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Therefore, all spellings are phonetic.

IN THE CROWN COURT
AT CAMBRIDGE

Case No.T20120101

83 East Road
Cambridge
CB1 1BT

Friday 29th June 2012

BEFORE:
HIS HONOUR JUDGE HAWKESWORTH

R E G I N A

- v -

B

MR C KELLETT appeared on behalf of the PROSECUTION
MISS J FLANNAGAN appeared on behalf of the DEFENCE

Transcribed from the Official Tape Recording by
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SENTENCE

A

Friday 29th June 2012

B

SENTENCE

JUDGE HAWKESWORTH: Please sit down, B.

C

MR KELLETT: Did your Honour receive the information? Did it come through to you?

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JUDGE HAWKESWORTH: Yes, thank you. The first thing I want to say to you, B, is that if you had been four years older at the time this happened the starting point for any judge sentencing you for this sort of offence after an early guilty plea would be six and a half years in custody. I hope that underlines in your mind how serious

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this offence was. I understand that as a fourteen year old then and a fifteen year old now it is difficult for you to understand what you did and why you did it, but I'm satisfied from your remorse about what you did, which I accept is genuine, that you have begun to understand and because this came out of the blue by expressing

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remorse you have expressed yourself in such a way that this court can be confident that you will work with others who will try to help you. I'm satisfied from the report that I have read that there is every prospect that if you work together you will not commit a further offence of any kind. I am not therefore going to send you

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into custody. I say that for a number of reasons, which I'm going to spell out so that the public, and most importantly the X family, understand why. Firstly, it was an isolated and momentary offence in which I do not find any evidence of pre

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planning. Secondly, you cannot be shown to have any particular sexual interest in

children. Thirdly, I am satisfied that it was an impulsive act on your part and that your behaviour became sexualised because of your exposure to and corruption by the viewing of pornography, the simple thought of placing your penis in someone's mouth, an activity almost certainly viewed by you when watching pornography caused you sexual excitement and you took the risk that a four year old child would not tell anybody. Your exposure to pornography at such a young age is indeed a tragedy but it was the fault of a world which permits access in private and is reflected throughout society repeatedly, not your parents' fault. You are an isolated child but with a loving and supportive family and whilst the impact on A remains unknown your actions have had a real and lasting effect on the X family, but a family known to your family for seven years. To compound that effect by introducing feelings of guilt in them were you introduced to custody which in any form would be likely to blight if not totally destroy your young life would be wrong. You are, to some extent, a vulnerable young man, dangerously prone to external influences to which you would be subjected in custody and at risk of self harming and in such circumstances I view my duty to protect the public as better served by keeping you in the community. Finally, the guidelines relating to sentencing someone of your age focus my attentions first of all on the need to prevent further offending and your own welfare. In such circumstances I'm going to make a community order for three years, which will include a supervision requirement, a requirement to attend the MSTPSB programme as and when required by your supervising officer and an activity requirement, again under the supervision of your supervising officer to be devised and implemented as appropriate. If you breach the terms of that order, in other words you don't co-operate with them or you don't turn up when you are meant to turn up this court would have power to re sentence

you for this offence which would plainly because of its gravity have serious consequences and could almost certainly lead to some period in custody. I reserve any breach to myself and I'm going to require six monthly reports to update me on your progress. You are going to be required because of this offence to register your whereabouts with the police in a very short period of time, this will be explained to you and the requirement to do so will last for a period of two and a half years. I'm going to make a Sexual Offences Prevention Order to support and underline your parents' authority who have already taken sensible and proper precautions to stop you viewing pornography. The terms of that SOPO will be first of all you must not access or seek to access pornography of any kind; two, you must not use any mobile 'phone with internet access or any computer which does not contain suitable filters to prevent access to pornography of any kind and that prohibition will last for a period of five years. If you breach the terms of that Sexual Offences Prevention Order you would be committing a separate and further criminal offence. You may leave the dock.

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