

Conviction of Philip Queree, who held woman's breasts during sex, is overturned

<https://www.thetimes.co.uk/article/conviction-of-philip-queree-who-held-womans-breasts-during-sex-is-overturned-pp6jt80r9>

Simon de Bruxelles

January 5 2018, 5:00pm, The Times



Philip Queree had originally been found guilty of indecent assault

A medical student who was convicted of indecent assault for repeatedly squeezing a woman's breasts during consensual sexual intercourse has had his conviction quashed.

The woman had complained that Philip Queree, 37, had continued to hold her breasts even though she asked him to stop because it was hurting.

He was convicted by magistrates in Jersey in August and sentenced to 180 hours' community service, told to pay £2,000 compensation and ordered to sign the sex offenders register for five years. He was a mature student in his third year at King's College medical school in London but had to drop out as a result of the case.

The Royal Court in Jersey has now thrown out the conviction, saying that the case had "gone wrong in a material way".

David Steenson, for Mr Queree, told the court that the charge of indecent assault was never appropriate in the case. He said of the woman: "Her complaints to the defendant did not amount to a complete prohibition of touching her breasts. She was demanding he was more gentle with her, not that he wouldn't touch her breasts at all.

"Right-thinking members of society wouldn't think that touching your partner's breasts during consensual lovemaking would be indecent.

"It is nothing out of the ordinary, it is implicitly accepted."

He said that any charge should have been for common assault or grave and criminal assault, not indecent assault.

He added: "It's really inconceivable that if the defendant had touched the complainant's breasts extremely gently in the way she enjoyed she would have objected to it. That's a matter of common sense." Mr Queree met the woman, known as Miss X, via the Tinder dating website and they had what was described as "rough sex" on their second date.

Despite consenting to sex with Mr Queree, the woman told him she did not want her breasts touched. She accused him of using "excessive force" and causing her pain and bruising even after she told him to stop.

During the trial she said: "I was in a lot of pain. I felt he had been rough with me. I had never experienced anything like this in my life. Having my breasts grabbed — to me, that is not normal behaviour."

Conrad Yates, for Miss X, told the court that the magistrate had made a "careful reasoned judgment".

He added: "The important issue is not whether the injuries were caused before consent was withdrawn, but whether consent was indeed withdrawn and if the defendant continued to grab her breasts in that knowledge."

He maintained that the assault was indecent because Mr Queree had been touching a part of the complainant's body that is "sexual".

Sir William Bailhache, the Bailiff of Jersey, said in his judgment that the court was satisfied that the "magistrate went wrong in a material way" and set aside Mr Queree's conviction. The reasons behind this decision are due to be published at a later date.

The spotlight has been shone on a number of sexual assault cases recently. Last month the prosecution of Liam Allan, a 22-year-old criminology student accused of rape, collapsed after police failed to disclose text messages that proved his innocence.

Mr Allan from Beckenham, Kent, had been on bail for two years before it was shown that his accuser had misled police and she had wanted to have sex with him.

He had faced up to 20 years in prison for an alleged series of rapes and sex assaults.

FREED AFTER TWO YEARS IN JAIL

A man who spent two years in jail for rape after police failed to find evidence that showed his accuser had lied has said that he was "let down" by the justice system (David Brown writes).

Danny Kay, now 26, was jailed for four years and six months in 2013 after being found guilty of rape.

His conviction was quashed by the Court of Appeal last month after his sister-in-law found Facebook messages deleted by his accuser that supported his account that they had consensual sex.

Mr Kay, from Derby, told the BBC yesterday: "It was devastating for a system that you trust to let you down like that. I had complete faith in it, I trusted that the truth would come out in the trial and it didn't."

Mr Kay said the police “were just not looking” at evidence that could help to prove his innocence.

His accuser, who cannot be identified, had said there had been little contact after sex.

Derbyshire police said that they had referred their investigation to an independent regional review team to “ensure lessons are learnt”.

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Caleb Boone Jan 6, 2018

Dear Ladies and Gentlemen:

Goodness me.

Young ladies should not call the police whenever the potatoes are not passed to them at supper.

The Potato Police.

A new squad.

Their office is located right next door to the Breast Brigadiers.

Have a Dovely.

Sincerely yours,

Caleb Boone.

Flag

RecommendReply

Righttorant Jan 6, 2018

"Hell hath no fury..."

Flag

1RecommendReply

SpikeFigjam. Jan 6, 2018

What sort of man continues to will fully cause pain during sex when asked not to, regardless of what may or may not have happened on a previous occasion.

Flag

7RecommendReply

Anthony Morris Jan 6, 2018

The only complaint I've ever had from women with regard to holding on too tightly was with regard to my wallet.

Flag

16RecommendReply

Nick Billson Jan 6, 2018

I'm amazed this was ever a court case; it looks like a complete waste of everyone's time and money, to say nothing of ruining a man's life. Is there no common-sense rule applied?

