

JERSEY / JUDGMENT

AG v Hamon [2003] JRC 149 (29 August 2003)

[2003] JRC 149

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JUDGMENT

THE BAILIFF: 1. Hamon is to be sentenced for one offence of unlawful sexual intercourse with a fourteen year old girl and one offence of procuring a fifteen year old girl to commit an act of gross indecency. 2. The second offence took place after he had been questioned by the police and had denied committing the first offence. He was aged thirty at the time of the first offence and thirty one at the time of the second offence. There was therefore a significant disparity in age between the victims and the defendant. 3. The first offence involved several acts of sexual intercourse over a period of some three months which eventually resulted in the girl becoming pregnant. The pregnancy was terminated. Hamon denies knowing that the girls were under sixteen and is being sentenced on that basis. However he is a mature man and made no enquiry as to the true age of the girls. Even though the girls consented to the sexual activity and in the case of the first offence, there was, we accept, some encouragement by the girl, the Court has said on many occasions that young girls must be protected against themselves. It is a serious offence for a mature man to take sexual advantage of young girls and a custodial sentence must be imposed. 4. We take into account in mitigation the fact that the defendant did eventually co-operate with the police and plead guilty to the indictment. He has thus spared the girls from having to give evidence. We have taken account of the reference passed up from his employer and we have also taken account of the defendant's own letter expressing remorse. At the end of the day, however, we are left with two offences involving sexual activity with underage girls, the second having taken place after Hamon had been interviewed in relation to the first offence. 5. We think that the Crown Advocate's conclusions take full account of all the mitigating factors and circumstances of the offences and the conclusions are granted. We hope, however, that the defendant will take advantage of the counselling which will be available to him in the prison. 6. Hamon, you are therefore sentenced on count 1 to 18 months' imprisonment, on count 2 to 12 months' imprisonment concurrent making a total of 18 months' imprisonment. Authorities A. G. - v- Clark (9th September 1994) Jersey Unreported; [1994/182]. A. G. -v- Webb (21 st June 1996) Jersey Unreported; [1996/116]. A. G. -v- Godfray (11 th July 1997) Jersey Unreported: [1997/134.] Gouveia -v- A. G. (10th December 1998) Jersey Unreported; [1998/250]. A. G. -v- Downs (1st February 2002) Jersey Unreported; [2002/30]. A. G. -v- Freeman

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