

JERSEY / JUDGMENT

AG -v- Amy [2015] JRC 148 (03 July 2015)

[2015] JRC 148

Source: bailii.org · Research copy typeset by Esheria. Not court-issued or certified.

JUDGMENT

THE DEPUTY BAILIFF: 2. You are to be sentenced today for one count of breaching a Restraining Order under Article 6(1) of the Crime (Disorderly Conduct and Harassment)(Jersey) Law 2008 and one count of indecent assault. Both of these counts are connected in that they both relate to your relationship with a woman in her 30's, who suffers from a significant learning disability and is described as "vulnerable" because of her need for approval and eagerness to please. 3. As the Crown has said, this is a rather unusual case. In short you developed a relationship with her in early 2013 and soon became infatuated with her. You went for walks together, to the cinema and for meals. However, your attentions to her became unwelcome and on 9th May, 2014, you were served with a harassment notice. You claimed to police at the time that you were in love with her. In effect, you ignored the harassment notice, continued to contact her against her will, and on 13th June, 2014, you were charged with and pleaded guilty in the Magistrate's Court, to a charge of harassment. In the hearing in the Magistrate's Court you assured the Court that you will never approach the victim again but notwithstanding that, shortly afterwards you resumed contact with her and eventually she reported this to the police, that is Count 1. Earlier, it is clear that your relationship had become sexual in nature and on one occasion you performed oral sex on her without her consent and that is Count 3. 4. Throughout you have protested that you were in love with the complainant. It is clear that you were obsessed. Experts characterise you as operating with a sense of entitlement as far as she is concerned. As we have said, this is an unusual case. There is a larger context. Clearly from time to time the victim encouraged you in your attentions and sent you loving notes. Looking at some such notes, the Court was struck by two things:- the fact that clearly you would have been encouraged by those notes but, secondly, they suggest how vulnerable the victim, in fact, really was. 5. This was a flagrant breach of the Court Order. You appeared to consider yourself above the law and that in your case your emotions were somehow more important than the protection that the Order of the Court gave to the victim. We have listened very carefully to all of the mitigation that has been advanced on your behalf and we note that but for your conviction in the Magistrate's Court in connection with this victim, you are a man without any previous criminal record. We accept that through counsel you have expressed remorse. 6. In terms of the orders that the Court makes under the Sexual Offenders (Jersey) Law we agree that the period that should apply before you can apply to be taken off the Register is one of 7 years from the date of your conviction. 7. We think that the correct sentences are as follows:- we agree, in the light particularly of the amount of time that you have already spent in custody,

that this matter should be met with a Probation Order and Community Service Order. In connection with Count 1, we think that the correct equivalent is 12 months and therefore 180 hours' Community Service Order together with a 2 year Probation Order. In connection with Count 3, we think that the correct period is 15 months and therefore an equivalent of 210 hours' Community Service Order together with a 2 year Probation Order, which should run concurrently with the order for Count 1, making a total of 210 hours' Community Service Order and a 2 year Probation Order. In imposing this sanction you must obey the directions of the Probation Service and you must participate in any programmes that they deem to be appropriate for you. 8. We also make a Restraining Order for a period of 7 years from the date of conviction in the terms of paragraph 46 of the social enquiry report, namely that:- (i) You are prohibited from having any contact, either direct or indirect, such as through another person or the internet including any social media with the victim other than contact which is inadvertent or unavoidable; (ii) That in the circumstances where you find yourself alone in the company of the victim, you have a positive duty to remove yourself from that situation as soon as reasonably possible; (iii) You are prohibited from approaching or following the victim; (iv) You are prohibited from entering any part of the premises known to you to be the home address of the victim or loitering within 50 metres of that address; (v) You are prohibited from entering any part of the premises known to you to be the work address of the victim or loitering within 50 metres of that address; and (vi) You are to provide advanced notification details of any proposed employment either paid or voluntary that will have to be approved jointly by the Probation and Aftercare Service and the Offender management Unit. 9. We wish to make it abundantly and totally clear to you that you must obey the orders of the Probation Service and obey the restraint that this Court has placed upon you. You have not historically done so; you have not historically respected the orders of the Court. In absolutely no doubt at all that any breach of the Restraining Order will lead inevitably to an immediate custodial sentence. Be in no doubt about that. Authorities Crime (Disorderly Conduct and Harassment)(Jersey) Law 2008 Sexual Offenders (Jersey) Law 2010. Page Last Updated: 18 Jan 2017 BAILII: Copyright Policy | Disclaimers | Privacy Policy | Feedback | Donate to BAILII

Source & reproduction note

Judgment wording, source notices and original paragraph numbers are retained. Esheria supplies the layout and this PDF's page numbers; these are not the source pagination. This is a research copy, not an official or certified court document. Check quotations, citations and publication restrictions against the original source before relying on it.

ORIGINAL SOURCE <https://www.bailii.org/je/cases/UR/2015/>

CASE PAGE <https://chat.esheria.ai/case-law/jersey/ag-v-amy-2015-jrc-148-03-july-2015>

Prepared on 26 October 2026 · Esheria