Flag

28RecommendReply

John RUSS Jan 6, 2018

If couples got to know each other better before tumbling into bed, these problems would be less likely to arise.

There would seem to be little time for romance in these days of instant gratification.

Flag

19RecommendReply

Sarah Cole Jan 7, 2018

Irretrievable breakdown of marriage would be not taking notice of being asked to stop certain behaviour traits...

Flag

RecommendReply

M'lomhair Jan 6, 2018

Queree is obviously a creep, but not a criminal. Being terrible at sex is not a crime. I can understand the woman was upset but one needs a sense of perspective. It is unlikely he was a kind, unselfish lovely person before she got into bed with him. He's just a creep that likes to play rough, but does not have the decency to seek out partners who like that sort of thing. Reminds me of that Canadian TV presenter who had a similar court case; the common law does not legislate consensual sex acts (and thank god for it).

Flag

1RecommendReply

rand064 Jan 6, 2018

Some interesting points have been raised about the disclosure of the man's identity and woman's identity being kept secret.

Many criminal cases require the testimony of witnesses. If the names of both parties are withheld from the general public how is anybody able to come forward and help the police with their enquiries.

Flag

5RecommendReply

Vivien Hall Jan 6, 2018

As I recall there were lots of people supporting the original court's decision on the comments when it was reported a while ago. Now most are saying that the new decision is right. Are we so easily swayed by reports, especially if they don't have all the information included?

Flag

6RecommendReply

BroadOaks Jan 6, 2018

So, all the spanking, hair pulling, throat choking, etc. that he did the previous night, could now be considered as common, or even sexual assault, if your date lets you down and decides not to see you again. A woman scorned.

Flag

3RecommendReply

Vivien Hall Jan 6, 2018

Cases like this are really frustrating. Not only is it terrible for the man accused/found guilty but it is also an indictment against stupid women. I hope that they are prosecuted for perverting the course of justice and that the men involved get appropriate compensation. But what can compensate for a lost career, lost years in prison and the stress of going through this.

Flag

27RecommendReply

Robert Highfield Jan 6, 2018

What many of the responses here fail to note is that nobody is saying he had a right to do what he did. What the appeal has correctly decided is that he was charged and convicted of the wrong offence. It should have been Assault Occasioning Actual Bodily Harm, if bruising was seen. It cannot be a sexual assault during consensual sexual intercourse.

Flag

7RecommendReply

Noel Connaughton Jan 6, 2018

This type of nonsense is not what courts are for. Why not just stop the action, ask him to leave and not see him again?

Flag

17RecommendReply
endless sea Jan 6, 2018

I think that a false rape accusation should carry a penalty for the accuser. That or rape cases should have their own court where cases can be tried more quickly. To put people through this ordeal when they are innocent, over two or more years is cruel.

Flag

20RecommendReply
Dave Balding Jan 6, 2018

If evidence FOR or AGAINST the offence is to be found it will take TIME. Hence the long wait before going to court.
Some (many?) police officers are already ignoring or not looking for evidence that proves innocence. Bringing cases to court sooner would result in more injustice.

Flag

RecommendReply
Nikki Jan 6, 2018

The story as presented in here offers little for anyone to draw any conclusions.
If the guy continued to grab after she said no, if she to stop the intercourse and he forced her to keep going, sure it seems like sexual offense, even rape.

If she let the sexual intercourse to continue, I fail to see how it could be even assault.

Bruises sometimes happen during sex even without people noticing.

Flag

8RecommendReply
Iain Jan 6, 2018

They were having sex for crying out loud. If he'd given her a Chinese burn on her arm during consensual sex would she accuse him of mental instability and have him sectioned.

Flag

10RecommendReply
Millie Jan 6, 2018
@Iain

Probably by the sounds of it.

Flag

1RecommendReply
rand064 Jan 6, 2018
@Iain "They were having sex for crying out loud"

Crying out loud is exactly what she was doing and why the incident ended up before the courts.

Flag

RecommendReply
Tim Broomer Jan 6, 2018

"If he'd given her a Chinese burn on her arm during consensual sex would she accuse him of mental instability and have him sectioned."

Sectioned no, but it would hardly be the action of a normal human being!

Flag

RecommendReply
chris Lee Jan 6, 2018
@Tim Broomer Tell that to the people used to go to school with..

Flag

RecommendReply
Iain Jan 6, 2018
Normal? What's normal about taking this to court and getting someone put on the sex offenders list?
If anyone needs sectioning its her

Flag

1RecommendReply
Saint John Jan 6, 2018
Swipe right and have high risk sex with a stranger.

Then ring the police if you didn't like it.

