

**IN THE GRAND COURT OF THE CAYMAN ISLANDS
CRIMINAL DIVISION**



Neutral Citation Number: [2026] CIGC (Crim) 01

Case Number: IND. 66 of 2025

THE KING

V

LENORD SHAMU DAVY

Appearances: **Mr. Martin Mulgrew, Counsel for the Prosecution**
 Mr. Dennis Brady, Counsel for the Defence

Before: **Hon. Justice Emma Peters**

Sentence Ruling: **27th January 2026**

SENTENCE RULING

Background

1. On the first day of his trial (20th October 2025) Mr. Davy asked to be rearraigned on count two, a charge of sexual communication with a child, contrary to section 228E of the Penal Code (2024 Revision). He pleaded guilty to that charge. At the request of the prosecution, I order that Count one is to lie on the file marked in the usual terms.



The Facts

2. The complainant MB was a female child of 14 years of age at the time the offence was committed. The defendant was a friend of MB's family who had known the family since MB was a young child. At the time of the offending, the defendant was 28 years old.
3. At the start of the sentencing hearing, I asked Mr. Brady to clarify what was said by the defendant in the SIR and then repeated by Mr. Brady in his written submissions as to knowledge of age. After taking some time to take instructions, Mr. Brady confirmed that the defendant did accept that he was aware of the complainant's age during the course of their communications. He resiled from the suggestion that he stopped that communication immediately upon becoming aware of her true age.
4. It was MB who initiated telephone communication with the defendant sometime in July 2024, having obtained his number from her brother. She said she was lonely and the defendant was someone whom she could talk to. MB and the defendant struck up a friendship. The defendant became sexually attracted to MB and by his plea admits that he began sending messages to MB of a sexual nature and for the purposes of obtaining sexual gratification.
5. An extract of the messages, helpfully included by the Crown in their sentencing note read as follows:
 - (a) "You look so sexy" [commenting on a video MB had sent to the defendant of herself fully clothed]
 - (b) "Now u mi gal fi life"
 - (c) "Now I know you are mine"
 - (d) "U want me to put you on fire and then make u wet and cool it down"
 - (e) "I love how u gets wet early for me when I'm with you"
 - (f) "U make me so hard and horny for u"
 - (g) "how u get so wet it's not going to hurt when we going have sex"
 - (h) "U want it as bad as I do so u going to be wet and go in early"



6. MBs mother, upon seeing a light on her daughter's phone in late September 2024, saw the defendant on the other end of the call, took her daughter's phone and saw sexual messages on it. She took screenshots of the messages and reported the defendant to the Police.
7. The defendant was arrested and interviewed. In his Police interview under caution the defendant declined to answer questions but gave a prepared statement in which he accepted having been in contact with MB. Despite having been a friend of the family for several years and knowing MB since she was a young child, he denied knowing she was under the age of 16 when he began sending her sexually explicit messages. By his plea he now accepts that he did in fact know that she was under 16.

Antecedent History

8. The defendant has one irrelevant previous conviction for an offence of unlawfully remaining in a place other than his own residence for which he received a fine. It is said that he received an order for community service which he may have breached in respect of a traffic offence but I have no further information about that.

Sentencing Guidelines

9. The maximum sentence for an offence under section 228E is one of six years imprisonment. There are no sentencing guidelines in the Cayman Islands for this offence. It was agreed by counsel for both Crown and defence that it would be appropriate to consider the guideline for the same offence in England and Wales (Sexual Offences Act 2003, s.15A), albeit recognising that the statutory maximum for that offence is two years imprisonment as compared to one that is three times higher in the Cayman Islands.
10. The parties agreed that, if dealt with under the UK Guidelines, the facts would place this offence in category 2B. The starting point for a category 2B offence is 6 months imprisonment with a range of up to 12 months.



11. Given the difference in the statutory maximum, the Crown submitted that an appropriate revision upwards would result in a starting point for the Cayman offence of around 18-24 months imprisonment with a range of up to 24 – 30 months imprisonment. It is not suggested that there are any additional aggravating factors.

Credit for Guilty Plea

12. It is agreed between the parties that a guilty plea on the first day of trial justifies a discount of at most 10%. As the Crown observes, thankfully the complainant did not attend court that day as she was expected the following day. I have decided that since the complainant was spared the stress of having to give evidence, that I will give the defendant the full 10% discount for his plea on that day.

Social Inquiry Report

13. The defendant is a 29 year old Jamaican man who is separated from his wife. He moved to the Cayman Islands in 2016 for work purposes. He sustained serious injuries in a motorcycle accident in 2022 which resulted in him being unable to work for almost 18 months. He is now back in employment working in a gas station.
14. The defendant denies being sexually interested in children. It is noted that at the time of the offending the defendant was not in full time employment and it is suggested that may have contributed to his spending too much time online thus resulting in this offending.
15. The defendant told the DCR that he first met the complainant's mother when he was 16 or 17 years of age so that would be approximately 12 or 13 years ago. I note that the complainant is one of many siblings but this fact no doubt would have been explored by the Crown had the defendant not conceded that he did know that the complainant's true age. His denials of that knowledge in interview with the DCR when set against his guilty plea (before the interview) and the firm instructions to his attorney during the sentencing hearing can be explored by DCR over the months and years to come.



