

4 pages.

**ROYAL COURT**  
**(Samedi Division)** 116.  
21st June, 1996

**Before:** The Deputy Bailiff, and  
Jurats Le Ruez and de Veulle

\_\_\_\_\_  
**The Attorney General**

- v -

**Paul Adrian Webb**  
\_\_\_\_\_

2 counts of unlawful sexual intercourse, contrary to Article 4(1) of the Loi (1895) modifiant le droit criminel (counts 1 & 2).

**Plea:** Guilty.

**Age:** 44.

**Details of Offence:** The defendant was 44 years old and well experienced sexually having travelled widely. He came to Jersey in August, 1995, and took employment at a hotel. A young girl of 13 years was also employed at the hotel during her summer holidays. She had an interest in poetry and Webb was himself an author of several books. He befriended her and the two corresponded on an increasing basis. After the girl's fourteenth birthday and towards the latter part of 1995 Webb ranked as a family friend. The relationship grew more intense and on 8th February, 1996, the first act of intercourse took place. It was unprotected sex. Thereafter until early March, three or four further acts of intercourse took place with the defendant wearing a condom. Matters came to a head when material was discovered by the parents suggesting that the girl might abscond with Webb and when the two announced their 'engagement'. Both Webb and the girl initially said that there had been no intercourse, but after the girl explained the true position, Webb eventually admitted the several acts of intercourse.

**Details of Mitigation:** The defendant was not in a position of trust in the true sense [unlike, for example, a stepfather or school teacher]. He claimed genuine affection for the girl. Plea of guilty. Acknowledgement that what he had done was wrong.

**Previous convictions:** None.

**Conclusions:**

- Count 1 : 15 months' imprisonment.
- Count 2 : 15 months' imprisonment, consecutive.
- TOTAL : 30 months' imprisonment.

**Sentence and Observations of the Court:**

- Count 1 : 18 months' imprisonment.
- Count 2 : 18 months' imprisonment, concurrent.
- TOTAL : 18 months' imprisonment.

S.C.K. Pallot, Esq., Crown Advocate.  
Advocate S.E. Fitz for the accused.

JUDGMENT

5 THE DEPUTY BAILIFF: Webb is charged with two counts of unlawful sexual intercourse, contrary to Article 4(1) of the Loi (1895) modifiant le droit criminel. The girl, at the time of the events, was thirteen years of age when she took temporary employment in a hotel at which Webb was also employed. Webb cultivated the child's friendship and we will say no more than that and it led to his having sexual intercourse with the child on four or five occasions. The first on 8th February was, as we understand it, full intercourse on a virgin child with no protection. Miss Fitz says that the intercourse occurred after a seven month friendship and is proof positive (because of the lack of protection) that nothing was pre-planned. The subsequent offences in February were again offences of full intercourse but, apparently again, on those occasions with the use of a condom.

15 Webb is 44 years of age. At the time he was professing his love for this young girl, he was also receiving letters from another fifteen year old, but Miss Fitz says that this was with 'M's knowledge. Again, we have no positive proof whether this was correct and we do not know why we were shown letters from this girl in England, in salacious terms, and none from 'M' when the letters from her were apparently plastered all over the wall of Webb's room.

20 Again we do not know why - if it is indeed the case - the employer of Webb, who may or may not have a grudge against him, was allowed to speak to 'M' before she made a video apparently incriminating him.

25 We have to say that we have been surprised at the way that apparently quite damning information presented by the prosecution has been countered with comparative ease by the defence. We cannot weigh up in the balance - we do not have enough information - which of the two versions is correct. We are thinking particularly of the books that were published other than those that were shown to us.


30 Miss Fitz has argued essentially that these offences involved no breach of trust as it is understood in this Court. Webb was not in a supervisory capacity, a schoolmaster, or a social worker,

who set out deliberately to seduce a girl under the age of 16, who was in his charge. They worked together, he confessed his love for her and we have no evidence from the girl at all. We find that aspect extremely difficult. Apparently the relationship developed for seven months; the girl appears to have consented to the intercourse and Webb is receiving help in the prison where he is, of course, segregated.

The maximum sentence is two years. The cases which have been presented to us by both sides do not really help us except to see the sort of offences that were being committed and the reasons that were given by the Court for those terms of imprisonment. Again we have no information whatsoever on the effect that all this business has had on 'M' herself.

We have found the case both difficult and disturbing. The Law is clearly there and intends to punish. We must say this: we are totally appalled that a 44 year old man should be committing an offence of this kind against a schoolgirl of 14, whatever the relationship that developed between them. It is quite clear to us that society must be protected against this totally anti-social and, to us, abhorrent behaviour. The destruction of innocence is not something that this Court will regard lightly. However, we feel that the offences, while certainly warranting a prison sentence, can be distinguished from some of the cases that we have looked at this morning which are clearly at the top end of the scale. We have looked at the two counts together and we have looked at the totality principle which I think is the principle that must guide us in this regard.

Stand up, Webb, please. In the circumstances we are sentencing you to 18 months' imprisonment on each count but each count will be concurrent.



Authorities

- Hogg (1982) Cr.L.R. (S) 191 *et seq.*
- Goy (1986) 8 Cr.App.R.(S) 40.
- Smith (1988) 10 Cr.App.R.(S) 349.
- A.G. -v- Clarke (9th September, 1994) Jersey Unreported; (1994)  
JLR N.7.
- A.G. -v- Hughes (9th October, 1989) Jersey Unreported.
- R. -v- Forsyth (1987) 9 Cr.App.R.(S) 126.
- Palmer (1995) 16 Cr.App.R.(S) 642.
- Meller (1981) Cr.App.R.(S) 3.
- Usher (1980) 2 Cr.App.R.(S) 123.
- Dewar (1986) 8 Cr.App.R.(S) 311.
- Wood (1990) Cr.App.R.(S) 129.
- Doolan (1991) 12 Cr.App.R.(S) 634.