Flag

16RecommendReply
rs1979 Jan 6, 2018
Some absolutely shocking comments here. This lady asked the man to stop doing something that made her unhappy. that is reasonable. What kind of person persists in an action during intimacy or any other circumstance that makes the other party unhappy? It's not a decent person. If she had asked to discontinue intercourse altogether and the man persisted it would be a sexual assault and no-one would disagree. If intercourse was not going on and the man 'titted her up' without consent, that would be assault, and no-one could reasonable disagree. So how have you all drawn the line that because you're having sex, anything goes? That has to be fundamentally wrong.

Flag

11RecommendReply
Saint John Jan 6, 2018
@rs1979

You dont know if she did ask him to stop .

It is extraordinary that the matter came to court at all. Why did she make the complaint to the police ?

There is something very odd about all this. This is a couple who were strangers to each other voluntarily having sex. Hardly the actions of someone careful and sensible. The whole thing is weird.

Flag

21RecommendReply
Vivien Hall Jan 6, 2018
@Saint John @rs1979 In the original article in the Times it was reported that she asked him to stop being so heavy handed. The second time he did it she should have just told him to get lost, but she didn't.

Flag

8RecommendReply
Pleb Jan 6, 2018
You and the courts over reacted.

Flag

2RecommendReply
Gezobel Jan 6, 2018
@rs1979

What kind of person would go to the police over such an absurdly petty thing and ruin a man's life in the process?

Being unhappy over another's person's behaviour during consensual sex is one thing. Going to the police over it is quite another!

Some women should grow up and, as others have said here, I object to my hard-earned tax money being used to bring such trivial cases to court.

The answer to the woman's problem was simple ... she should simply have refused any more sexual intercourse with the man which appears to have been the case anyway.

As for those in authority involved in prosecuting the case they should all be severely reprimanded for wasting tax-payer's money and the man is surely entitled to some reasonable compensation?

I also believe such vindictive women should no longer be afforded anonymity if it is later found that they have deliberately misled the authorities.

Flag

24RecommendReply

nickyp Jan 6, 2018

@rs1979 Your fundamental point is a good one. That this was bad behaviour on his part. But should it have gone to law? The thing about Tinder (I am told!) is that in agreeing to a 'date' (it is in fact agreeing to sex) the user is putting themselves in a place of potentially moral and physical jeopardy. Miss X knew that. She wanted sex with a stranger, agreed to having it with this man and then disliked his bedside manner. She shares the blame for this situation, but has not, apart from some discomfort, suffered the terrible consequences of her actions.

A further point. Sexual relations between two people who have grown to know/love each other are consensual in every way...each partner knows and understands their limits. In a one-off sh*g, which this was, how is either person supposed to know acceptable limits, unless there is a pre-sh*g contract (as someone has suggested other apps insist on)? How is either party to know that what may appear to be a perfectly nice person over the preliminary pint/glass will turn into an unacceptably aggressive partner in bed? Getting overly carried away during sex is a well known phenomenon. It should not come as a total surprise to Tinder users that they cannot be 100% sure of what they are getting themselves into.

I realise that I have just trotted out a version of the much-reviled "she was asking for it" line. She clearly wasn't asking for such injurious behaviour. But was most definitely seeking out and agreeing to the circumstances under which it happened - and under which there will always be a risk of it happening if one is prepared to have sex with total strangers.

Flag

13RecommendReply

Vivien Hall Jan 6, 2018

@nickyp @rs1979 If you go to a bondage shop and it gets too much they agree a "stop" word. Maybe people having sex like this should agree that beforehand. Or maybe they should both just have sex with a person they actually love and have a long term relationship with.

Flag

8RecommendReply

nickyp Jan 6, 2018

@Vivien Hall @nickyp @rs1979 Interesting re bondage. I've never got around to it, I'm always too tied up (cough). But there is a difference. 'Shops' like that (shops?) have a basic self-interest in

ensuring safety for all. With Tinder, the spectrum of those one might meet ranges from a partner-for-life to a rapist or, God forbid, a serial killer. Surely at the evil end of that wide spectrum, a 'stop' word would not suffice.

As for your latter point, of course, I totally agree.

Flag

RecommendReply

M'lomhair Jan 6, 2018

@nickyp I agree with you. The ease of Tinder means that people jump in without thinking. Fair enough but the law is not a substitute for good judgement.

I find Tinder and it's dial-a-sh@g attitude really depressing. And women need to wise up - a rough man is going to be bad news.

Flag

2RecommendReply

Rzw30 Jan 6, 2018

@rs1979 Maybe you don't but I certainly get carried away during sex. It could be that an apology was called for afterwards, but a criminal prosecution?

Flag

3RecommendReply

tom jones Jan 6, 2018

@rs1979 nobody is saying anything goes. but this case shouldn't be wasting the court's time.

Flag

3RecommendReply

Tedders Jan 6, 2018

Seems like the original court made a right boo boo here.

Flag

7RecommendReply

GenericScientist Jan 6, 2018

I do find it odd that when the criminal justice system locks someone up without good cause for two years due to criminal incompetence, they have to make sure lessons are learned and try not to do it again. If a member of the public kidnapped someone for 2 years they would be locked up for life. It is grotesque. From my perspective, the entity most likely to cause me harm and go unpunished is the criminal justice system. It is massively out of control.

