

The defendant was sentenced for a series of serious sexual offences against two vulnerable under-age girls, including rape, grooming, indecent assault and possession of indecent images. Total sentence: 8 years 6 months' Youth Detention, plus 5-year Extended Sentence and 10-year Notification Order, reflecting the gravity of the offending and the need to protect the public.

Under Section 11 of The Criminal Justice Children and Juvenile Court Reform (Bailiwick of Guernsey) Law, there must be no publication of any report containing the name, address, school or any particulars likely to lead to the identification of the complainant or any witness who is a child under 18 and there must be no publication of any picture of such child in any medium, whether that is in writing or by broadcast or by means of the internet (including social media) is an offence.

The Complainant is also entitled to lifelong anonymity under Section 45 of the Criminal Justice Sex Offenders and Miscellaneous Provisions (Bailiwick of Guernsey) Law, 2013. Any publication identifying the Complainant in any medium whether that is in writing or by broadcast or by means of the internet, again including social media, is also an offence under this Law.

[2025]GRC105

ROYAL COURT

FULL COURT

29 October 2025

**Before: John Russell Finch, Esq., O.B.E., Lieutenant Bailiff
and Jurats:**

**Stephen Murray Jones OBE, Paul Martin Burnard, Felicity Jane Quevâtre,
Simon Ernest Bodkin, Richard Jeremy Wallen James, Ian Michael Brown
and Sally-Ann David.**

THE LAW OFFICERS OF THE CROWN

- v -

BENJAMIN JASON ROBILLIARD

**Advocate L C Roffey appeared for the Crown
Advocate S J Maindonald appeared for the Defendant**

LIEUTENANT BAILIFF:

Background

You appear here today for sentence on two Indictments containing sexual offences.

Taking them in order of dates, Indictment 2 contains one offence of indecent assault; the law has changed since you did this and the new offence would be penetration by your fingers, but we deal with it according to what was the law at the time. You were in a relationship with a 12-13-year-old girl which you knew, and you were around 16. Put shortly, you put your fingers inside her, she tried to pull you away and was caught by your rings putting her in a lot of pain and causing bleeding. You told her she deserved it for being a bitch.

We will refer to her Victim Impact Statement and that of the victim in the First Indictment in a moment. You subsequently messaged her to say you were in hospital and it was all her fault. Later in a message you begged her not to call the Police.

Indictment 1 contains 5 offences involving another young girl and Count 6 another girl who is local. You met the first girl in October 2023, she was then 11, and you were 18, again you knew her age. You, we are told, approached her and said, as she has said to others, that you were 14 and 13 so they did not get into trouble. We know that this girl found talking about what took place very difficult and we will come to that part of the case a bit later on.

Counts 1 and 2 are sexual touching. This involved kissing her on the cheek and lips and, according to the evidence, "holding her bum".

Counts 3 and 4 are rape of the girl, then aged under 13. There was supporting medical evidence and unanswerable forensic DNA evidence found on a used condom at the remote venue. You were obviously able to work out how to use condoms. The DNA evidence was a one billion more likely match to you than anyone else.

Count 5 is grooming, here arranging to meet the victim in two sets of messages which we have heard described to us.

Count 6 was possession of 7 Category C indecent images of a local girl. This is the lowest category, not showing sexual activity, but still indecent in law.

The maximum penalties are, on Indictment 2: life.

On Indictment 1:

- Counts 1 and 2: 14 years
- Counts 3 and 4: life
- Count 5: 10 years
- Count 6: 5 years

But the sentences we are passing today will be given to you in a moment. Those are just the maximum sentences.

That is the very brief background to this very serious list of offences.

You are a local person, now aged 20, but aged around 16 when the Second Indictment offence took place and 18 for the 6 offences on the First Indictment. You do not have previous convictions and you have been in custody since 4 March 2024.

We treat the guilty pleas on the First Indictment as having been entered at the earliest opportunity. But, on the Second Indictment, a not guilty plea resulted in a trial date being fixed from 8 September 2025

and the victim and her father were warned to attend Court; the plea was only entered of guilty on 4 September 2025.

Sentencing Considerations

We mention that we have sought to follow the binding guidance of the Guernsey Court of Appeal, recently helpfully given in the case of Trenchard (2024). It is necessary in order for the way that the Court has dealt with this case, to be properly and fully understood to go into detail. Anything you do not understand can be explained by your Advocate or your appropriate adult, but we are obliged, we must, give full and clear reasons for what we have decided.

