

JERSEY / JUDGMENT

AG v Cooper [2005] JRC 036 (01 April 2005)

[2005] JRC 036

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JUDGMENT

THE BAILIFF: 1. This defendant is to be sentenced on an indictment of 4 counts, including larceny and various motoring offences, and for further offences involving the misuse of drugs, and more motoring offences for which he was ordered to perform 170 hours of community service on 1 st July, 2004. He is in breach of that order. 2. Cooper has an appalling record involving 16 previous appearances before the courts. He is still only 22. He has served sentences of imprisonment and has been given non-custodial sentences on many occasions. None of this has moderated his behaviour and he is said to be at high risk of re-offending. His life in some respects is chaotic and unstructured and he pays no consideration towards the interests of others. 3. In mitigation he has pleaded guilty to the offences on the current indictment and admitted the breaches of the Magistrate's Order of the 1 st July, 2004. He is still a young man, and he is entitled to some residual credit for that. He has also made efforts, so we are told by his counsel, to remain drug free whilst on remand at the prison and that is also a very positive factor. 4. We have taken account of everything that your counsel has said very eloquently on your behalf. We have considered all the reports placed before us and we have read your letter and we have noted that you are using your time profitably at the prison. All these things are to the good. You are not, we are quite sure, an unintelligent young man, and you can make something of your life if you will, but in the meantime we must punish you for the offences which you continue to commit. 5. The conclusions of the Crown Advocate are right and proper and they are granted. You are accordingly sentenced on Count 1 to 3 months' imprisonment; on Count 2 to 9 months' imprisonment, consecutive. On Count 3 to 6 months' imprisonment, concurrent; on Count 4 to 9 months' imprisonment, concurrent, making a total of 12 months' imprisonment. For the breach of the Community Service Order you are sentenced to 6 months' imprisonment, concurrent on each of the counts relating to that order, concurrent with each other, but consecutive to the 12 months' on the indictment; and you are disqualified for a period of 24 months' on counts 2, 3 and 4 of the indictment. Authorities Whelan: Aspects of Sentencing in the Superior Courts of Jersey (2 nd Ed'n): pp. 196 - 198. Road Traffic (Jersey) Law 1956, as amended. Motor Traffic (Third Party Insurance) (Jersey) Law, 1948, as amended. Graham -v- AG (1 st October, 1996) Jersey Unreported; [1996/177]. Page Last Updated: 18 Aug 2015 BAILII: Copyright Policy | Disclaimers | Privacy Policy | Feedback | Donate to BAILII

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