



JUDICIARY OF
ENGLAND AND WALES

IN THE CENTRAL CRIMINAL COURT

**R -v- W & M
(ATTEMPTED RAPE OFFENCES)**

SENTENCING REMARKS OF MR JUSTICE SAUNDERS

18 AUGUST 2010

I do not intend to keep you here any longer than is absolutely necessary. The jury decided that you did something very wrong which if you had been older would have very serious consequences for you. But you are very young and while I do not accept that what happened was a game, I do accept that you didn't realise how serious what you were doing was. I am satisfied that what has happened to you has already caused immense disruption to both your lives and your families' lives which has, I am sure, caused you and them great unhappiness.

Because you are so young the court is principally concerned with doing what is best for you with the aim of ensuring that you do not do anything like this again. That means that you must be helped to understand the seriousness of what happened. It is clear from the detailed and extremely helpful reports which I have had, that the best way to achieve this is to give you the assistance of trained social workers to help, guide and educate you. They will also help your family come to terms with what happened. All the professionals are agreed that to impose any sort of custody on you would be counter productive and not in your best interests.

In each of your cases, for both offences, I pass a Supervision Order for 3 years. The requirements of that order are that you will be under supervision for 3 years and there will be a Parenting Order for 12 months but that is not to reflect on your mothers' ability as parents. All the professionals are agreed that this is the best course to take, not only in your interests, but to prevent any recurrence.

In addition because of the terms of the Sexual Offences Act 2003 you will be subject to the notification provisions for a period of two and a half years but I direct under s.89 of the Sexual Offences Act that in each of your cases those requirements should be placed on your mothers and not on you. I make it entirely clear that the notification requirements are not part of the sentence of

the court; they arise through the terms of the Act as a consequence of the convictions and I am simply required to inform a defendant what those are.

It may sound from all this that I am forgetting the little girl involved. I do not. Everyone will sympathise with her for what she has gone through. Not only what happened to her as the victim of these offences, but also having to give evidence about them. I hope that she will be given all the help that she undoubtedly deserves to get over her experiences. I very much hope that she and her family will not be forgotten by the authorities.