

JERSEY / JUDGMENT

AG v Brown [2005] JRC 162 (16 November 2005)

[2005] JRC 162

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JUDGMENT

THE BAILIFF: 1. Brown has pleaded guilty to a grave and criminal assault involving the holding of a knife to the throat of a stranger. Brown has accepted that there was no intent to stab or seriously injure the victim, but only to threaten him. We sentence the Defendant on that basis. It must nonetheless have been a terrifying experience for the victim. Brown was intoxicated at the time and was behaving irrationally. 2. The Defendant has a bad record of previous convictions although gaps in offending have occurred in recent years. The record includes convictions for offences of violence. Applying the factors listed in *Harrison v A. G.*

[2004] JLR111 we think that the Crown's starting point is on the high side. In our judgment a starting point of 3½ years is appropriate in this case. 3. In mitigation Brown has pleaded guilty to the offences and is entitled to credit for that. He is aged 39 and has served only one sentence of imprisonment as an adult. We have read the references placed before us and taken note of the fact the Defendant's sister has felt strongly enough to come to Jersey to support him. We give weight to all these mitigating factors. Brown, you did behave irrationally on that occasion, but you also behaved criminally. The Court cannot allow people to threaten others with knives and we must punish you for the offences which you've committed. 4. We sentence you on Count 1 to 2 weeks' imprisonment. On Count 2 to 2 years' imprisonment concurrent, making a total of 2 years' imprisonment. Authorities *Harrison v AG*. [2004] JLR111. Page Last Updated: 18 Aug 2015 BAILII: Copyright Policy | Disclaimers | Privacy Policy | Feedback | Donate to BAILII

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