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*Judgment: approved by the court for handing down
(subject to editorial corrections)**

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IN THE CROWN COURT IN NORTHERN IRELAND
SITTING AT LAGANSIDE COURTHOUSE

THE KING

v

GARY THOMPSON

SENTENCING REMARKS

McCORMICK HHJ

Introduction

[1] For the avoidance of doubt, the court stresses right from the outset of these sentencing remarks that the complainant is entitled to automatic lifetime anonymity by virtue of section 1 of the Sexual Offences (Amendment) Act 1982.

[2] Before sentencing the defendant, I also want to commend the victim for her courage in making and persisting with the complaint in this case.

[3] All too often in cases, victims of offending and, in particular, the victims of sexual offending, may perceive that the entire case, even down to and including the sentencing exercise has all been about the abuser.

[4] Clearly, the victim, then a young teenager was exploited and subjected to serious offending. Today the court must focus on the correct response to that offending but the interests of the defendant's victim will always remain at the heart of this criminal justice process.

History of the proceedings

[5] On 5 December 2019, the defendant was returned for trial on nine counts of indecent assault which were alleged to have occurred in 2006.

[6] On 6 January 2020 the defendant was arraigned, pleaded not guilty to all counts and the case was fixed for trial.

[7] In the course of the case management listings, the defence made third party applications in respect of comparatively recent communications which were reported to have occurred between the victim and the defendant. Extensive efforts were made by the court to obtain and assess material reported to be held by Facebook and LinkedIn. Those efforts included the formal request for the assistance of the US State Department in order to secure the release to Antrim Crown Court of the material which was reported to be held in the USA. However, no material was ever released by either Facebook or LinkedIn.

[8] Ultimately, the trial was due to proceed on 18 June 2024. On that date, following extensive discussions between counsel and before a jury was sworn, the defendant applied to be re-arraigned in respect of counts 1 and 2, following the amendment of counts 1 and 2 such that the date frames on each counts were expanded from the short window of 1-3 July 2006 to span the period 1 July-1 November 2006. Thereupon, the prosecution applied to leave the remaining seven counts on the books not to be proceeded with without the leave of the Crown Court or Court of Appeal NI. The expansion of the date frame on each of the two counts reflected the intention of the parties that the court would be asked to treat each count as a specimen count, thereby providing the court with the appropriate vehicle for sentencing the defendant for the entirety of the offending conduct to which he had admitted.

[9] The case was further timetabled through to September 2024 for plea and sentence. The victim's Victim Personal Statement was shared with the defendant and lodged in the court. However, the defendant's plea did not proceed on 12 September. The court declined to proceed until the basis of plea was clarified. A number of steps and listings ensued throughout the autumn of 2024 including the listing of the case for trial in November. However, the parties finally crystalised the basis of plea in the week leading up to the Hallowe'en recess. Then the court referred the case back to PBNI to assist the court by way of an addendum Pre Sentence Report (PSR) and set 12 December as the date for the defendant's plea and sentence.

[10] The defendant therefore falls to be sentenced for two specimen counts of indecent assault on a female with each count carrying a maximum of 10 years custody for such offending in 2006.

The offending

[11] I will refer to the victim as Jane. She was born in the summer of 1991. The defendant was born on 22 April 1968.

[12] The offending with which I am concerned occurred over a period of approximately four months in 2006 during the period when Jane had turned 15 and the defendant was 38 years old.

[13] When she was in her early teens, Jane joined Victory Praise Community Church in Ballymena. At that time the defendant ran a “New Christian Course.” She and the defendant became acquainted when she participated in that course.

[14] She also got to know him better in 2005, spending time with him frequently because of his role as a youth leader in the church. He was “playful” and tactile in his interactions with her.

[15] In March 2006, one of Jane’s relatives died. Under the auspices of enquiring after her, the defendant texted her frequently and she would reply. By June 2006, the pattern of daily text exchanges was well-established, and the content became more flirtatious and sexualised.