We consider, in line with the leading English case of R v Millberry (2002) and appeal decisions in Guernsey, to look at (i) the effect on the victim; (ii) the blameworthiness of the offender; and (iii) any threat to the public. For a single offence of rape on a child, an 8-year starting point is suggested. However, sentencing is an art not a science and we note in passing, that the suggested starting point is 5 years for a single offence of rape with no aggravating features. We must in law, take account of an offender's age and a mitigating factor and follow the helpful, if not binding, English sentencing Guidelines. For an offender aged 15 – 17 when the offence took place, we consider that, according to those guidelines, we should look at a sentence in the region of half to two-thirds of the adult sentence as a starting point. This applies specifically to the Second Indictment when you were aged around 16. You were 18 for the offences on the First Indictment. This is all only a rough guide and must not be applied mechanically. The sentencing range is not a rigid formula. Dealing with the most serious cases, the two rapes, we note that the victim, considering the Victim Impact Statements and the attached explanation by an intermediary, is most vulnerable. You are most vulnerable but so was she. You were significantly older, 18 compared to her 11. We also note the grooming count, Count 5.

On this First Indictment, noting that there were two rape offences, we consider a combined starting point is appropriate. We enhance it to include the other offences which were part of your campaign of sexual exploitation of this, as stated, very vulnerable girl. Also noting that you were engaging in grooming acts; and we also note the count for the indecent pictures of another girl.

In relation to the Second Indictment, this would now be classed as an assault by penetration. Whilst we treat this as an offence of indecent assault, it remains a serious incident with a nasty injury caused to the victim's vagina. We note the impact on the young victim from her vivid Victim Impact Statement, which again was very significant. There are notable aggravating factors here.

Our starting points, which have been carefully considered in the light of the particular circumstances of this case, are 13 years on the First Indictment and 5 years on the Second Indictment. We then need to apply the relevant mitigation starting with that which applies to your age when you offended.

Mitigation

This is a complex case, so we set-out our approach as simply as possible. We repeat that we are not engaged in a mathematical exercise and that we are well placed to give appropriate weight to the various relevant considerations, perhaps aptly described as the Court's "feel" for the case:

- (i) you are of previous good character;
- (ii) in respect of the Second Indictment, and to an appreciable extent on the First Indictment, we must reduce the starting-points to take account of your young age when you committed these offences, that is what the law requires;
- (iii) there was an early guilty plea for the First Indictment, but the evidence was overwhelming. The DNA findings are as clear as we have seen. On the Second Indictment, there was a late plea.

- (iv) You are, for the reasons set-out in the helpful Probation Report, an extremely vulnerable young adult with a low IQ, and require strong support to function in the community. We have seen the reports this morning and assess them appropriately and we note the letter read out today.

So, we have to give due weight to all these considerations, whilst at the same time seeking to do justice to your young victims and protect the community. The Probation Officer concludes that you present a moderate risk of sexual harm to females.

We reduce the starting-points to reflect your age when offending. As stated, this is something we have to do. You are subject to Youth Detention not imprisonment.

In relation to the original combined starting-point of 13 years on the First Indictment, we therefore reduce this by one-third to start with, going to 8 years and 8 months. We then give further credit for the other mitigating factors we have described, by going-down to 6 years, taking particular note of your previous good character, early pleas and your own vulnerability. But for such a very serious set of offences there has to be a limit and undue leniency has got to be avoided. Sentencing is not generally an exercise carried-out in the interests of a Defendant in cases of this nature.

On the Second Indictment, we reduce the starting-point again by one-third, going down to 3 years and 4 months. But here the guilty plea was almost at the doors of the Court, so our discount is more limited; so we emerge with 30 months, as other mitigation we have mentioned is factored-in. There were two separate incidents of serious sexual abuse on these two Indictments and the sentences on these Indictments will be consecutive.

We have reached a total on the First Indictment that reflects your whole course of offending. However, the sentence is presented, we have sought to make it fairly reflect all the circumstances of the case, and are seeking to apply the totality principle. After all that, which had to be a full explanation to everybody of how the Court was looking at the matter, I am going to pass the sentences that the Court has asked to be passed.

Sentence

Despite the mitigation these are serious offences, which are still fortunately rare in Guernsey. Even allowing for the points that were applied in your favour, appropriate sentences are called for. We note that, despite your own problems, you still used condoms in the commission of the rapes, which provided unanswerable evidence of your guilt. You present a moderate risk of reoffending, which obviously is a concern. You took advantage of two vulnerable girls, significantly younger than yourself. The offences were very serious and distasteful. A measure of protection for the public is also called for. The Victim Impact Statements show the harm you have caused these girls. All in all, these were wicked and disgusting examples of serious unlawful sexual exploitation of young people. That is the bottom line in this case.

The sentences are as follows:

First Indictment:

- Count 1: Sexual assault – 18 months' Youth Detention;
- Count 2: Sexual assault – 18 months' Youth Detention concurrent;
- Count 3: Rape of a child under 13 years – 6 years' Youth Detention;
- Count 4: Rape of a child under 13 years – 6 years' Youth Detention concurrent;
- Count 5: Grooming – 18 months' Youth Detention;
- Count 6: Possession of indecent images for another girl – 6 months' Youth Detention concurrent.

