IN THE CROWN COURT AT SOUTHWARK **T20240041/ 841F4933613**

REX

-v-

DAVID GREENHALGH
&
CHRISTOS FARMAKIS **(in absence)**

SENTENCING REMARKS
23 September 2026

Ancillary Orders

Agreed POCA timetable - No financial orders pending confiscation

Counts 5, 6, 7 and 16 on original indictment [B2] to be left to lie on the file on the usual terms

Introduction

1. The defendants fall to be sentenced for multiple offences contrary to Articles 20(2) and 22(2) of the Export Control Order 2008. The jury returned guilty verdicts on 11 June 2026 and sentence was adjourned.

2. Mr Farmakis was unrepresented at trial and tried in his absence. He has neither attended nor arranged representation for today. Correspondence to his last known address in Greece has been returned, and a warrant has been issued for his arrest.

3. Having regard to CrimPR 25.2(1)(c) and section 226(2), (7) and (8) of the Sentencing Act 2020, I am satisfied that it is appropriate to sentence Mr Farmakis in his absence and whilst unrepresented. At an earlier stage of these proceedings he was represented by Mr Brunskill. The correspondence before the Court demonstrates that he was aware of his entitlement to apply for legal aid, had the opportunity to do so, and either declined or failed to make an application.

4. I am grateful to the prosecution and counsel for Mr Greenhalgh for their helpful sentencing notes.

The Export Control Order 2008

5. The Export Control Order 2008 [the 'Order'] consolidated a number of previous orders made pursuant to the Export Control Act 2002. It came into force on 6 April 2009 and (subject to some subsequent amendments) remains in force. The Order provides the framework through which the United Kingdom controls trade in strategic military goods and fulfils its international obligations in controlling the proliferation of weapons.

6. Part 4 of the Order controls trafficking and brokering activity undertaken outside the United Kingdom. It applies both to UK nationals wherever they may be and to non-UK nationals conducting arms-trading activity from within the United Kingdom. Control is exercised by the imposition of different restrictions to different categories of goods, and a licence regime for those who trade legitimately in controlled goods. A three category structure from Category A to C reflects the sensitivity of the goods, the strictest controls applying to Category A. In the index case each count on the indictment concerned Category B goods or related to an embargoed destination, in which case the categorisation of the goods is immaterial.

7. Being knowingly concerned in prohibited activity with intent to evade the relevant prohibition is a criminal offence carrying a maximum sentence of 10 years imprisonment.

Sentencing Guidance

8. There are no offence specific sentencing Guidelines, nor any that can properly be regarded as analogous. The Court has been supplied with a table of sentences in previous similar cases, but I accept the defence submission that absent a published Court of Appeal judgement or any detail of the facts this should be treated with caution.

9. I have considered all of the reported cases provided to me. As the Court observed in *R v Hyde (Gary)* [2014] EWCA Crim 713 "Every case in this area is, to some extent, unique" [§28].

10. In *R v John Knight* [2008] EWCA Crim 478 the Court of Appeal identified a number of factors relevant to the length of sentence. These included the nature of the weapon, the quantities and values involved, the nature of the intended customer, the level of involvement of the particular defendant, the degree of planning by the defendant, his level of involvement, and his degree of knowledge and status. The Court went on to observe that in a case such as this, previous good character would count for relatively little, anything other than a significant term of imprisonment would be rare, and a deterrent element was appropriate [§§ 26-27].

11. In *R v Summerskill (Gary)* [2014] EWCA Crim 2173 the Court endorsed the approach in *Knight* and emphasised that prohibitions must be enforced with the utmost rigour and exemplary and deterrent sentences passed on those who set about a deceptive course of conduct [§30].

12. Having considered the factors identified in Knight, I am satisfied that the culpability of both defendants is at the highest level. Their offending was deliberate, sophisticated, financially motivated and persisted over many years despite warnings as to the applicability of the United Kingdom licensing regime.

13. Although the Court can only be sure that goods were supplied in Count 1, the assessment of harm is not confined to harm actually done but also by reference to the harm risked or intended, and the financial gain intended to the offender. These offences involved substantial quantities of military equipment, frequently destined for embargoed states, and offered the prospect of very substantial financial rewards. On this basis I find the overall harm occasioned by each defendant is high.

14. On Count 1 alone a starting point close to the maximum sentence is appropriate.

Facts

15. I do not propose to rehearse the evidence relating to every Count of the indictment. The facts were dealt with in detail at trial and have been summarised today for the purposes of sentence. Instead, I shall focus upon the features most relevant to sentence and the overall nature of the offending.

16. Between 2009 and 2016 the two of you operated as international arms brokers; Mr Greenhalgh, a UK national, conducted much of his activity from Uganda. Mr Farmakis, a Greek national, operated principally from London. At times you acted together and at other times independently. Taken as a whole, however, the evidence established a longstanding and mutually beneficial criminal enterprise.

17. The controlled goods in which you dealt included surface-to-air missile systems and radar equipment, combat aircraft and compatible armaments, AK-47 type rifles, machine guns, pistols and ammunition, missiles and launch systems, and battle tanks. Invariably the goods were sourced in Eastern Europe and intended for onward supply to third countries, including the then embargoed destinations of Sudan, South Sudan and Libya.

