

ST HELENA / JUDGMENT

Attorney General v Thomas

[2026] SHSC 6 (13 February 2026)

[2026] SHSC 6

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

[Home] [Databases] [World Law] [Multidatabase Search] [Help] [Feedback] [DONATE] St Helena Supreme Court Judgments You are here: BAILII >> Databases >> St Helena Supreme Court Judgments >> Attorney General v Thomas [2026] SHSC 6 (13 February 2026) URL: <https://www.bailii.org/sh/cases/SHSC/2026/2026-6.html> Cite as:

[2026] SHSC 6 [New search] [Printable PDF version] [Help] SHSC 06/25 & 36/25 In the St Helena Supreme Court Between Attorney General -v- Andre Thomas

----- Sentence 13 th
of February 2026

----- Section 93 of
the Welfare of Children Ordinance 2008 & Section 1 Sexual Offences (Amendment) Act 1992 apply to this ruling. Nothing may be published if it is likely or calculated to lead members of the public to identify any complainant or person under 18 involved in these proceedings 1. Mr Thomas you are to be sentenced for a number of offences. These are: i. Taking 236 indecent images of a child in category B between the 4 th of December 2004 and the 8 th of February 2005 ii. Taking 151 indecent images of a child in category C between the 4 th of December 2004 and the 8 th of February 2005 iii. Possessing 835 indecent images of a child in category A on the 12 th of October 2024 iv. Possessing 172 indecent images of a child in category B on the 12 th of October 2024 v. Possessing 11,871 indecent images of a child in category C on the 12 th of October 2024 2. The last three offences took place on Ascension and the first 2 on St Helena. 3. For the St Helena offences the victim was 14 years of age and known to you. It is clear that on multiple occasions over 2 months you took photographs of him in your bedroom. Some of these showed the boy naked with an erection, an adult hand holding his penis and there are photographs of the boy after he had ejaculated. On occasion the boy looks distressed. 4. At the time these images were taken you would have been 44 years old, so 30 years older than your victim. The images were discovered with the Ascension Island material stored on hard disc drives and depict multiple incidents of sexual abuse of the boy during which you were present. 5. The Ascension offences involve a significant number of images of many different victims, some of which are moving images. Some of the victims were very young indeed, including images of those as young as 4 to 6 months old being penetrated anally by adult

males. Most victims were pre-pubescent, some were babies or toddlers and many of them appeared distressed, or in pain, or both. What you possessed were images of the worst type of sexual abuse and you clearly possessed them over a considerable period of time. 6. I do not accept that it is right to categorise this offence as being one where I can take into account that the category A images represented a small amount of the overall number of images. I come to this conclusion based upon there being 835 images, the very young ages of the victims and the extremity of the abuse depicted. 7. The suggestion that you made in your pre-sentence report that you never looked at the images is not one I can accept. You kept them locked in a safe and the images were stored on usb sticks and dvds. When asked for the combination to the safe you refused to provide it. Additionally some images were described and catalogued on an excel spreadsheet recording the ages of the children in the images and what those images depicted. This indicates clearly that you knew what you possessed, that the images were illegal and that you deliberately stored them on removable media to aid you in hiding them. 8. I do not hold your minimisation of the offences against you, it is difficult for people to come to terms with having committed these types of offences. I can only urge you to take part in the Horizon intervention programme to assist you in future and to prevent repetition of similar offending. 9. I also make it clear that I do not find any element of concealment within the meaning of the guidelines or grooming. 10. I have had regard to the pre-sentence report and all that has been so ably said on your behalf. 11. Turning to the St Helena offences I will take the category B matter as the lead offence for sentencing. The starting point for that sentence is 2 years. The victim was known to you and this was not a single photograph but a significant number of images taken on differing occasions over a period of time where the boy at times appeared distressed. Having regard to your lack of relevant previous convictions I consider the appropriate sentence is one of 30 months' imprisonment which is reduced to 24 months to reflect your late guilty plea, for which I have allowed 20%. 12. For the category C offences the starting point is 18 months' imprisonment and having regard to the same matters I have considered when coming to the sentence for the category B offences I consider the appropriate sentence is 24 months' custody, this is reduced to 19 months having regard to your guilty plea. These sentences will run concurrently to one another making a total of 24 months' imprisonment. 13. Turning to the Ascension offences the category A offence will attract the longest sentence. There is a starting point of one year's custody but the offences are significantly aggravated by the very young age of some of the victims, the distress and/or pain exhibited by them and the large number of different victims. The guidelines make it clear that significant weight should be given to the age of the victims and even taking into account your lack of previous convictions the appropriate custodial sentence is one of 30 months which is reduced to 20 months due to your early guilty plea. 14. For the category B offences the number of images were less and I am not told the age of the victims or if any distress shown by them. In light of this the sentence will be one of 26 weeks' custody reduced to 17 weeks to run concurrently to the category A offences. The category C offences start at 3 months' custody are reduced to 2 months, again to run concurrently making a total of 20

months for the Ascension matters. 15. These two sets of offences represent offending at differing times and it is appropriate that the sentences run consecutively to one another making a total of 44 months. 16. I now consider totality and reduce the total sentence to 40 months. I then apply a further discount of 15% to reflect prison conditions. Reducing the sentence to 34 months. After discussion with your counsel you are aware that this does bring you within a differing release regime but I am invited to apply the full 15% which I do. 17. This sentence is too long to suspend and the offences are too serious to consider a non-custodial option. 18. The sentences are: i. The category B St Helena offence 20 months' custody ii. The category C St Helena offence 19 months' custody, concurrent to the category B St Helena matter iii. The category A Ascension offence 14 months' custody consecutive to the St Helena offences iv. The category B Ascension offence 17 weeks' custody concurrent to the category A Ascension matter, but consecutive to the St Helena offences v. The category C Ascension offence 2 months' custody concurrent to the category A and B Ascension matters, but consecutive to the St Helena offences vi. Total 34 months' custody 19. All USB sticks, CDs, laptops, hard disc drives, DVDs, VHS cassettes, cameras and any other digital media devices capable of storing data seized by the police are to be forfeited and destroyed after 12 months of this order. 20. There will be a sex offenders prevention order until further order in the terms as already discussed. You will also remain subject to the notification requirements for an indefinite period. Duncan Cooke Acting Judge of the Supreme Court th of February 2026 BAILII: Copyright Policy | Disclaimers | Privacy Policy | Feedback | Donate to BAILII URL: <https://www.bailii.org/sh/cases/SHSC/2026/2026-6.html>

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/sh/cases/SHSC/2026/>

CASE PAGE <https://chat.esheria.ai/case-law/st-helena/andre-thomas-indecentsimagesofchildren-court-2026--6a3ea5823b1caa9129859ff8>

Prepared on 10 October 2026 · Esheria