

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

**DEFENDANT:** LEUT Root  
**TYPE OF PROCEEDING:** Defence Force Magistrate  
**DATE OF TRIAL:** 29 October 2025  
**VENUE:** HMAS *Watson*

**Charges and plea**

	<b>Statement of Offence</b>	<b>Plea</b>
Charge 1	DFDA, s. 56A(1) Failure to comply with requirement to notify change in circumstances	Guilty
Charge 2	DFDA, s. 56A(1) Failure to comply with requirement to notify change in circumstances	Withdrawn
Charge 3	DFDA,s.55(1)(a) Signing a false service document	Guilty

**Trial: Facts and legal principles**

Nil, as the case proceeded by way of a guilty plea.

**Findings**

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

**Sentencing: Facts and legal principles**

LEUT Root failed to notify change in circumstances, resulting in allowances to which he was not entitled being paid over 12 month period totalling \$26,799.51 (giving rise to charge 1) and then in a service document nominated the change in circumstances as taking effect in May 2024 which was false (the correct date was May 2023) giving rise to charge 2. The prosecution withdrew a Third charge.

The objective seriousness of both offences was assessed to be middle of the range. The need for general deterrence was high due to the breach of trust and dishonesty and contrary to ADF value of integrity. The punishment imposed took into account those considerations, along with the plea of guilty at earliest opportunity, genuine expressions of contrition, insight and remorse, and character references from command, including the likelihood of the member contributing as an effective member of the ADF.

- *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.*

**Punishments and orders**

Charge 1	Reduction in rank to SBLT with effective date 14 May 2023
Charge 2	Not Applicable
Charge 3	Reduction in rank to SBLT with effective date 28 May 2024

**Outcome on automatic review**

The Reviewing Authority's decision on automatic review was handed down on 01 December 2025.

	<b>Conviction</b>	<b>Punishments / Orders</b>
Charge 1	Upheld	Upheld
Charge 2	Not Applicable	Not Applicable
Charge 3	Upheld	Upheld

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