

ROYAL COURT  
(Samedi Division)

193

2nd October, 1995

Before: The Bailiff, and Jurats  
Blampied, Myles, Orchard, Vibert,  
Rumfitt and de Veulle

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The Attorney General

- v -

William John Crowley

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Sentencing by the Superior Number of the Royal Court to which the accused was remanded by the Inferior Number on 28th July, 1995, following guilty pleas to:

5 counts of indecent assault (counts 1-5).  
1 count of possessing indecent photographs of a child, contrary to Article 2(1)(b) of the Protection of Children (Jersey) Law, 1994 (count 6).

AGE: 50.

DETAILS OF OFFENCE:

Between 1979 and 1984 defendant befriended little girls( who were the children of his friends). Girls aged 6 years upwards. Repeated acts of fingering vaginal areas, placing penis between girls' legs occasionally to point of ejaculation. Showering in front of each girl occasionally inciting rubbing of his penis. Digital or penal penetration of anus on three occasions - intentional sodomy denied and not charged. Later incidents in 1993 were video'd by the defendant.

DETAILS OF MITIGATION:

Defendant was himself 'damaged' by repeated abuse in his own childhood. In need of treatment rather than incarceration.

PREVIOUS CONVICTIONS:

1989 acted in manner likely to cause breach of the peace: by covertly filming children undressing at Millbrook Park.

CONCLUSIONS:

Counts 1-3 : 4 years' imprisonment, concurrent.  
Count 4 : 1 year's imprisonment, consecutive.  
Count 5 : 1 year's imprisonment, concurrent.  
Count 6 : 9 months' imprisonment, concurrent.  
TOTAL : 5 years' imprisonment.

SENTENCE AND OBSERVATIONS OF THE COURT:

Count 1-5 : 5 years' imprisonment, concurrent.  
Count 6 : 6 months' imprisonment, concurrent.

5 years' imprisonment (6 months' imprisonment concurrent on charge under Protection of Children (Jersey) Law, 1994).

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S.C.K. Pallot, Esq., Crown Advocate.  
Advocate J.C. Gollop for the accused.

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JUDGMENT

5 **THE BAILIFF:** We have given very anxious consideration to this case and particularly to the recommendation in the Probation Report that we should adjourn sentencing so as to enable Crowley to undergo assessment for treatment to counter his paedophile tendencies.

10 We have been assisted by the careful and thorough address from counsel on Crowley's behalf and we recognise the arguments which have been deployed in support of that proposed course of action.

15 As against that the Court considers that this was - as indeed the Crown Advocate has effectively described it - an appalling catalogue of sexual interference with very young girls who placed their trust in the defendant. Crowley's corrupting influence has destroyed the innocence of childhood and has caused damage which may take a long time to wipe out. In our judgment this was at the extreme limits of indecent assault and we have noted furthermore that the offending continued over a period of years and that at one stage the accused was abusing one of the children once a week.

20 The Court has a duty to reflect society's abhorrence of this kind of offending and the only way to do so is to impose a substantial custodial sentence.

25 We have taken into account, Mr. Gollop, the mitigating factors urged by you upon us, that is to say the guilty plea; the

co-operation with the police; the defendant's unhappy upbringing; and furthermore that there were no threats to the children. Crowley, we have taken all those matters into account, but we have concluded that the total sentence moved for by the Crown Advocate is right and proper in your case. We are going to adjust the conclusions marginally; on count 1, you are sentenced to 5 years' imprisonment; on each of counts 2-5, you are sentenced to 5 years' imprisonment, concurrent with each other and concurrent with count 1; on count 6, you are sentenced to 6 months' imprisonment, again concurrent, making a total of 5 years' imprisonment.

Authorities

Marsh (1988) 9 Cr.App.R.(S) 467.

Samm (1995) 16 Cr.App.R.(S) 124.

Dash (1994) 14 Cr.App.R.(S) 76.

A.G. v. Maguire (26th September, 1991) Jersey Unreported; (1991)  
JLR N.13.

Current Sentencing Practice:

Release 25:1-iii-93: p.30504: R. v. Holmes (1979) 1 Cr.App.R.(S)  
233.