Flag

38RecommendReply

Reginald Albion Jan 6, 2018

The mindset behind this - and the inordinate impact of extreme feminist thinking that the accuser must be believed, or that all heterosexual sex is impliedly rape - has to be utterly defeated. There are just too many casualties, and a whole class of men under attack.

Flag

52RecommendReply

Biasi Jan 6, 2018

We've come a long way in the way real rape victims are treated by the police and law courts and to see this ruined by a few manipulative women is soul destroying. For centuries we've had to fight to be believed and brave to even go to court. The behaviour shown by these women is taking things back many decades, and could inhibit true victims from coming forward.

It's time the CPS ensured that all the information available is properly investigated/

Flag

36RecommendReply

Mark Eltringham Jan 6, 2018

@Biasi I agree entirely. The backlash is now in full force but the underlying problem hasn't gone away, which is a CPS (and by extension police service) that has inverted the presumption of innocence and set itself targets for convictions.

Flag

5RecommendReply

Janet Brown Jan 6, 2018

True, but with specialist departments being taken apart due to cuts , and fewer officers to do anything where will the staff come from to investigate ?

Flag

1RecommendReply

rand064 Jan 6, 2018

@Biasi "We've come a long way in the way real rape victims are treated by the police and law courts and to see this ruined by a few manipulative women is soul destroying"

I don't agree the progress society has made in recognising rape for the serious crime it is has been ruined by anybody. The male dominated media given half a chance will always try to make a mockery of hard fought and won social gains by women. These false rape claims have no impact on the overall perception society has of rape as crime.

Flag

1RecommendReply

Vivien Hall Jan 6, 2018

@rand064 @Biasi I agree with Biasi. If women are making false accusations regularly then it is bound to undermine the case of genuine rape victims. Unless the victim is covered in bruises it is hard enough to prove a case. Even then the perpetrator can claim it was consensual rough sex. I'm just glad that I don't have to judge these cases.

Flag

2RecommendReply

rand064 Jan 6, 2018

@Vivien Hall @rand064 @Biasi Well we will have to agree to disagree.

I don't believe the judge, legal officials and members of the jury think to themselves "well last week Miss X was in here and was proven to have been telling a pack of lies and therefore the case today of Ms Y should be treated in a similar vein.

The police and the courts judge all cases on their own merits and make what they consider to be appropriate judgements at the time.

What you mainly read in the press are stories of false allegations, collapsed cases and overturned judgements written by men.

And what is the lesson you are meant to take away:- Don't believe a woman when she tells you she has been sexually assaulted.

Flag

1RecommendReply

Vivien Hall Jan 6, 2018

I didn't say don't believe them did I?

Flag

RecommendReply

Colin McLaren Jan 6, 2018

How do you even prove such a thing "Beyond reasonable doubt?" - was someone in there watching to provide evidence

Flag

8RecommendReply

On point Jan 6, 2018

Mr Queree is the man whose life and career was put through the grinder in full public gaze. While Miss X is free to stalk the web.

Flag

54RecommendReply

Shooter Jan 6, 2018

@On point

If we knew her name we could avoid her !

Flag

1RecommendReply

Louis Cipher Jan 6, 2018

Notice this innocent man has been named and shamed. On the other hand, the accuser is known only as Miss X.

Very, very unjust.

Flag

70RecommendReply

ebee Jan 6, 2018

He wasn't innocent though was he, he was simply charged in the wrong way - he had committed common assault - guess you feel that's acceptable

Flag

4RecommendReply

Dave Balding Jan 6, 2018

If he carried on hurting her after being told to stop he's guilty! That's why he was in court. It was the court that cocked up. Pun intended.

Flag

RecommendReply

2centsworth Jan 6, 2018

his career and perhaps even his future sex life must me ruined, imagine the cautionary measures he should think of taking next time he wants to get into bed with someone, I hope he is carrying some sort of consent form about what he can and cannot do during sexual intercourse just to cover himself (no pun intended although that one could be used in a few ways). Ridiculous story to have made the courts!

Flag

16RecommendReply

Pommard Jan 6, 2018

@2centsworth

Perhaps to go along with Tinder subscribers should download a consent app too? I'm sure I read that a Swedish app company had written one.

Flag

3RecommendReply

Sam Day Jan 6, 2018

Perhaps women should only jump into bed with men once they have labelled up the parts of their body they do not want touched. There must be some really sad, bitter losers embedded in the police and CPS considering the appalling travesties of justice that have emerged recently relating to what could only be described as malicious sexual regret gleefully pursued by twisted authorities.

Flag

27RecommendReply

Sarah Cole Jan 6, 2018

What happened to the just say no brigade?