Total: 6 years' Youth Detention**Second Indictment:**

- 30 months' Youth Detention consecutive.

Final Total on all the offences: 8 years and 6 months' Youth Detention, with effect from 4 March 2024.

Under the Youth Detention Law, we find these sentences are necessary because of the seriousness of the offences individually and taken together; and necessary for the prevention of crime and the protection of the public.

Your iPhone was used in the offending and is forfeited.

Extended Sentence

We have considered the recommendation of the Probation Officer here for a 5 year Extended Sentence. We make the decision ourselves, based on our assessment of the case and all the surrounding circumstances. Here we concur in the recommendation.

The Court is satisfied that the ordinary period of supervision following your release would not be adequate to protect the public or achieve your rehabilitation. Hence we are imposing an Extended Sentence. So your sentence is made up of a custodial term of 8 years, 6 months' youth Detention, plus a 5-year Extended Sentence Licence during which you will be subject to a large number of standard conditions. I will read these out:

1. To be well behaved and not commit any offence and not to do anything which could undermine the purposes of your supervision, which are to protect the public, prevent you from reoffending and help you to resettle successfully into the community.
2. To keep in touch with your supervising officer in accordance with any instructions you may be given.
3. If required, to receive visits from your supervising officer at your home.
4. Permanently to reside at an address approved by your supervising officer and notify them in advance of any proposed change of address or any proposed stay (even for one night) away from that approved address.
5. Undertake only such work (including voluntary work) approved by your supervising officer and notify them in advance of any proposed change.
6. Not to travel outside Guernsey without the prior permission of your supervising officer (which will be given in exceptional circumstances only).

Now in this case, there are additional conditions, based on the facts of what has gone on, and we are adding those because we think they are right and proportionate.

1. Not to approach or communicate, or attempt to approach or communicate, directly or indirectly, with the named victims without the prior permission of your Supervising Officer;
2. not to have any contact directly or indirectly by any means with any female child under the age of sixteen years without the prior permission of your Supervising Officer, other than such contact that is inadvertent and not reasonably avoidable in the course of lawful daily life;

3. to comply with any requirements specified by your Supervising Officer for the purpose of ensuring that you address your sexual offending behaviour problems, including assessment and intervention under a NOTA programme or suitable alternative as directed;
4. not to possess or use a device capable of accessing the Internet, without the prior permission of your supervising Officer;
5. where permission is granted, not to delete the usage history on any internet enabled device or computer used without the permission of your Supervising Officer and to allow such items to be inspected as required by the Police or your Supervising Officer. Such inspection may include the removal of the device for inspection.

The Extended Sentence applies to Counts 1 to 5 on the First Indictment and on the Second Indictment.

Notification Order

You will also be subject to a Notification Order. Again, on considering all the facts, we agree with the Probation Officer's recommendation that there should be a Notification Period of 10 years from the date of your guilty pleas on 18 July 2024.

This, as I said, is a 10 year Notification Period from 18 July 2024 when you pleaded guilty to various offences. It takes account of your sentence and is intended to provide an enhanced period when the requirements apply.

By virtue of The Criminal Justice (Sexual Offenders and Miscellaneous Provisions) (Bailiwick of Guernsey) Law, 2013 we impose the following requirements:

- Having been convicted of sexual offences you are now required by law to notify the Police within 24 hours or within 24 hours of release if you are imprisoned or otherwise detained, of your name, any other names you use, your address, your date of birth, your social security number, your passport details, your bank account details and your employment details.
- If asked to do so for verification purposes, you must allow your finger prints, photograph and/or a DNA sample to be taken.
- You must notify the Police of any change of name or home address at least 24 hours in advance of the change occurring, or within 24 hours if you had no prior knowledge of the change occurring.
- You must notify the Police of any address where you live or stay for 7 days or longer. This means either 7 days at a time or a total of 7 days in any 12 month period.
- You must notify the Police of your details every 12 months on the anniversary of your initial notification, even if there is no change to these details. You must notify the Police at least 7 days in advance of any plans to travel abroad.
- You will get a copy of the form and I repeat, your Advocate and the lady with you, can go over them for you so that you clearly understand what they mean which is most important. The period is considered necessary on the facts to protect the public.

So, that is the Order of this Court which comes to in total:

- 8½ years' Youth Detention from the date of conviction when pleaded guilty on 4 March 2024.
- 5 years' Extended Sentence and 10 years' Notification Requirement.
- Confiscation of your iPhone which was used in the offending and is Forfeited.

**J R Finch, O.B.E.
Lieutenant Bailiff**

29 October 2025