

JERSEY / JUDGMENT

AG v APBS and Hoban [2002]

JRC 161 (30 August 2002)

[2002] JRC 161

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JUDGMENT

THE BAILIFF: 1. Mr. Hoban, the Court has given careful consideration to everything that has been said, and very eloquently, by your counsel on your behalf and in particular the Court has given consideration to the question of whether there is an element of double jeopardy in the conclusions, in the sense that we accept that the company is your alter ego and that you will ultimately pay the fines moved for in respect of the company. 2. We have as a result stood back from the matter and tried to look at the question in the sense of the totality of the fines moved for. Having done that we are, in fact, satisfied that the fines moved for are reasonable. You went into this with your eyes open. The purpose of the Housing Law is to preserve certain parts of the housing stock for people who are thought to have the greatest claim, that is to say people with residential qualifications and we must accordingly punish infractions of the Housing Law which are committed quite deliberately and in the knowledge that the law was being broken. 3. We accept all the points made by your counsel in mitigation on your behalf, but the conclusions are granted and the defendant company is accordingly fined £1,500 on charge 1 and £1,000 on charge 2. And you are fined £1,500, or in default of payment 2 months' imprisonment on charge 1; and £1,000 or 1 month, consecutive on charge 2, making a total of £2,500 or 3 months' imprisonment in default and we order that the costs of the prosecution, not exceeding £1,000 will be paid by the company and by you, jointly and severally. We will give the defendant 1 month to pay the fines. Authorities AG -v- Muren and Peters (16 th August 2000) Jersey Unreported; [2000/166] Page Last Updated: 21 Jun 2016 BAILII: Copyright Policy | Disclaimers | Privacy Policy | Feedback | Donate to BAILII

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