16. The SIR helpfully observes that online sexual offending can often be a reaction by a male defendant to difficult emotions including depression. I note that the DCR observe that the defendant was suffering from depression as a result of his serious traffic accident in 2022.
17. He is assessed overall as being at a medium risk of reoffending. The risk is assessed in part as high because of his unwillingness in interview to accept responsibility for the offending, instead viewing himself as the victim of circumstances. He is said to have shown no victim empathy nor any real awareness of the possible impact of his actions.
18. The DCR invite the court to consider the imposition of a suspended sentence supervision order with a variety of attached conditions. I am very grateful to the Probation Officer for what has been an extremely helpful report.

Mitigation

19. Mr. Brady observes that the defendant's visible lack of sophistication is extremely relevant here. As Mr. Brady delicately puts it – the defendant is “not an academic”. What was helpfully set out in mitigation suggests a lack of intellect and a wealth of apparent naivety.
20. As I have already observed, at the start of the hearing I gave Mr. Brady time to take instructions, and he returned and confirmed that his client accepted that he had known the complainant's true age at the time of the offending and so much of Mr. Brady's written submission became otiose thereafter. I am grateful to him for his assistance, nonetheless.
21. Mr. Brady invites the court to give a discount for the defendant's plea of guilty which he concedes was at a late stage but did at least spare the complainant from the trauma of having to give evidence.
22. Mr. Brady submits that passing a sentence which enables the defendant to receive professional help, guidance and rehabilitation, as opposed to severe punishment, would be appropriate and would enable the defendant to return to being a productive and engaged member of the community.



The Court's Conclusions

23. The defendant is a 29 year old man of effective good character who has pleaded guilty, albeit at a late stage, to the offence of sexual communication with a child.
24. Such offending is very damaging to young children and those who commit such offences should expect to be punished even where the children with whom they are communicating initiate that contact. It is every adult's responsibility to act properly, lawfully and responsibly. Where they find themselves the recipient of such communication it is their responsibility as the adult to end it. There can be no place for blaming a child in such circumstances.
25. I accept that the defendant is a naïve, unsophisticated man who is not intellectually blessed. The SIR was of particular assistance even though the Probation Officer was faced at that stage with the difficulty of a defendant still in denial.
26. He must be punished but there is also an importance when dealing with offences of this sort to ensure that rehabilitation is achieved in order better to protect other children.
27. When applying the sentencing guidelines relevant in England and Wales to this offence, there are no higher culpability factors, nor any greater harm factors. That would lead to a start point in that jurisdiction of 6 months imprisonment.
28. I recognise however that the Cayman Islands Parliament has chosen to apply a significantly higher statutory maximum to this offence in Cayman than it has in England and Wales. That fact must be properly reflected in what should be the eventual sentence.
29. I have concluded that the proper start point for this offence with these facts is one of 24 months imprisonment.



30. I was much assisted by the SIR and by Mr. Brady's mitigation and taking all of those factors into account, I conclude that the personal mitigation including the defendant's lack of sophistication, his naivety, his relative good character and the impact that his 2022 injuries had on him both physically and emotionally justify a reduction of eight months.
31. I then apply a further discount of 10% to take into account of the credit that he is entitled to for his plea of guilty.
32. That takes me to a total sentence of 14 months imprisonment.

The Sentence

33. In order to achieve the aim of enabling this defendant's rehabilitation, I have decided to sentence him to 14 months imprisonment but to suspend this sentence for two years pursuant to section 21 of the Alternative Sentencing Act (2008 Revision). During the 2 year period in which he will be subject to this Suspended Sentence Supervision Order, the defendant is to be supervised by the DCR. The conditions are that he is to:
- a. Reside at the stated address.
 - b. Follow and comply with all the instructions of his assigned Probation Officer which will include:
 - Attend at, and fully engage with, all appointments and any Programmes as directed by DCR. (Full engagement is noted expressly to require the defendant not to seek to resile from his clearly expressed acceptance at court that he knew the complainant was under 16).
 - Undertake a substance misuse assessment and thereafter any treatment as recommended by the Counselling Centre.
 - Attend any counselling or mental health treatment recommended by the DCR or his medical practitioners.
34. The defendant is warned as to the possible consequences of any breaches of the Order made.

Ancillary Orders

35. The prosecution has applied for a sexual harm prevention order which application is not opposed by the defence. The Court finds that such an order is necessary to protect children from the defendant and makes the order as I have amended it today with the agreement of Counsel. The order is to be in place for 5 years from today. The defendant is warned as to the consequence of a Breach of that Order.

Dated the 27th day of January 2026



**The Hon. Justice Emma Peters
Judge of the Grand Court**