



JUDICIARY OF
ENGLAND AND WALES

R v Fred Talbot

Sentencing Remarks of HHJ Mort

Manchester Minshull Street Crown Court

13th March 2015

1. Fred Talbot. You are 65 years of age with no previous convictions. After trial, you were convicted by a jury on clear evidence of indecently assaulting two pupils at Altrincham Grammar School (AGS) for boys whilst you were a teacher at that school.
2. The incidents occurred on two separate occasions in 1975/1976, namely two different school trips when the pupil concerned was one of a group of schoolboys on a canal trip which you were responsible for organising and supervising.
3. After qualifying as a teacher, you taught briefly at several schools before being appointed as a biology teacher at AGS in 1974. It is clear that this was (and still is) an excellent school academically teaching important values, discipline, and respect for others. It was evident from former pupils and teachers of the school, who were there when you were, that your approach was different to that of the majority of the teaching staff. You were less strict, less formal, and this approach brought you into much closer contact with the pupils than many other teachers. Many former pupils both Prosecution and Defence witnesses all confirmed that you were a very popular teacher who taught your subject well and made their classes interesting and informative.
4. You taught at the school for almost 10 years and during that time it is likely that you took pupils on as many as 38 trips, on narrow boats on the canals, on cruisers on the Caledonian Canal, camping in Scotland particularly, Grey Mare's Tail, and trips abroad. It is fair to point out that on many of them the boys had a wonderful time and the trips passed off without any improper behaviour on your part and you behaved entirely responsibly.

5. However the jury were absolutely clear that in relation to the two counts in respect of which you were found guilty that you deliberately indecently assaulted the two pupils for your own gratification.
6. The first incident involved a pupil whom I shall refer to as F. He described going on a canal trip with the school when he was 14. There were two narrow boats and you were in charge of the one on which he slept. He recalls being on the boat when you returned from a nearby public house with some of the older boys. You had been consuming alcohol. The younger boys including F were given alcohol and were told by you that they should pretend that girls had been brought back from the Public house and that they would have an orgy. The boys were then expected to undress and lie on top of each other pretending that the one underneath was a girl. F recalled in his original account to the police that you having encouraged this behaviour proceeded to take photographs. If you did not, it is clear that you encouraged photographs to be taken.
7. At the conclusion of this activity you told F that he would have to share the area of the boat where a double bed arrangement was created from the dining table in the galley area. He did not challenge your instruction because the sleeping arrangements on the boat were crowded and so, affected by alcohol, he lay down naked whilst you, also naked, lay down beside him. You then proceeded to masturbate him and required him to masturbate you. It was clear that he was sexually inexperienced and you showed him what to do assuring him that what you were doing was quite natural and that this was how a man should touch other men. The following day you told him that what had occurred was “our secret” and that activities on the boat were a secret. A few days later you encouraged him to go round to your house to see the photos and to tell his parents a lie namely that he was visiting a friend. He went to the outside of the house but did not try to go in. He did not tell anyone what had occurred save to say to another boy on the trip who was on the other boat that there had been some fooling around.
8. The second incident involved a pupil whom I shall call E. He described two canal trips which you supervised. On the second trip when it is likely that he was 14, he, like F, was asked to share the double bed arrangement with you. You had been to a nearby public house consuming alcohol. E understood that because of the crowded sleeping arrangements on the boat that he would have to sleep next to you. He was naked and thinks that you were also naked. You lay down beside him and asked him whether he ever masturbated. You then started to masturbate him. He asked you to stop it saying that he did not like what you were doing and he tried to curl up and away from you. However, you continued to try and get hold of his genitals quite a few times and he kept removing your hands. Eventually you stopped and the next day you gave him a cigarette and nothing more was spoken of

the previous night's behaviour. He described himself as a naive child and felt unable to confide in his parents as to what had taken place.

9. Years passed until one night in May 1984 you invited a number of pupils round to your house. You were teaching astronomy as an O level and, unusually in those days there was course work which required the pupils to view the night sky as a project and they were to view it through your telescope. The boys with their parents' permission were to stay over. During the evening you suggested to one 15 year old pupil that he should return alone on another occasion, the inference being that it would lead to sexual activity. You also offered to give another 14 year old pupil oral sex which he declined. Both boys who were friends were very embarrassed by your approach and because one was due shortly to go to USA on a school trip supervised by you but with only a limited number of pupils, which he realised that he could not now go on, the boys told their parents what had happened. The headmaster was informed and you resigned from the school with immediate effect. The police were not informed. The parents were concerned that their sons' welfare should not be affected by the possibility of court proceedings and that the boys would not want to go through the ordeal. Colleagues of yours on the teaching staff came to visit you to find out why you had resigned and they confirmed that you admitted to them that you had propositioned a pupil. Your diary entry for the night in question records that the boys had come round to use the telescope "as usual I had quite a bit to drink and as usual I tried. I must be mad".
10. After a lean year financially your broadcasting career which had just begun to develop took off and you then successfully forged your television career for which you have become so well known.
11. In 1992, F who had been living and working abroad particularly in USA, became aware that there was increasing concern about allegations of sexual abuse in schools and decided to report what you had done to him when he was on the school trip. The police took a statement from him in April 1992 which formed the basis for the evidence which he gave in the recent trial. You were interviewed about his allegation which you denied and told the police that you had left the school to further your television career and that nobody had previously made allegations of a sexual nature against you. As you conceded both of those assertions were untrue. Following this in June 1992, the police wrote to F inform him "that extensive enquiries had been made but insufficient evidence has been found to justify further investigation or to substantiate any criminal proceedings." One has to bear I mind that as at 1992 it was the practice to look for corroboration of a sexual victim's account and courts would habitually warn a jury about the risks of convicting without such corroborative evidence. That practice changed in 1994. Having said that it does seem somewhat strange that the reason for your sudden departure from the school was not followed up because both of the teachers to whom you had confessed to having