[16] On 1 July 2006 Jane attended a friend’s party in a town not far from her home. It was arranged that the defendant would collect her to bring her home. When he collected her in the early hours of the morning, she was intoxicated. The defendant left her home and before she got out of the car, he kissed and hugged her.

[17] It was around this time that Jane made it clear to him that she was aged 15. The defendant subsequently apologised to her for what had occurred between them.

[18] However, on five subsequent occasions during the summer of 2006, the defendant collected Jane from her home in the early hours of the morning. On each of those occasions, the defendant was collecting a fifteen year old girl who was sneaking out of the family home while her parents slept. On each occasion, the defendant drove Jane to secluded areas and engaged in sexual contact. On each occasion, the sexual contact entailed intimate kissing and non-penetrative touching of Jane’s body, including touching her leg, breast and vaginal area over clothing.

[19] One further incident occurred in October 2006. This time, the defendant persuaded Jane to sit on his knee while they were in the church building: he hugged her and touched her legs making her feel uncomfortable.

[20] By the autumn of 2006, Jane believed she was in a relationship with the defendant albeit that he was married. The extent to which she was invested in the relationship with the defendant may be reflected by her acknowledgement to police that she still had feelings for him in 2018. However, late in 2006, the defendant’s wife had an accident and was injured. That event appears to have prompted the defendant to end the sexual dimension of their liaison; the defendant told Jane that the physical contact between them would have to stop but they continued to be in contact.

[21] Over the years Jane made some disclosures to members of the church, to friends and family. In 2008 Jane’s father and other senior members of the church met with the defendant. While the details of the defendant’s conduct were not discussed at the meeting between the defendant and the church members, the defendant apologised

for his inappropriate relationship with Jane. It was understood that the defendant would no longer be involved in youth work in the church.

[22] At the time of disclosing to her family and the convening of the church meeting with the defendant in 2008, Jane, who was by then 17, still did not want to report the matter to police. Eventually, she made her complaint to police in 2018, and defendant was interviewed in the presence of his solicitor on 8 December 2018 and again on 13 March 2019.

[23] In the December 2018 interviews, the defendant accepted that he had been in a relationship with Jane. He maintained that there had been no sexual contact beyond kissing and hugging. He said that around that time he had been drinking to excess and that he had a number of personal issues. He said that he would have texted Jane and met with her at night. He said that initially he believed that Jane was 17 but in the course of the interview, he did appear to concede that at one point he had become aware that she was 15.

[24] However, when the defendant was interviewed again on 13 March 2019, he was adamant that he believed Jane to have been 17 when they were kissing and cuddling. He also stated that there had only been kissing and cuddling and no sexual contact whatsoever.

[25] By his guilty pleas, the defendant has accepted publicly that he engaged sexually with Jane. The agreed basis of plea has vindicated Jane's complaint about several occasions of sexual contact between them when she was 15 years old as set out at paras [18-19] above.

Victim statement

[26] On 10 July 2025, Jane made a powerful victim personal statement in which she reflects on the impact of her experience with the defendant.

[27] She begins by stating that at the age of 13, she had committed her life to God and that the experience of becoming a Christian had given her a sense of purpose which she had not experienced elsewhere in her life.

[28] When her relative died in 2006, she took comfort from her faith and her support network in the church. With hindsight, she considers that the defendant preyed on her, taking advantage of her vulnerability and need for support; that he offered her no real emotional support but exploited her grief in order to start a sexual relationship with her.

[29] She states that the emotional and sexual abuse which she suffered has clouded every period and major event in her life.

[30] Her mature reflection is that the defendant's treatment of her ruined her faith, her relationship with God and her relationship with members of her church. In fact, she records that she is still shunned by some members of the congregation who chose to support the defendant.

[31] Whereas the young Jane would have aspired to raise her own family in church, the mature Jane states that she could not contemplate entrusting her offspring to any church system. Moreover, attending any event in a church would cause her a panic attack. She laments for the loss of her faith and the loss to her of the opportunity of support which comes from being part of a church community.

[32] Jane says that her academic performance suffered in the wake of these incidents and the subsequent withdrawal by the defendant from physical intimacy with her.