18. Count 1, of which both of you were convicted, concerned the supply of a Pechora S-125 surface-to-air missile system and associated radar equipment from Ukraine to Sudan. It was a protracted deal which took approximately two years to bring to a conclusion. Documents before the jury indicated a sale price in the region of $200 million, the goods having been purchased by you for $73 million. In London Mr Farmakis liaised with Ukrainian embassy officials, while Mr Greenhalgh dealt with matters from Uganda and travelled to Ukraine to liaise with suppliers. To disguise the true identity of the purchaser the contract was with a company called Cascade Construction; a front for the Government of South Sudan. Ugandan EUCs were obtained, self-evidently fakes given that Uganda was not the true end-user.

19. I reject the oral and written submissions that the supply of defensive equipment somehow mitigates the seriousness of Count 1, or that there is no evidence a license would have been refused had it been applied for. As Mr Gibbons made clear in his evidence, the UK's international obligations are the first criteria under which applications are assessed, and the granting of licenses for supply to an embargoed country very rare. In any event the United Kingdom's export control regime exists to ensure that decisions of this nature are made through lawful governmental processes and in accordance with international obligations. It is not for a defendant or this Court to substitute its own view of the risk. I am entirely satisfied that the motivation behind this transaction was financial gain. It was not an altruistic enterprise undertaken for the

benefit of others; it was a commercial venture from which both defendants expected significant profit.

20. Counts 2 to 13 did not result in goods being supplied. But, with the exception of Counts 6 and 7, each reflected a separate deal and a separate breach of the Export Control Order. Counts 6 and 7, concerning a total of 461,000 rounds of ammunition, were each aspects of the same deal. Some transactions progressed only a short distance. Others advanced considerably further and involved extensive negotiations, inspections, transport planning, and the acquisition of supporting documentation. The prospective value of these transactions, and therefore your profit if they came off, was measured in many millions of dollars.

21. All of the goods with which you were concerned were for military use. Most were for multiple or long-term use. Where single use goods were concerned, such as ammunition, the quantities involved were substantial. By way of example Count 5 concerned between 10,000 and 20,000 AK-47s and 2.4 million rounds of ammunition. This transaction advanced to a stage where you Greenhalgh were making transport arrangements.

22. In Counts 1, 2, 9, 10, 11 and 13 the intended recipients were countries subject to embargoes recognised by the United Kingdom and the wider international community. I am satisfied that you both knew that and deliberately sought means to circumvent these restrictions. These are the most serious offences.

23. The remaining Counts were indicted as third country offences because the prosecution were unable to say with sufficient certainty who the intended end-user was; albeit in many instances an embargoed country featured in the correspondence.

24. The offending continued over some seven years. It involved identifying what the customer wanted, locating suppliers, inspecting equipment, negotiating contracts, arranging transportation and obtaining documentation necessary to support unlawful transactions. The use of overseas companies, shell companies, and international banking arrangements is an additional feature of sophistication and planning.

25. A recurring feature of the offending was the creation and procurement of false end-user certificates. This featured throughout the evidence and in relation to almost every Count. I am satisfied that this was routinely achieved through corrupt payments to public officials. I am also satisfied that both of you knowingly participated in or facilitated such payments which you regarded as a necessary cost of doing business. The fact you were not charged with offences of bribery does not prevent me from regarding this as a significant aggravating factor.

26. Although the evidence suggests that Mr Greenhalgh was at times the more dominant personality, I do not regard the distinction as material for sentencing purposes. You offended together and individually. Although your respective levels of involvement varied from transaction to transaction, overall I am satisfied that when offending together, you each played an equal part in promoting the transaction that was being pursued.

27. By their verdicts the Jury found that from the earliest date on the indictment both of you knew of the UK licensing regime and deliberately sought to evade it. There was ample evidence to support this conclusion. Neither of you ever applied for a UK licence, nor did either of you have any intention of doing so, despite the very clear warnings you were both given.

28. In September 2009 Mr Farmakis was informed by a close associate, Dr Russell, who had worked for the UK licensing authority, that his activity required a UK licence without which he would be committing a criminal offence. The basis upon which Dr Russell said the UK regime applied was inaccurate, but the warning he gave was correct.

29. In 2012 you Mr Greenhalgh were visited by HMRC officials and reminded of your obligations as a UK national, something which you immediately brought to the attention of Mr Farmakis. You were at this stage still engaged with the post-delivery issues arising from Count 1. Your response to this unwanted attention from UK law enforcement was to set up Air Services Hellas in Greece. Whether or not this company secured a Greek license, and whether or not you knew the UK legislation caught Mr Farmakis, was nothing to the point. No doubt you both thought that by operating

through Air Services Hellas and using banking facilities in Hong Kong you would avoid scrutiny from UK law enforcement.

30. The fact that each of you was given these warnings and ignored them or took steps to circumvent them is an additional aggravating factor; even allowing for an apparent gap in offending between the warning Mr Greenhalgh received in January 2012 and the commission of Count 5 commencing 2 years later.