propositioned a pupil in 1984 were still on the staff and if they had been spoken to then they and the pupils in the 1984 incident would have provided the corroboration and shown that you had lied to the police.

12. F felt aggrieved about the police response and in 1996 again wrote, this time exaggerating the extent of the abuse but upon receiving a visit from the police immediately explaining that that part of his account was untrue but that the rest was true. Again no action was taken and he made several renewed complaints up to 2000 again to no avail.
13. In 2012 a woman who had known E notified the police that E had once told her that he had been sexually abused by you. At the time she had become aware of a police investigation into alleged sexual abuse at another school in the Trafford area. Following this notification the police conducted a detailed and thorough investigation into allegations of sexual abuse by you which led to the recent trial. Apart from the witnesses, F and E, the jury also heard from other pupils on school trips or other activities supervised by you whose evidence confirmed that these were not isolated incidents but that you had on a number of occasions abused your position in order to offend. However I emphasise that you are to be sentenced only for the two counts of which you have been convicted and the other incidents will have no effect on the level of sentencing.
14. In sentencing you for these two counts, I have to have regard to the fact that they were offences contrary to the Sexual Offences Act 1956 rather than the current 2003 Act. I have to have measured reference to any definitive guidelines relevant to the situation revealed by the established facts, in this instance the Sentencing Council Guidelines for Sexual Offences which applies to all offenders over 18 who are sentenced after 1st April 2014 and those factors now set out in Annexe B. The offence of sexual activity with a child under the new legislation carries a higher maximum sentence namely 14 years than the offences for which you have been convicted under the old legislation, namely 10 years for indecent assault and therefore it seems to me that I should consider those Guidelines carefully in calculating my sentence whilst at the same time reflecting that difference in penalty.
15. The key factors for consideration are “harm caused by you, your culpability and the risk for the future”.
16. Harm
17. I have seen victim personal statements from F and E. It is clear that in their different ways they were affected by your abuse of them. E describes how he felt unable to disclose his experience to his parents and this led to a pattern of him not being able to disclose and share issues with them. In due course he developed serious mental health issues although he is at pains to say that he does not seek to blame you

directly for that. He found the whole ordeal of giving evidence stressful and needed a lot of support.

18. F describes how the incident had a constant negative impact on his life emotionally and psychologically particularly as his complaints were not heeded .He says that it is only since the trial he has been able to move on with his life.
19. Culpability. The Guidelines refer to “significant degree of planning, use of alcohol on victim to facilitate the offence, abuse of trust and disparity in age” as culpability factors to place your offending in Culpability category A” with an aggravating feature that the offences were committed whilst you were under the influence of alcohol ..In relation to each of your victims their parents had agreed for them to go on a canal trip in the expectation that you would take all necessary measures to ensure a safe and enjoyable trip and that neither was put at any risk of physical or sexual abuse from other pupils or staff. You abused that trust by a regular planned routine deliberately creating a situation whereby each pupil was offered alcohol and then made to sleep next to you so that you could sexually abuse them. You did this, each time having yourself consumed alcohol, for your own sexual gratification, and you did this calculating that the boys would be too confused, guilt ridden or embarrassed to disclose your behaviour for fear of adverse comment by their fellow pupils.
20. I have to consider the passage of time as this has the potential to aggravate or mitigate the seriousness of your behaviour. After you left teaching in 1984, there is no evidence of reoffending. I note for example that when in 2012 your house was searched and your computer examined there was no evidence indicating a continuing interest in underage teenage children. In the circumstances, I conclude that there is a low risk of reoffending .Other factors by way of mitigation to which I should refer are the numerous references from family and friends showing an entirely different side to your character highlighting the positive features which were acknowledged by the staff and former pupils during the trial and commenting upon your health difficulties. I note also that this case having been conducted in the glare of publicity that it may be more difficult for you in a custodial setting.
21. Having regard to the Guidelines each of these offences would fall into Category 2A involving touching of naked genitalia and with the serious culpability features to which I have referred with a starting point of 3 years imprisonment where the maximum is now 14 years Since these offences were committed against different victims on different occasions, I am in no doubt but that an immediate sentence of imprisonment must be imposed with consecutive sentences on each count whilst taking care to ensure that the overall sentence is just and proportionate.

22. In all the circumstances bearing mind that the maximum sentence for each of the offences was 10 years and not 14, the total sentence is one of 5 years namely 2.5 years for the offence on F and 2.5 years consecutive for the offence on E.

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