[33] Jane is very sad that she never achieved her goal of training to be a social worker. By contrast, she was aware of the defendant rising through the ranks in his public service employment as well as achieving prominence in his church community.

[34] Jane also believes that her experience also affected her ability to form a loving committed relationship.

[35] Jane has had extensive counselling. Poor mental health has been a feature of her adult life.

[36] Once she made her complaint and the decision was made to prosecute the defendant in 2019, she hoped in vain for an early determination of the issues. In fact, Jane endured a series of delays which were attributable to a variety of issues including from concerns around the defendant's health, timetabling due to an initial indication that the committal would be contested, requests for third party material and of course, the intervention of the pandemic. It has to be acknowledged that after Jane made her victim personal statement, the proceedings were further delayed in order to agree the precise content of the Basis of Plea. This pushed back the plea and sentence by a full four months.

[37] Jane's distress in respect of the protracted proceedings was exacerbated by the untimely death of her mother whom she regarded as her rock throughout the steps leading towards the trial. In terms, Jane's ability to work through her profound bereavement of her mother has been compromised by the draining experience of her engagement in the criminal justice process.

[38] While Jane is rightly proud of herself for staying the course to the point of re-arraignment and listing for plea and sentence, Jane feels sadness for the loss of the adult that she might have become had the defendant not targeted her, as she sees it, thereby robbing her of her faith. She has shared her earnest hope that the defendant will not be able to repeat this offending in respect of other young and/or vulnerable people in any setting whatsoever.

[39] By his plea, and contrary to what he told the police in interview, the defendant has now accepted that Jane was younger than 17 years of age at the time of offending.

[40] This court finds that the defendant's sexual and emotional exploitation of this vulnerable teenager has caused her lasting harm, and I will return to that matter.

The defendant

[41] This defendant is 56 years old, married with two children.

[42] His account to police that his offending occurred at a time when he was drinking to excess may be borne out by the detection of him driving with excess alcohol on 3 December 2007 for which he was sentenced on 29 May 2008.

[43] The defendant's parents separated when he was nine years old. When interviewed by PBNI, the defendant's account of family life reflected his father having a significant dependence on alcohol until he achieved sobriety in his 60s.

[44] The defendant is reported to enjoy a supportive relationship with his mother and his sibling; his father is deceased.

[45] According to his account reported by PBNI, when he completed his formal education, the defendant undertook an engineering apprenticeship. He also obtained his taxi licence. After eight years, he changed tack and joined the Northern Ireland Fire and Rescue Service (NIFRS) working part-time in public service while continuing to drive a taxi. Then he was engaged full time with NIFRS, and his shift patterns enabled him to continue to drive a taxi while he established his career and ultimately he rose steadily through the ranks of NIFRS.

[46] The defendant had been married for nine years or thereabouts at the time of his offending against Jane. He and his wife experienced some matrimonial difficulties which he attributed to separation due to long working hours, significant workload, financial difficulties and problematic consumption of alcohol. According to what the defendant told PBNI, he and his wife succeeded in restoring their relationship and they went on to have their family.

[47] His career progression was interrupted by his conviction for driving with excess alcohol in 2008, but he overcame the ensuing demotion and achieved a very senior leadership level in the organisation. However, he reflected on this in his interview by PBNI and indicated that he had become a functioning alcoholic such that he had driven under the influence on more than one occasion and the detection had become a catalyst for him to achieve sobriety.

[48] In 2018, after the victim made her complaint to police, the defendant's employer suspended him. He reported to PBNI that following his arrest in 2018, his

sobriety lapsed. However, it is reported that he engaged with his GP and mental health services to avoid a full relapse, and he subsequently developed positive self-management skills which do not involve the use of alcohol.

[49] According to the account reported in the PSR, the defendant remained suspended until 2020 when he retired as he had planned to prior to the present proceedings being notified to his employer.

[50] The defendant's arrest in 2018 triggered an assessment process in respect of his own children. In summary, the defendant provided documentation to PBNi which verified his report to them that following a meeting in August 2019, Social Services closed the case, concluding that it was no longer necessary for his wife to supervise his contact with his children.