At least in future we now know that such a violation is common assault. It is still a crime. Odd that common assault does not automatically change consensual sex into a sexual assault in legal terms, because it certainly does in reality. Is there anyone who actually believes that he should have carried on hurting her after she had asked him not to? It is a pity the court did not find in her favour, because the problem is not that the man hurt her tits, but that he assaulted her after she had asked him not to. We are continually told that if we 'say no' we will be fine. She did, so do most women who are assaulted. This might have been a casual encounter but in long term relationships including marriage it is probably more likely to be a problem. Withdrawing consent seems to be quite a stumbling block as far as the courts and most of the people who have commented are concerned.

Flag

9RecommendReply

Ytongs Jan 6, 2018

@Sarah Cole "...Is there anyone who actually believes that he should have carried on hurting her after she had asked him not to...." I don't think anyone is suggesting that. Certainly not those quoted as having deliberated the case. The conclusion I drew was that if he had been charged with common assault then the guilty verdict would have stood.

Flag

5RecommendReply

MJJ Jan 6, 2018

Someone should take a good long look at the quality of the incompetents who are appointed magistrates. This woman's mistake would have remained unremedied if that man's family had lacked the means to mount an appeal. How can anyone feel anything but extreme scepticism about the likelihood of justice in our courts? To say this magistrate made a careful, reasoned judgement is to add insult to injury. That woman should not still have a job.

Flag

9RecommendReply

DanRead Jan 6, 2018

Are any of these women being convicted? If a woman falsely accuses a man and if he might face 5 or 10 yrs, she should face the same if it can be proved that her claim was malicious.

At present it seems that anyone can fire of a cost free attempt to crush a man they don't like. I am gradually as the years pass by, liking this wonderful and glorious utopia less and less.

Flag

19RecommendReply

Alan Hawkes Jan 6, 2018

The article drags together a number of individual cases, each with their own features, and we should assume from this that the administration of justice in sexual offences is a complete mess? Certainly there are problems, but sexual offences are often down to one person's word against another, unless a pattern of behaviour can be established. We now have conflict between the idea that a woman complaining should automatically be believed and the principle of innocent until proven guilty.

Flag

3RecommendReply

Angela Barratt Jan 6, 2018

If you give your consent to having sex some things should be taken for granted.

Flag

5RecommendReply

SJ-Livvy Jan 6, 2018

@Angela Barratt OK.....so where do you draw the line then? What you may find acceptable may be totally unacceptable to another. Who are you to judge what somebody else should accept? You may enjoy pain and subsequent bruising, whereas others may not. And if you decide that you find an activity has gone too far, would you be happy for that activity to be continued even though you have said "Stop" or "no"?

Flag

5RecommendReply

L Lucan Jan 6, 2018

@SJ-Livvy @Angela Barratt Where is the evidence that he did what he was convicted of? Did someone view the 'offence' or did they simply convict him on the lady's say so?

Flag

1RecommendReply

SJ-Livvy Jan 6, 2018

@L Lucan @SJ-Livvy @Angela Barratt No idea. But that's a completely different point from AB's earlier one. Can we try and stay on message please?

Flag

RecommendReply

Ian Lumsden Jan 5, 2018

This would be an April 1st wind-up if it wasn't so pathetic. The man's career is ruined for goodness sake. Have the cesspool floodgates opened up on the Justice Service. Incriminating texts are hidden from the defence, ludicrous prosecutions attempted by a CPS and police service governed more by motives of political correctness than truth, and now someone placed on the Sex Offenders list for touching a woman's breasts during consensual sex. The responsible magistrate should be summarily dismissed and the "victim" should realise there are alternative ways of punishing a man than running to an eager police and CPS who are so understaffed that they allow four young men to be stabbed to death on one night.

The Tory Party has abandoned its stance on Law and Order. They have attempted a liberal break from their core support in a feckless pursuit of voters they will never win over. Amber Rudd and Jeremy Wright have to get a grip. Dismissing Allison Saunders would be a start.

Flag

124RecommendReply

David Hope Robertson Jan 6, 2018

@ Ian Lumsden. This case is in Jersey. Are you sure those you berate, including the Tory party, have responsibility in that jurisdiction?

Flag

3RecommendReply

Ian Lumsden Jan 6, 2018

@David Hope Robertson No. Do I think it would be any different on the mainland? No. The point stands.

Flag

2RecommendReply

ebee Jan 6, 2018

But nothing to do with the torries

Flag

RecommendReply

MJJ Jan 6, 2018

Just goes to show how necessary juries are. Nowadays it takes a group of 12 to see through the ludicrous cases brought by a CPS who will prosecute anyone in the hope of upping their scores.

Flag

6RecommendReply

Richard Marriott Jan 6, 2018

@Ian Lumsden

Very good. I would only add that knife crime has increased since stop and search was abandoned as a police tool.