Greenhalgh

31. You are now 68 years old. You have no previous convictions.

32. You are an intelligent and capable man with a broad range of commercial experience. Through hard work and enterprise you progressed from modest beginnings to establish successful overseas business interests. Over the years it is apparent that you acquired considerable expertise relating to military equipment. You presented at trial as someone who is something of a wheeler and dealer, able to turn your experience to any project, whether it be exporting second hand clothing to Africa, a sugar refinery, copper mine, or a theme park. Those achievements make your conscious decision to engage in serious criminal conduct all the more disappointing.

33. I accept that offences started 17 years ago and ended over 9 years ago. I make some reduction for the delay in bringing these matters to a conclusion, and that since your arrest in 2017 you have been unable to return to your home in Uganda.

34. Since the commission of these offences you have become a father. Your daughter is now 9 years old. You have had almost sole parental responsibility for her since her birth. She is now having to adjust to life in America with her mother, with whom she has previously had only limited contact. I have read your letter to the court in which you detail this, and the impact your conviction has had upon your daughter, including the press-reporting which necessitated her sudden withdrawal from school. I accept that the sentence I am about to impose will have a very profound impact on her, and as a consequence on you. However, that consequence is an unavoidable result of offending of this gravity and does not reduce the sentence that the Court is required to impose. I

have been reminded of the case of *Petherick* [2012] EWCA Crim 2214, but this is not a case where you are on the borderline of custody.

Farmakis

35. It is an inevitable consequence of his absence that the Court has little information about Mr Farmakis. It is clear from the evidence at trial that he was well connected and is said to have been South Soudan's Honorary Consul to Greece and Cyprus. Documentation suggests he was appointed as the former in March 2016.

36. A curriculum vitae found on his computer indicates that he has a degree in Electronic Engineering and a PhD in Satellite Communication Protocols, albeit this has not been verified and there are other aspects of the CV that Mr Greenhalgh disputed. What is confirmed is that from 2008 until his dismissal in 2016 he worked as a fund manager for Greater London Enterprise ['GLE']. He misused his position there to facilitate his offending; using the convenient location of GLE offices to hold meetings, his GLE email account to provide the appearance of official approval, and for the same reason misrepresented himself as someone employed by UK Trade and Industry. This is an aggravating factor additional to those already mentioned.

37. He is now 48 years old and has no convictions recorded against him in the UK. As with Mr Greenhalgh I weigh in his favour the lengthy delay in bringing these proceedings to a conclusion; Mr Farmakis having been first arrested in October 2016.

38. Earlier in the proceedings various explanations have been provided for his absence, including a suggestion of serious illness. But despite having been given every opportunity to provide evidence of this none has been forthcoming. He is said to be a married man and to have children.

Totality

39. In determining the appropriate overall sentence, I have applied the Sentencing Council Guideline on Totality. The sentence must reflect the full criminality of the offending whilst remaining just and proportionate.

40. Count 1 is plainly the most serious offence because it resulted in the successful supply of controlled military equipment to an embargoed destination. The remaining offences represent separate criminal ventures undertaken over many years and involving significant planning, substantial quantities of military equipment, and the prospect of considerable financial reward.

41. The overall criminality of this case cannot adequately be reflected in a sentence of ten years' imprisonment, this being the statutory maximum for a single offence. A consecutive sentence is therefore necessary on Count 2 in order properly to mark the sustained and repeated nature of the offending. The remaining counts will run concurrently in accordance with the principle of totality; the difference in length reflecting whether the count relates to an embargoed destination and/or the advanced stage of the transaction.

Sentence

42. The offences of which you have been convicted are very serious. They involved repeated attempts over many years to broker the international transfer of military equipment, frequently to destinations subject to embargoes imposed by the United Kingdom and the wider international community. Your conduct was deliberate, sophisticated and motivated by financial gain. The need for deterrence in cases of this kind is particularly strong.

43. Having considered all aggravating and mitigating factors, and having applied the principle of totality, I impose the least sentence that properly reflects the seriousness of the offending and the need for punishment and deterrence.

44. The total sentence in respect of each defendant will be 16 years imprisonment, broken down as follows:

David Greenhalgh

Count 1 – 9 years

Count 2 – 7 years consecutive to Count 1

Count 5 – 6 years concurrent

Count 6 – 5 years concurrent

Count 7 – 5 years concurrent

Count 8 – 5 years concurrent

Count 9 – 5 years concurrent

Count 10 – 6 years concurrent

Count 11 – 6 years concurrent

Count 12 – 5 years concurrent

Total Sentence - 16 years

Christos Farmakis

Count 1 – 9 years

Count 2 – 7 years consecutive to Count 1

Count 5 – 6 years concurrent

Count 6 – 5 years concurrent

Count 8 – 5 years concurrent

Count 10 – 6 years concurrent

Count 11 – 6 years concurrent

Count 12 – 5 years concurrent

Count 13 – 6 years concurrent

Total Sentence – 16 years

Sentence Explained

HHJ Sally-Ann Hales KC