[51] The defendant described how members of his community responded to disclosures of his offending. He left the church in which he had been active when he offended against Jane and in 2012, he and his children joined the church in which he has had significant roles.

[52] Following his guilty pleas in June 2024, the entire congregation was made aware of his offending, and he was relieved of his position as a Member of the Church Board. He told the author of the PSR that he has been taking a break from attending services as agreed with the pastor of the church and he hopes to return to services in the near future.

[53] The defendant has a series of powerful references or testimonials from friends. The first of which is from Penny Toogood, Pastor of the Exchange Church in Hope Chapel Lane off Berry Street, in Belfast city centre. She writes to the court that she has known the defendant in a personal capacity for 12 years as a pastor in the church which he attends. She has worked closely with him in that church setting. She describes how, as a volunteer, he has helped with the administration of the church and has been prepared to put a lot of work into the organisation of church life. She reflects on the wide range of people who are encountered in the church context and says that the defendant has extended himself to help everyone irrespective of background or situation. As a particular example, she highlights the church's partnership with an organisation that helps the homeless in Belfast that requires a lot of practical help and organisation behind the scenes. She says that in doing so, he is helping an organisation which is helping the most vulnerable in our society. She says that she has witnessed his trustworthiness, empathy and benevolence towards church members and their families. That he has demonstrated a strong commitment to the well-being of his own family to mutual friends and to the wider church community. She also cites as an example the partnership of their church with other ministries in Northern Ireland and abroad, and she describes the church's efforts to resource those partners and that the defendant has supported that by giving a large amount of his time and expertise.

[54] In terms of the offending with which I am concerned, she reports through many conversations and interactions that she does believe that the defendant regrets his action. She says what happened in many ways does not reflect the person that they have seen in the church family over these last years, although that does not in any way excuse what happened. She reports his discussion of his genuine remorse for his action, and she observed that he has taken positive steps in both his personal and work life to turn his life around and to be someone who makes a positive contribution to society.

[55] She believes he will continue to make a positive contribution to their church and society and says that the man that we see today is very different to the one to whom this case relates and that she has had no safeguarding concerns at any stage in respect of him in their church and personal setting.

[56] The second testimonial is from Maggie Kennedy, a businesswoman, who also came to know the defendant through the church. Her letter indicates her mature years, the fact that she has been a businesswoman for 20 years, married for nearly four decades with adult children and some grandchildren. She has known the defendant in the church setting and also socially for six years, and has found him throughout that period, she says, to be of good character, to be an honourable person and to be exemplary in his capacity and desire to help people around him. Seldom, she says, in life it is that you meet someone with his capacity to give so much of themselves in so many different aspects.

[57] She refers to the re-evaluation of their relationship when these charges came to light. She says many tough questions were asked, not once did the defendant avoid the issue, he was transparent and open and he always acknowledged the hurt, the pain and shame caused to everyone involved outside of himself. She reports that she has observed him tenderly helping his own children navigate through life doing so with sensitivity and wisdom and considers the family unit to be strong. She says she is confident that he is nothing like the man of 18 years ago, that his life has turned around and kept going in that trajectory.

[58] The third testimonial comes from George McConnell. He is an older man, he writes in his letter, widowed with some health issues who first met the defendant in 2016 when this writer joined the defendant and others in what this writer calls his church family. He says that in his twilight years with little energy for the future, he found that the defendant's influence had been invaluable, that the defendant guided him into a position of service within the church through which he has a repurposed life. The writer says that he depends heavily on the defendant's expertise in technical issues in the building and in regard to IT. He opens his letter by saying that it is with confidence and delight that he writes to commend this man, his friend and colleague. But I note that his letter makes no reference to the offending with which I am concerned today.