Theresa May was Home Secretary when stop and search was neutered and the reason it was neutered was a long standing campaign that it was racist since mostly young black men were targeted. Yet, if the police are not allowed to profile those most likely to commit particular offences, how are they to be effective in their job?

Flag

12RecommendReply

HaggisJockNessie Jan 5, 2018

Didnt a female medical student recently stab her boyfriend and then get off completely free? Heterosexual male. Rip.

Flag

138RecommendReply

Peter Hurley Jan 5, 2018

@HaggisJockNessie This is the way of the world in 2018: Man stands naked in front of the window of his own house and woman walks past - he would be prosecuted for exposing himself. A woman stands naked in the window and man walks past - he would be prosecuted as a peeping Tom.

Flag

18RecommendReply

Yn Wridog dros dy Anrhydedd Jan 6, 2018

@Peter Hurley @HaggisJockNessie

Please advise where this window is :)

Flag

RecommendReply

8031 Jan 5, 2018

This country is suffering from mass lunacy.

Flag

113RecommendReply

Cassandra Kenny Jan 5, 2018

One of the many problems with shagging strangers off the internet...

Flag

76RecommendReply

Yn Wridog dros dy Anrhydedd Jan 6, 2018

@Cassandra Kenny

The others being ... ?

Flag

RecommendReply

Cornish Cynic Jan 5, 2018

Groan. Unbelievable use of my tax money this prosecution and conviction.

Flag

61RecommendReply

Philip Cordery Jan 6, 2018

@Cornish Cynic not unless you live in Jersey.

Flag

1RecommendReply

Chauvinnais Jan 6, 2018

@Cornish Cynic

Actually it wasn't.

Not unless you live on the Channel Island of Jersey that is.

In which case it is.

Flag

1RecommendReply

Peter O'Toole Jan 5, 2018

What??

Whatever next?

"You nibbled my ear. I hate my ear being nibbled. See you in court"?

Flag

74RecommendReply

SJR2020 Jan 5, 2018

We (and Jersey it seems) are suffering the inevitable consequences of a female 'victim's' version of events carrying more weight than that of a male defendant, in matters of sexual assault.

How is this Justice.....?

Flag

95RecommendReply

sumwot Jan 5, 2018

You could not make this up. I hope that there is some route to appropriate retribution for the young man whose career and reputation were so badly damaged by this ridiculous case.

Flag

83RecommendReply

Martin Altham Jan 6, 2018

@sumwot Well for a start, the complainants name should be made available at the same level as the the "victim".

No reason to hide her name if the claims are not founded...

Flag

6RecommendReply

Chris Huckle Jan 6, 2018

No,he can't even get his legal expenses reimbursed.

Flag

2RecommendReply

ManUpNorthWest Jan 5, 2018

Unbelievable... one would think that anyone on Jersey would have been involved in the prosecution would have had more common to realise the absurdity of Miss X's allegations given their interlocked position.

.

I hope the Jersey Courts compensate him for their incompetence

Flag

48RecommendReply

SixG Jan 6, 2018

@ManUpNorthWest So do I, but of course the money's yours and mine (figuratively speaking).

Doesn't belong to Jersey.

Flag

1RecommendReply

Impenitent Pedant Jan 6, 2018

@SixG @ManUpNorthWest

Who do you mean by "the money's yours and mine"? Why do you say "Doesn't belong to Jersey"?

The courts in Jersey are paid for by the taxpayers of Jersey not by the taxpayers on the mainland of the UK. The same is true of the other Channel Islands.

Flag

RecommendReply

SixG Jan 6, 2018

@Impenitent Pedant @SixG @ManUpNorthWest You misunderstand me IP. I'm making the point that governments don't have money, they only spend other people's money.

When governments get something wrong and compensate the victim, it's not 'their' money they're spending, it's ours - the taxpayer. Or in this case, the Jersey taxpayers. Which is why I used the word 'figuratively'.

Flag

RecommendReply

Impenitent Pedant Jan 6, 2018

D'accord.

I did, indeed, misunderstand you. I bridled, as any Jerseyman would, at the idea it wasn't Jersey's (taxpayer's) money.

Flag

RecommendReply

SixG Jan 6, 2018

@Impenitent Pedant il n'y a pas de problème IP ;-)

My daughter has lived in St Helier for 22 years, so she'll be delighted to pay a bit of it!

Flag

RecommendReply

Silver Fox Jan 5, 2018

So he is named and has the chance of a fruitful career ruined, whilst she remains Miss X. Appalling.

Flag

175RecommendReply

Ian Burgess Jan 6, 2018

He should bring a civil case against her for damages.

Flag

8RecommendReply

Robert Holmes Jan 6, 2018

@Silver Fox but why is her anonymity not removed. And again unlike the e.g Germans, an accused is only named IF found guilty.

Flag

7RecommendReply

Peter Wright Jan 6, 2018

@Robert Holmes @Silver Fox

Then would he have been named before or after an appeal?

