

Neutral Citation Number [2007] EWCA 2151 (Crim)  
IN THE COURT OF APPEAL  
CRIMINAL DIVISION

No: 2007/03277/A6

Royal Courts of Justice  
Strand  
London, WC2

Friday, 3rd August 2007

B E F O R E:

**MR JUSTICE EADY**  
**MR JUSTICE GRIFFITH WILLIAMS**

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R E G I N A

-v-

**GEOFFREY KENNETH PIPER**

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**Mr R Scamardella** appeared on behalf of the **Appellant**

**J U D G M E N T**  
**(As approved by the Court)**

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1. MR JUSTICE EADY: On 27th March 2007 at the Eastbourne Magistrates' Court the appellant pleaded guilty to a number of offences and was committed to the Crown Court for sentence. On 1st June at the Crown Court at Lewes, he was sentenced by His Honour Judge Scott-Gall as follows: offences 1 to 7, sexual assault on a female, 12 months' imprisonment on each count concurrent and offence 8, possession of an offensive weapon, one month's imprisonment concurrent. That gave rise, of course, to a total sentence of 12 months' imprisonment. An order was made under the Public

Order Act 1986 for the forfeiture of a knife.

2. Having been convicted of an offence listed in Schedule 3 of the Sexual Offences Act 2003, the defendant was required to comply with the provisions of Part 2 of the Act in relation to notification to the police for a period of 10 years.
3. He appeals now against sentence by leave of the single judge.
4. The background is this. In November 2006 he placed an advertisement in the Friday Ad, the gist of which was that females "willing to flaunt it" and interested in earning £2,400 for six days' work should get in touch with him. Women who responded were told to attend for an interview at a Travelodge hotel on 5th December 2006. They were led to believe that they were going to meet someone called Phillipa Best.
5. The appellant booked a room at the Travelodge. He called himself Philip Best or P Best. When he arrived he told the manageress that Phillipa Best could not come because she had tonsillitis. The prosecution case is that Phillipa Best does not exist and that the entire story was a fabrication.
6. There were about 15 to 20 minutes between each interview. Some women came with their boyfriends or husbands who waited outside. The room was quite small and the appellant concealed a video camera under the bed. Seven women attended for interview. That of course was the subject matter of counts 1 to 7.
7. The appellant told one woman that the job they would be paid for was advertising a new car. He told the same story with variations on the theme to different women. The job was to be with cars, posing in bikinis and helping to sell them.
8. When each woman entered the room, the appellant asked them about their fitness and health and various questions of that kind. He then settled down to what appears to have been the real purpose of the exercise, to get them to strip to their underwear. He asked one woman to remove her clothes, and she undressed down to her bra and thong. He asked her to walk to the end of the room and back again a couple of times. He then asked her to lie on the floor and raise her right leg as high as she could. That was done a couple of times, before doing the same with her left leg. She was asked to place her hands behind her back, to do some sit-ups, touch her toes and matters of that kind.
9. All these antics were required of the various women. Some of them were asked to bend down facing away from him. By this time they had stripped down to their underwear and the appellant was standing very close to them.
10. The women said afterwards in their statements that they thought it was rather odd that they should be required to do this in relation to posing with motor cars. They felt very uncomfortable when he got that close to them, but assumed that it was part of being interviewed. They were also weighed.
11. The appellant told the women that the job would need specially made bikinis and that

he would like to measure them with a tape measure. One victim, for example, said that she was not very comfortable about this. He asked her to take her bra off. She said, "He measured just under my bust, my height, under my arm to my wrist, my waist, hips and inner leg. He held the top end of the tape measure." She said, "When I first said I wouldn't take my bra off, he said, 'Well you should as the bikini is custom-made for you.'" She told him, "Well surely you can measure over it". So he measured under her bust and kept up the talk about how many people had applied, giving the impression that there was competition for the job.

12. All of the women indicated that in the process of measuring them the appellant was more careless with his hands than one might have expected him to be if he were doing it with any sense of appropriateness. One of them said that he brushed his hand against her nipples.
13. When they left the women believed they had been shortlisted for the job, although some of them had misgivings about the nature of the interview.
14. The person who had booked the room for the appellant became concerned about what was going on. She had booked rooms for him before, although nothing arises from that. She contacted the police and an officer attended the appellant's room. When he was arrested, he was found to have a lock knife in his possession.
15. When interviewed the appellant did not dispute any of what was put to him, but said that he did not think there was anything wrong in it. It was just for his own edification as he had plenty of time on his hands. He thought they were consenting because they agreed to do what he asked.
16. By his plea he acknowledged that the women would not have consented to allow themselves to be measured or take their clothes off if they had appreciated that it was a charade.
17. The sentencing court drew attention to certain matters. The learned judge commented in particular that he was not persuaded that there was any kind of problem of sexual deviance requiring treatment. He recognised that the offences were committed to indulge in some sort of pleasure for the appellant. It was not a case of being unable to control an impulse, and what he had done required a degree of planning.
18. The judge had regard to the recent guidelines of the Sentencing Guidelines Council with regard to sexual touching. This touching was towards the lower end of the scale of seriousness, but it was a deliberate device to lure women into a situation where he could film them in their underwear, bending over, lying on the floor and so on. The women consented to the interview, but of course they did not consent to being filmed and touched in a salacious manner. This was, again he emphasised, deliberate conduct, rather than someone being overtaken by an impulse.
19. The judge commented that the appellant was a mature and intelligent man who was

quite able to see the right and wrong of this matter. The learned judge was confident that the appellant would never commit an offence again of this kind. He had pleaded guilty at the earliest opportunity and would be given full credit for that. He was separated from his wife after many years of marriage and he had lost his good character. Nevertheless, he had upset and abused seven young women and the court had to consider its duty to the public and to consider also their feelings.

20. There was a pre-sentence report dealing with the appellant, who was born on 30th August 1943 and is therefore now 63 years of age. He is a man with no previous convictions or cautions. The report comments that the matter was not sexually motivated, although the appellant had frankly recognised that he had received at any rate a degree of sexual stimulation from his behaviour, and that he had devoted considerable time and thought into planning the offences.
  21. It was recognised that there was a degree of motivation to address the offending behaviour and develop strategies to reduce the risk of harm. There was a low risk of reconviction for either sexual or violent offences. The risk of reoffending, however, was recognised to be greater than the risk of reconviction. It was suggested that the matter could be dealt with by way of a substantial community order.
  22. The ground of appeal pursued today by Mr Scamardella was limited to this. Even if the case passed the custody threshold, given the circumstances the sentence should have been suspended.
  23. This court is unable to agree with that submission. There was, as has already been noted, considerable organisation and planning involved in these offences. The women were deceived and exploited, and each of them was, at least with the benefit of hindsight, humiliated. In the view of this court, the sentence was one which was entirely appropriate to the circumstances. Accordingly, this appeal is dismissed.
  24. Thank you Mr Scamardella.
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