

JERSEY / JUDGMENT

AG v Carrel [2003] JRC 213 (21 November 2003)

[2003] JRC 213

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JUDGMENT

THE DEPUTY BAILIFF: 1. Carrel, you have an appalling record of dishonesty and other offences but to your credit you have really managed to improve things to the extent that you have no conviction for any offence involving dishonesty since 1987. So it is all the more disappointing that you have now committed this offence of receiving 148 CDs and DVDs with a retail value of some £1,480. 2. We have been referred by counsel to the Jersey case of Wylie -v- A. G. (17 th January, 2002) Jersey Unreported; [2002/13] and to the English case of R -v- Webbe

[2001] EWCA Crim 1217 . Webbe appears to set out a number of guidelines. We agree that none of the aggravating features mentioned there are present and we do agree with the submission that this is towards the lower end of the scale of seriousness of offences of receiving. 3. Nevertheless the offence merits imprisonment and we would have sent you to prison were it not for the efforts that you have made since 1987 and we wish to encourage that and not send you back into your old ways for one failure. So we are going to impose a non-custodial sentence of community service. 4. We must therefore decide on what would have been the right prison sentence. Had you pleaded guilty we think the right sentence would have been nine months. We therefore agree with the Crown that on a not-guilty plea, fifteen months would have been the correct sentence. 5. Therefore we will transpose that to community service and we impose 210 hours' of community service, which you must do within the next twelve months. You must understand Mr Carrel, you must perform the service and you must turn up when instructed. If you start not turning up when you are told to, you will be reported back to his Court and then there will be no alternative but to send you back to prison. 6. So we hope very much that this is one single slip and that you can carry on the progress you have been making over the last few years. Authorities Wylie -v- A. G. (17 th January, 2002) Jersey Unreported; [2002/13]. R -v- Webbe

[2001] EWCA Crim 1217 . Page Last Updated: 22 Jun 2016 BAILII: Copyright Policy | Disclaimers | Privacy Policy | Feedback | Donate to BAILII

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