Flag

RecommendReply

Shooter Jan 6, 2018

@Robert Holmes @Silver Fox

I made the point earlier but subsequent comments perforce I repeat; by withholding Miss X's name we are all (some of us at least) at tinder risk of falling foul of her "sexual regret assault claims"

Flag

RecommendReply

Turnbacktime Jan 5, 2018

Another innocent man finally manages to clear his name but will be left with a mark against him for the rest of his life.

Another woman making false/unnecessary allegations remains hidden behind a cloak of anonymity. Something has to change.

Flag

158RecommendReply

Erasure Jan 6, 2018

@Turnbacktime Male hackers (off duty bods at GCHQ?) please start exposing these fake women wrt to proven-to-be-deliberate lying cases.

It will stop overnight.

I knew a woman (bright, capable, very attractive) who since I last looked 10 years ago, had won 3 cases of (fictitious) sexual misconduct against her, by a male employee.

She was a trained barrister and told me privately that it was a "doddle and businesses were both terrified and horrified of any such claim, and always settled out of court".

I think she made about half a million from her three cases.

Flag

6RecommendReply

Bryan Dale Jan 5, 2018

This case should never have been brought. The solution for the woman was to not invite him to have sex again, not to call the police. It's a measure of the entitled attitudes of radical feminists that she thinks a man should be charged with sexual assault because she didn't sufficiently enjoy the sex.

Flag

72RecommendReply

Alan Bama Jan 5, 2018

The magistrate must be feeling a right tit!

Flag

119RecommendReply

Justin Woolgar Jan 5, 2018

What a total waste of time and money.....

Flag

39RecommendReply

jojowiththeflow Jan 5, 2018

"[A]ny charge should have been for common assault or grave and criminal assault, not indecent assault" - so, essentially, the conviction is quashed on a technicality, i.e. "yes, he assaulted her, but not indecently" so he is let off because the conviction was for the 'wrong type' of assault? Any lawyers reading this who can explain?

Flag

10RecommendReply

Galois Jan 6, 2018

What it says is that it is not possible for it to be sexual assault. There was no case to answer on that charge.

Given the facts of the case, another assault charge might have been brought but it does not follow that he would have been convicted of any other assault charge in advance.

Flag

3RecommendReply

Alistair Speirs Jan 6, 2018

On appeal the question is whether or not he was guilty of the offence of which he was convicted. If the answer is no the court cannot, usually, simply substitute a different offence.

Flag

4RecommendReply

jojowiththeflow Jan 6, 2018

@Alistair Speirs @Galois Thank you both for clarifying things, it puzzled me a bit.

Flag

RecommendReply

sqidward Jan 5, 2018

The obvious answer is for all women or men I guess is to carry a squeezeometer which hasn't been invented yet but give it time

I think if cases like this are going to make it to court then I think our world over population problem will gradually fix itself

Flag

85RecommendReply

Richard Cornish Jan 5, 2018

@sqidward They wonder why robotic sex dolls are becoming increasingly popular.

Flag

5RecommendReply

Yn Wridog dros dy Anrhydedd Jan 6, 2018

@sqidward

I think both parties should carry out a risk assessment relevant to whatever activity they intend to partake in, draw up a legally binding Contract with agreed damages in the event of non or over-zealous performance; this independently witnessed by a JP or Police Officer. Each then deposit say two thousand quid apiece in an escrow account to cover such damages.

Then display a recent Vetting document to prove they have no criminal convictions, this alongside a not more than 5 day old Medical Certificate to show they are free of disease, mentally stable and have passed a course in the use of contraception and that they are of the gender / sexuality they claim / appear to be.

After a quick viewing of birth certificates, passports and driving licences to prove origin / nationality and ability to control at least a vehicle, they view each other naked through a two way mirror to confirm that they do in fact possess the requisite quantity of digits, appendages and orifices; with all of them positioned (more or less) where they should be and are of sufficient quality, size, weight and flexibility as may have been advertised on the app.

After a firm handshake, they can retire to the agreed action zone, set up no less than 4 x cameras on tripods to record events for use as proof / evidence in the event of a post-Tinder conflict.

The use of a third-party as independent Referee is recommended for on-the-spot decisions and issue yellow card cautions to allow play / combat to continue with minimum delay. A paramedic stood by in the next room is advised to treat any unsporting, rough or underhand play. A blood injury will likely result in a red card and a negative report to Tinder and Trip Adviser.

Post match cigarettes optional but require mutual consent.

