

JERSEY / JUDGMENT

# AG v Glas (Royal Court : Hearing (Criminal)) [2025] JRC 102 (4 April 2025)

**[2025] JRC 102**

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## JUDGMENT

THE DEPUTY BAILIFF: 1. I have received submissions that I should withdraw five counts from the jury in this case. 2. In relation to Counts 1 and 2 on the indictment which charge the Defendant with committing an act of gross indecency, the Defence submission is that there is sufficient uncertainty in the dates upon which the alleged offences took place that I should withdraw those counts from the jury, having regard in particular to a date which the Complainant gave in evidence in chief as to the time upon which the Defendant bought the flight simulator, which was of fundamental importance on the Crown's case to enable the Defendant to commit the alleged offences. 3. However, my attention was drawn to various statements and indications by the Complainant to the effect that the abuse in this case began at the age of 13, and the reasonably clear evidence that the Complainant began to see the Defendant regularly from May 2004 onwards, such that I do not think it is appropriate to withdraw those counts from the jury and I am satisfied that a reasonable jury properly directed could return guilty verdicts on those counts. 4. In relation to Count 7, it is conceded that the Complainant has not given evidence of more than one occasion of the specific act of gross indecency reflected by Counts 7 and 8, and accordingly both parties agree I should withdraw that Count from the jury. 5. In relation to Counts 9 and 10 on the indictment, which are allegations of indecent assault, in evidence the Complainant said that at the end of the evening he would be driven home by the Defendant in the Defendant's car, and on two occasions the Defendant kissed him on the lips. The Complainant was not sure if this was intentional or not. He could recall it happening on at least two occasions. He was uncomfortable but he saw it as something paternal and platonic. 6. I have reminded myself of what the jury needs to be satisfied of in order to find the Defendant guilty of indecent assault, which of course is a customary law offence. They must be satisfied that the Defendant intentionally assaulted the Complainant, in circumstances of indecency - circumstances which are capable of being considered by a right minded person as indecent. 7. I have found this a more difficult decision but on balance, I am satisfied that no reasonable jury properly directed could or would convict on Counts 9 and 10, and accordingly I will withdraw those Counts from the jury as well and inform them of my decision in relation to these Counts now. No Authorities Page Last Updated: 11 Apr 2025 BAILII: Copyright Policy | Disclaimers | Privacy Policy | Feedback | Donate to BAILII

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