

Norfolk sex offender jailed for longer

A Norfolk sex offender has had his sentence doubled following intervention by the then Solicitor General, the Hon Lucy Frazer QC MP.

Paul Weekley, now 61, engaged in sexual communications with someone whom he thought was a 12 year old girl. He was in fact speaking with an undercover police officer.

Weekley had a number of previous convictions and was subject to a sexual harm prevention order and notification requirements. In breach of these orders, Weekley maintained an internet-enabled device in his home and failed to inform the police that he had an alias name online and a second address.

Weekley pleaded guilty to one count of breaching a sexual harm prevention order, one count of failing to comply with notification requirements, one count of making indecent photographs of children, two counts of attempting to engage in sexual communications with a child and one count of attempting to incite a child under 13 years of age to engage in penetrative sexual activity. On 30 June, Weekley was sentenced to 3 years and 4 months' imprisonment at Norwich Crown Court.

Following a referral to the Court of Appeal under the Unduly Lenient Sentence (ULS) scheme by the Solicitor General, on 21 September the Court found the sentence to be unduly lenient and increased it to 6 years and 8 months' imprisonment with a 4 year extended license.

After the hearing at the Court of Appeal, the Solicitor General, the Hon Alex Chalk MP, said:

"Weekley's actions intended to cause serious harm to a young child and the gravity of his crimes must be reflected in the sentence. His actions were deeply disturbing and I am pleased with the Court of Appeal's decision today to increase the sentence."

This ruling follows the decision by the Court of Appeal that where a defendant sets out to sexually abuse a child, in circumstances where the child in fact is an adult posing as a child, then the starting point for sentencing should be set by reference to the harm that the defendant intended to cause the fictional child. The fact that there was no real child for the defendant to abuse will then be reflected in a downward movement from that starting point. The extent of that reduction will be a matter for the court in individual cases to decide, but the seriousness of the offending must nonetheless be reflected in what the offender intended.

Notes to editor

- The original case where we made this argument to the Court of Appeal was: Privett, R. v [2020] EWCA Crim 557 This was decided on 29 April 2020.

- This issue required further consideration and emphasis and that happened on 21 April 2021, in *Reed & Anor v The Queen* (Rev 1) [2021] EWCA Crim 572