Flag

1RecommendReply
The Woodster Jan 5, 2018
The headline is factually correct. But what is relevant about him being a Tinder user?
Flag

11RecommendReply
Blogger123 Jan 5, 2018
@The Woodster Perhaps they squeeze harder because of all the photo flicking?
Flag

2RecommendReply
est1977 Jan 5, 2018
@The Woodster He's grabbed lots of breasts and nobody else complained ?
Flag

3RecommendReply
Matthew Jan 5, 2018
@The Woodster Absolutely nothing.
Flag

1RecommendReply
Andy Crofts Jan 5, 2018
Pendulum seems to be swinging the other way...Good or not? Not sure.
Flag

1RecommendReply
Bill Forrest Jan 5, 2018
@Andy Crofts
Don't use the word "swinging": it'll only lead to more trouble.
Flag

8RecommendReply
J Gates Jan 5, 2018
@Andy Crofts Seems to be the only thing that was swinging in this case.
Flag

3RecommendReply
Kay Gee Jan 5, 2018
Snowflake bluddy generation... waste of bluddy time and money!
Glad to see the court finally got to the decision right though... even if only after more wasted time and money. (Not a problem though... we've got lots of public money to spend on stuff like this!)
Flag

73RecommendReply
Sophia crews Jan 5, 2018
@Kay Gee Snowflake generation? A woman asks a man to stop hurting her and bruising her? Presumably I can grab a man's testicles as hard as possible if he has agreed to have sex with me.
Flag

8RecommendReply
Kay Gee Jan 5, 2018
@Sophia crews @Kay Gee More snow falling, I see!
Flag

32RecommendReply
Tim Broomer Jan 6, 2018
@Kay Gee
I think that Sophia is making a valid observation.

Flag

3RecommendReply

Alan R MacKenzie Jan 6, 2018

@Sophia crews @Kay Gee

It does happen. I know more than one guy to which this occurred but he never thought of running to file sexual abuse charges.

Flag

2RecommendReply

Broken Brexit Britain Jan 6, 2018

@Sophia crews @Kay Gee If the two of you have agreed to have 'rough sex' in advance, then yes.

Flag

3RecommendReply

Yn Wridog dros dy Anrhydedd Jan 6, 2018

@Sophia crews @Kay Gee

As long as you are still not in Tesco's then I say go for it!

Flag

2RecommendReply

Ebbcourt Jan 5, 2018

@Kay Gee Unless you live in Jersey (which is not part of the UK) none of your money was spent on this.

Flag

1RecommendReply

ebee Jan 6, 2018

Do you live in Jersey - if not, you have y contributed

Flag

RecommendReply

Iain Sanders Jan 5, 2018

Rename it Tender..

Flag

44RecommendReply

The Donald Jan 5, 2018

Finding it difficult to have much/any sympathy for Miss X. I don't have breasts but can well believe having them pulled/pressed etc could be painful or uncomfortable, but she agreed to have sex. How did this end up in court? Waste of taxpayers money and a stain on Mr Querees name, even though they were having consensual relations. Hope he picks up his studies and continues to make the life he wanted.

Flag

122RecommendReply

Harris Jan 5, 2018

Some women do no service to womankind. If you must have sex after only the second date with someone you met on an internet site and don't like it, don't see that person again. Don't bother the courts with it AND don't ruin someone's life because you're too stupid or perverse to see the obvious solution. Go join a nunnery.

Flag

250RecommendReply

Bella Jan 5, 2018

@Harris Great post.

Flag

12RecommendReply

Peter John Jan 5, 2018

@Harris

Or alternatively write a silly, self-justifying story about it in the New Yorker or whatever, that "women everywhere" can relate to.

Flag

3RecommendReply

Saint John Jan 5, 2018

So they met on Tinder . Then had consensual sex .

But subsequently he is charged with being too rough with her breasts ? What happened ? Did the lady go to the police ? and say he had sex with her agreement - but he was rough ?

The process by which this ever got to court must be most odd ?

Flag

149RecommendReply

John B Jan 5, 2018

It getting to court is odd for sure. Him subsequently being convicted is beyond belief.

Flag

109RecommendReply

Jill Allan Jan 5, 2018

"He maintained the assault was indecent because Mr Queree had been touching a part of the complainant's body that is "sexual." "

Not the only part of her body with which he was in contact that was "sexual", surely, if they were engaged in (consensual)sex?

Flag

44RecommendReply

est1977 Jan 5, 2018

Miss X

Flag

23RecommendReply

Rodger Webb Jan 5, 2018

@est1977 No Mr X then; he gets named.

Flag

46RecommendReply

Brian Davies Jan 6, 2018

@Rodger Webb @est1977 The police use the justification, rightly or wrongly, that to name an alleged attacker encourages other alleged victims to come forward which helps them build their case. I can't see that this would be relevant in this case and common sense should have prevented him being named.

Flag

5RecommendReply

ebee Jan 6, 2018

No sense is common.

Which ever way you look at it, at the very least he's an inconsiderate partner. He could have been charged with common assault as has been pointed out. That wouldn't have been good for his career either

Flag

RecommendReply

Brian Davies Jan 6, 2018

@ebee It's snowing again I see.

Flag

RecommendReply



Ref.: Conviction of Philip Queree, who held woman's breasts during sex, is overturned
26/04/2018 9:08