. For committing an act prejudicial to the safety or interests of the state, the sentence is 6 years imprisonment.
48. For eliciting information about members of the armed forces, the sentence is 6 years consecutive, consisting of a custodial term of five years and a further period of one year when you will be subject to licence.
49. For escape the sentence is 2 years 3 months imprisonment consecutive. A discount of approximately 5% has been made for the late admission to that offence.
50. You are subject to the Notification requirements in Part 4 of the Counter-Terrorism Act 2008 for fifteen years. I impose the surcharge.
51. It is a matter for the prison authorities but the various statutory regimes regulating early release mean the sentences will be served in order, as follows. First you will serve half of the sentence the Official Secrets Act offence, then you will serve 40% of the sentence for escape. Finally, you will serve two thirds of the custodial term for the

Terrorism Act offence before your case will be referred to the Parole Board for consideration of whether you should be released before the expiry of the total of the custodial terms.

52. The total sentence is 14 years 3 months.