[59] The last of the testimonials comes from Charles Mack, currently Chief Executive of a drug and alcohol addiction charity operating across the UK who says that he has known defendant since 2014 when the defendant joined the Board of Extern, which of course, is a very well-known social justice charity in Ireland. At that point in time Mr Mack was the Chief Executive of Extern. He reports praising the defendant for his diligence in attending meetings and contributions to the smooth running of the Board, he reports that he has maintained a friendship with the defendant. He says the defendant has been transparent and honest about the charges he faced and that he, Mr Mack, can see that these have caused the defendant much distress. He has found the defendant to be of a very open character, fully aware of his naïve and inappropriate behaviour during what, the writer understands, to have been a very difficult phase of the defendant's life.

[60] However, he says, the defendant has accepted responsibility for his actions and is also deeply sorry for any pain or hurt that he has caused. He observes that the defendant has already felt consequences for his error in judgment through the loss of his job in the Northern Ireland Fire and Rescue Service and the observation that the defendant has been unable to work for the past five years, thereby affecting him financially and emotionally.

[61] I pause to observe that my understanding is that, in fact, the defendant retired in a pre-planned way in 2020.

[62] Mr Mack advises the court that he is aware that the defendant sought out counselling to support him through the mental health challenges experienced following the arrest and engagement subsequently in the legal process. That the defendant is displaying a constructive and positive attitude towards the contribution he can make to society once this matter is concluded and on a personal level he says he has found this man always to act with integrity, to be a loving father and loving husband and reflects that the man is highly regarded for his tireless work in Exchange Church which actively supports the local community. Mr Mack's firm belief, he says, is that this man has learned from his past wrongdoing and is of no risk to society.

The defendant's discussions with PBNI

[63] It is clear that the defendant is a capable, even gifted man who has achieved much in life. In his discussions with PBNI, the defendant reflected on how his administrative and Board-level responsibilities had met a need in him; it has acknowledged that it has been difficult for him to adjust to the loss of a sense of purpose and identity. According to the defendant, he now has positive self-management skills.

[64] Whereas, the defendant was reported to have minimised his offending activities throughout discussion with PBNI in July 2024, recent months have brought a change.

[65] Various submissions have been made on behalf of the defendant whose children are approaching the age at which the victim was exploited; by reference to his own children, he has told PBNI that the reality and irresponsibility of his offending has hit him hard.

[66] However, the PSRs reflect how the defendant has come to acknowledge that he had “aged up” the victim, thereby attributing to her the ability to fully consent to being in a relationship with him and enabling his ongoing abuse of the child. The PSR highlights that in his most recent engagement with PBNI, the defendant was able to reflect that Jane did not have the life experience nor the interpersonal skills to manage her unequal relationship with the 38 year old married professional man.

[67] PBNI report that in their recent engagement with the defendant about the defined Basis of Plea, he appears to have moved significantly. He has accepted that he groomed his 15 year old victim and abused the trust reposed in him as an adult and Youth Leader with safeguarding responsibility for the young people with whom he worked.

[68] The court notes that when further interviewed on 2 December 2024, the defendant expressed guilt, regret and remorse for his actions. That remorse chimes with what the court has been told by those who have furnished references to the court and with what he recently told PBNI.

[69] Naturally, defence counsel have sought to highlight matters which mitigate the offending. For instance, in the defence submissions, the court has been invited to consider the pace and content of relatively recent messaging between the defendant and the victim. Jane acknowledged at page 9 of the depositions that she initiated contact with the defendant in 2012. She attributed that contact with and confrontation of the defendant, to counselling in which she was engaged. She also initiated contact with him in the summer of 2018 and those exchanges and events are covered at pages 9 and 10 of the depositions. The contact between them was made both by messaging and LinkedIn. According to what she told police in December 2018, Jane felt sorry for him when he referred to the abuse as traumatic for him and she realised that she still had feelings for him. However, according to her account at page 10 of the depositions, she eventually blocked him on all social media accounts. Ultimately, her complaint was recorded in witness statement format by police on 8 December 2018 with an additional statement of complaint being recorded on 12 December 2018.

[70] The defendant is reported to have demonstrated real insight into the impact of his actions on Jane when engaging with PBNI on 2 December 2024. He acknowledged in clear terms that his actions would have impacted on her ability to engage in trusting adult relationships. This court considers that what the defendant said to PBNI actively chimed with trust-related reflections which the victim had articulated in her victim personal statement, including her feeling that she would not entrust a child to church-related activities, and she is hampered in her ability to form relationships.

