

JERSEY / JUDGMENT

AG -v- Ahier [2015] JRC 072 (13 April 2015)

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JUDGMENT

THE DEPUTY BAILIFF: 1. You are here to be sentenced on an Indictment which contains one count of illegal entry and larceny, two counts of breaking and entry and larceny, one count of malicious damage and two counts of possession of controlled drugs, namely morphine and cannabis resin. All offending took place on the same day except the single count of illegal entry and larceny which took place two days earlier. 2. You have a poor record. When you were last before this Court in March 2013 (AG-v-Ahier

[2013] JRC 055) you received a total of 3 years' imprisonment for offending that also included two counts of breaking and entry and larceny. On that occasion the Court warned you in these terms:- "Things are only going to get worse for you if you continue like this. It is time that you realised that. We recognise from the background reports that you have had your own difficulties. We urge you to use your time in prison constructively because if you continue along this path the sentences which are imposed by this Court are likely to get only higher." 3. That was a warning in the clearest possible terms. We recognise that you have had challenges and difficulties in your life, including your recent loss. But the Court has tried every form of disposal to help you address your issues and offending, yet you offended only five weeks after being released from prison. 4. Breaking and entry of a dwelling is not simply a crime against property, it is a crime against the person because of the distress it almost inevitably causes. You are said also to be at high risk of reoffending and a substantial prison sentence is inevitable, as indeed you yourself recognise. 5. We have considered carefully all that has been said on your behalf and your counsel has advanced every argument that he possibly could. But, particularly in the light of the previous warning that has been so clearly given, the Court sees no basis for departing from the conclusion of the Crown. 6. Accordingly, on Count 1 you are sentenced to 1 year's imprisonment, on Count 2; 3 years' imprisonment, on Count 3; 6 months' imprisonment, Count 4; 3 months' imprisonment, Count 5; 1 month's imprisonment, Count 6; 1 month's imprisonment, the sentences on Counts 1 and 2 to run consecutive and all others concurrently. Therefore you are sentenced to a total period of 4 years' imprisonment. 7. We also order the forfeiture and destruction of the drugs. Authorities Whelan on Aspects of Sentencing in the Superior Courts of Jersey, 3rd Edition. AG v Da Silva 1997/218. AG v Moreira

[2003] JRC 083A . AG v Wylie

[2006] JRC 026 . AG-v-Ahier

[2013] JRC 055 . Page Last Updated: 24 Jan 2018 BAILII: [Copyright Policy](#) | [Disclaimers](#) | [Privacy Policy](#) | [Feedback](#) | [Donate to BAILII](#)

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