

JERSEY / JUDGMENT

AG -v- Ahier [2016] JRC 230 (09 December 2016)

[2016] JRC 230

Source: bailii.org · Research copy typeset by Esheria. Not court-issued or certified.

JUDGMENT

THE commissioner: 1. On 23 rd May, 2014, you were sentenced by this Court to 190 hours' community service for various offences. The time for carrying that out was extended because of your ill health, but now you have committed this grave and criminal assault on a police officer. We accept that as grave and criminal assaults go this was very much at the bottom of the scale. But police officers are entitled to look to the Court for protection and the Court has regularly stated that those who assault police officers must expect a prison sentence, save in exceptional circumstances. Furthermore you were warned at the time when the Court imposed the community service of the likely consequences of further offending. So when the members of the Court first read the papers, there seemed to be no alternative but to an immediate prison sentence, particularly given the recommendation in all the reports that a probation order would be inappropriate because of your repeated failures to comply with such an order and your inability now on health grounds to carry out community service. 2. Advocate Dale has spoken very powerfully on your behalf. The key factor in the Court's opinion is that for the first time, you have begun to speak of the sexual abuse which you suffered as a child, and Dr Briggs in his psychiatric report has said that he considers this to be very significant. He advises that you are poised to try and address the issues which confront you and in particular matters which arise out of that and he feels that, if successful, this would contribute to your beginning the process of turning your life around, as you say to us that you wish to. You must realise though this will not be an easy process. Nevertheless, we have just been persuaded that in the light of these factors this is an exceptional case which allows us to suspend the prison sentence that has to be imposed. 3. In relation to the count of grave and criminal assault the sentence is 9 months' imprisonment. In relation to the offences for which you were sentenced in 2014, the sentence is as follows: Count 2; 3 months' imprisonment, Count 3; 3 months' imprisonment, Count 4; 1 months' imprisonment, Count 5; 2 months' imprisonment and for the breach of the earlier Probation Order; 1 month's imprisonment, all of those to be concurrent, but consecutive to the 9 months' imprisonment, that makes a total of 12 months' imprisonment. However, we are going to suspend that for 1 year. That means that if you commit any further offence within that year, then you will not only be punished for that new offence, but on top of it, you will face the prospect of serving this 12 months' imprisonment. So that is what we are going to do. 4. We urge you to take

up the suggestion of treatment in relation to your sexual abuse in the past. The Probation Service I know will point you in the right direction in order to find the right person with whom you should begin this process, but you must do it. It is voluntary on your part, we cannot make it a condition but you say you want to try and turn your life around; well if that is true then now is your opportunity to seek help. The Probation Service, although there is going to be no probation order, will I have no doubt, be willing to help and to try and find the right person with whom you should begin this process. But if you do not go to them and ask for it, then it will not happen, and if it does not happen then we fear you will be back here very quickly and if you are back here you will almost certainly go to prison; do you understand? Very well that is the sentence of the Court. Authorities Criminal Justice (Community Service Orders) (Jersey) Law 2001. Criminal Justice (Suspension of Prison Sentences) (Jersey) Law 2003. Costs in Criminal Cases (Jersey) Law 1961. AG-v-Cox

[2014] JRC 115 . Harrison-v-AG [2004 JLR 111] (extract). AG-v-Bannon

[2003] JRC 190 . AG-v-Vattier

[2007] JRC 105 . AG-v-A

[2013] JRC 129 . AG-v-Barwise

[2009] JRC 182 . AG-v-Cox

[2009] JRC 209. AG-v-Dauny

[2010] JRC 141 . AG-v-Louis

[2010] JRC 170 . Whelan's Aspects of Sentencing in the Superior Courts of Jersey (Third edition).
Page Last Updated: 06 Jan 2017 BAILII: Copyright Policy | Disclaimers | Privacy Policy |
Feedback | Donate to BAILII

Source & reproduction note

Judgment wording, source notices and original paragraph numbers are retained. Esheria supplies the layout and this PDF's page numbers; these are not the source pagination. This is a research copy, not an official or certified court document. Check quotations, citations and publication restrictions against the original source before relying on it.

ORIGINAL SOURCE <https://www.bailii.org/je/cases/UR/2016/>

CASE PAGE <https://chat.esheria.ai/case-law/jersey/ag-v-ahier-2016-jrc-230-09-december-2016>

Prepared on 26 October 2026 · Esheria