

12th September, 1986

Her Majesty's Attorney General

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DEPUTY BAILIFF: ....(indistinct)....because we agree that there is always a danger in these cases that the wrong reaction is received outside so we wish to make it clear that we do not condone unlawful sexual intercourse. The law is the law. It has been considered in recent years and the legislature has decided to keep the age at sixteen and the Courts will enforce it, but as Lord Justice Lawton said in the Taylor case, like all laws, this one must be enforced with mercy and the range of guilt is so wide that there is ample room for both mercy and severity and he also said that nowadays most judges would take the view, and rightly take the view, that when there is a virtuous friendship which ends in unlawful sexual intercourse it is inappropriate to pass sentences of a punitive nature. We therefore apply that in this case and having spoken with Mr. Sellick in chambers, we have decided, in fact, to accede to Mr. Cushen's suggestion and D you are bound over for one year, conditional upon you being of good behaviour throughout that year. So make the best of it.