

323.20 Victim at work (paid or voluntary)

Att-Gen's Ref 2019 2019 EWCA Crim 816 D was convicted of four sexual assaults. He was V's unit manager at a St John's Ambulance depot. D knew she had joined to assist herself with her emotional difficulties. During training when V was on the ground, D told her he could see down her jumper. V became anxious and left the room. D followed her, approached her from behind and squeezed her bottom. After that D sent her suggestive messages including, 'Might have to give you rescue breaths!! Promise I won't use my tongue. LOL.' About seven months later, while V was cleaning an ambulance, D approached her from behind and squeezed her bottom again. Next day, when V was walking to a treatment area, D said, "Walk in front, I get a better view". He then grabbed her bottom. The next day, D leant over a tea counter and again grabbed V's bottom. D was aged 44 and a man of good character, save for a caution in 2007 for common assault. He was a social worker and had lost his job as a result of his arrest. He had become a vehicle recovery officer. There were character witnesses who spoke well of him. Held. It was a Category 3A case. There was no reason to go outside the range. 18-month **community order** with 80 hours' unpaid work, not conditional discharge.