[71] The jurisprudence enjoins the sentencing court to consider culpability, harm and risk. It is clear that the defendant's offending was highly culpable and that as he recognises himself, the defendant's treatment of Jane has caused lasting harm to her.

Now I turn to the third area which is that of risk to society

[72] The defendant pursued a sexual relationship with Jane at a time when he had public roles and responsibilities which ought to have driven him to protect and nurture the impressionable teenager. His offending behaviour pattern bristled with risky behaviours, including:

- Establishing and maintaining dialogue through the exchange of messages, some of which appear to have been flirtatious or sexual in tone.
- The pursuit of Jane notwithstanding the breach of the trusted role of youth leader.
- The repeated nocturnal rendezvous to bring the young Jane away from her family.
- Making physical contact with Jane in the church setting despite the proximity of others.
- Together with his reported level of alcohol consumption at the time of the offending.

[73] The defendant has acknowledged to PBNI that his primary motivating factor in the offending was to meet his own needs. He betrayed his position of trust in his church community. Given his leadership roles in his public sector employment, the defendant would have been expected to be motivated to safeguard children and teenagers in the community. Instead, on a number of occasions, he collected Jane in the small hours and drove her away from her parents' home while they slumbered, taking her to secluded places to engage in the conduct set out at para [18] above.

[74] With his children approaching the age of Jane at the time when he offended against her, the defendant is reported to have articulated to PBNI that he recognises the imbalance of power in the relationship nearly 20 years ago. In the course of sentencing the defendant for his conduct almost two decades ago, the court must assess the risk which the defendant presents to the community now.

[75] PBNI report that on application of the Adverse Childhood Experience assessment in respect of general re-offending, he is considered to pose a low likelihood of re-offending.

[76] Given the vintage of this offending, the defendant falls to be sentenced under Criminal Justice (NI) Order 1996. He is assessed by PBNI as not presenting a significant risk of serious harm to others and I take no contrary view.

[77] The Stable-2007 assessment tool was developed to help predict recidivism, assess change in risk status and identify intervention needs for adult males who commit sexual offences against identifiable victims. On application of this tool, areas of concern are highlighted as the defendant's deficits in intimacy, general and sexual self-regulation. On application of the RM2K tool, the defendant is assessed as being suitable to undertake 1:1 offence-focussed work.

Sentencing guidance

[78] I have been referred to jurisprudence which reminds me of a number of core principles including the following:

- *R v SG* [2010] NICA 32 in which it was acknowledged that there is significant variation in the circumstances in which sexual offences can be committed.
- *R v McCormick* [2015] NICA 14: where SGC guidelines are considered and treated with caution in this jurisdiction.
- *R v McCaughey & Smith* [2014] NICA 61 which confirms the assistance to be derived from the guidelines when identifying aggravating and mitigating factors.
- That custodial sentences should only be suspended in exceptional circumstances (*R v McKeown DPP Ref No 2 of 2013*) [2013] NICA 28.
- *R v WY* [2022] NICA 28: a reminder that cases of this nature are fact sensitive.
- Deployment of consecutive sentences where offending endured for a period but also sentencing by reference to the totality principle, as discussed in *AG's Ref No 9 of 2003; (Thompson)* [2004] NICA 111.
- *R v GM* [2020] NICA 49: about sexual offending calling for deterrent sentencing.

[79] I acknowledge that the two specimen counts reflect the defendant's admissions to the multiplicity of incidents which occurred over a period of some four months.

[80] The following aggravating features are present in this case:

- Significant age disparity.
- Grooming including texting Jane while he was under the influence of alcohol.

- The first occasion of offending occurred after Jane became intoxicated at a party with her peers and the defendant drove her home.
- The offending abused the trust reposed in him as a youth leader by Jane, her parents and the church community.
- Repeatedly telling Jane not to disclose what had occurred between them.
- Risk taking behaviours which I have already identified at para [72] above.
- The lasting impact of the defendant's treatment on Jane.

