



THE COURT OF APPEAL

[87CJA/14]

The President

Finlay Geoghegan J.

Peart J.

IN THE MATTER OF SECTION 2 OF THE CRIMINAL JUSTICE ACT 1993

BETWEEN

**THE PEOPLE AT THE SUIT OF THE SUIT OF THE
DIRECTOR OF PUBLIC PROSECUTIONS**

AND

MARK ANDERSON

APPLICANT

RESPONDENT

EX TEMPORE JUDGMENT of the Court delivered by the President on 7th December

2015

1. The court is grateful for the assistance we have received.
2. Obviously, the situation has changed radically concerning the accused in the time since the court gave its original decision. The court has given its rationale for considering that the sentences imposed at Waterford Circuit Court were unduly lenient. Since then, the accused was sentenced in the United Kingdom for serious similar crimes committed prior to the subject offences in this case. He is now serving a sentence of seven years.
3. The court does not propose to add any sentence to the sentence that the accused is serving in the United Kingdom. The court will impose a sentence of three years in respect of the sentence of four years for the attempted defilement under the 2006 Act in lieu of the four years with three and a half years suspended the court will impose a sentence of four years.
4. So for three with two and a half suspended read three years' imprisonment. For four with three and a half suspended read four years' imprisonment. The sentences will run concurrently from today's date.
5. The sentences will be reduced by the amount of time the accused has already served i.e. such period as he has actually served in prison for these offences.
6. I hope that is not too complicated – four and three concurrently from today's date less time actually served in this jurisdiction for these offences.