

97.4 *Multiple incident counts*

R v H 2018 EWCA Crim 541 D pleaded to assault by penetration of a child under 13 and sexual assault on a person under 13. He accepted three assaults by penetration and five assaults. The prosecution summary set out a wider course of offending. The Judge did not address the factual dispute and sentenced for ‘numerous incidents’. Held. The counts in the indictment did not specify that the counts were multi-incident. para 26 Absent an agreed basis going wider (for example, via TICs, or by way of an acceptance that the charges are samples of the extent of overall offending admitted in interview), D would be liable to be sentenced only for the two offences to which he pleaded. Charges must make clear the course of conduct that is being alleged. The number of incidents was limited to the number admitted in interview.