[81] The mitigation is clear:

- Firstly, there is the value of the guilty pleas which vindicate Jane's complaint, and which eventually avoided a trial.
- Secondly, the defendant articulates remorse and regret which is considered to be sincere by people who know him well and who provided his testimonials.
- Thirdly, the evidence of efforts which he has made to address some of his issues.

The sentence

[82] The mature defendant groomed, corrupted and exploited a teenager in his Youth Group. This offending demands deterrent sentencing. My starting point for sentencing the defendant for the precise sexual offending which has been specified in the Basis of Plea is informed by the aggravating and mitigating features which I have identified. Had the defendant been convicted of offending in the manner specified in the Basis of Plea after a contested hearing, by reference to the totality principle, my starting point for the overall sentence would have been around 16 months.

[83] Taking account of the timing of the guilty pleas and the value of their vindication, that figure of 16 months is liable to a reduction of 25% bringing the court to an overall sentence of 12 months.

[84] I have been asked to suspend any sentence of immediate custody, but I do not find there to be exceptional circumstances which would bring me to do so.

[85] Sentencing is pursuant to the Criminal Justice (NI) Order 1996. As the judge who managed the case from September 2022, I am well acquainted with all of the issues in the case. I have concluded that Article 24 should be invoked rather than Article 26 licence.

[86] Under Article 24, where the court has considered that a custodial sentence of 12 or more months is justified, the court must consider a custody-probation order whereby the offender serves a specified custodial sentence and on his release from custody, supervision of a probation officer for a specified period of not less than 12 months nor more than three years.

[87] The custody period is such as is commensurate for the offence under Article 20 less such period as the court thinks to take account of the effect of probation on release in protecting the public from harm from him or for preventing the commission by him of further offences. PBNI have already identified work which is considered to be warranted but no timeframe has been indicated for such work. I have previously been advised that such work requires a minimum of 12 months and better to have 18 months.

[88] A custody probation order can only be made on consent of the offender.

[89] Therefore, I indicate that I consider that a custody probation order is appropriate with the order to be constructed as follows:

- Eight months of custody followed by 15 months of supervision in which PBNI should be poised to begin to deliver the 1:1 work which is referred to and recommended at the end of the first PSR.

[90] If the defendant does not consent to a custody probation order, the offending merits a custodial sentence of 12 months concurrently in counts 1 and 2.

Ancillary orders

[91] Turning to ancillary orders:

- Notification requirements follow automatically from the sentencing today for a period of 10 years.
- The prosecution has applied for a Sexual Offences Prevention Order (SOPO) under Part 2 of the Sexual Offences Act 2003.
- I remind myself that the automatic consequence of these convictions is the referral of the defendant into the Public Protection Arrangements for NI (PPANI). In due course, this body will assess the level of risk which the defendant presents and draw up a plan to outline the roles and responsibilities of all agencies which have been engaged with PBNI.
- SOPO terms are sought and not resisted. Some of the proposed limbs address the areas which are flagged in the first PSR as areas in respect of which additional requirements might be considered by the court. I have already considered PBNI's assessments about the risk posed by this defendant who

groomed Jane in the context of his church related responsibilities and who has ongoing engagement in church and community activities. He has accepted that his offending occurred because he prioritised his needs over the safety and wellbeing of the teenager. The Stable-2007 assessment tool highlighted as areas of concern the defendant's deficits in intimacy, general and sexual self-regulation.

- I have considered each of the limbs of the draft SOPO and conclude that each is necessary and proportionate for the purposes of protecting the public from "serious sexual harm" from the defendant. The SOPO will take effect upon the defendant's release from custody and will last for five years.
- The defendant will be disqualified from working with children pursuant to Article 24 Protection of Children and Vulnerable Adults (NI) Order 2003.
- I advise the defendant of the application of the Barred Lists under the Safeguarding Vulnerable Groups (NI) Order 2007, namely that he may be included in the Children's and Vulnerable Adults' barring lists respectively.

[92] Finally, I thank both sets of counsel for their measured and helpful submissions in this case.