

JERSEY / JUDGMENT

AG v Cornish [2016] JRC 199C (04 November 2016)

[2016] JRC 199C

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JUDGMENT

THE DEPUTY BAILIFF: 1. You are to be sentenced today for the breach of a restraining order made under the Crime (Disorderly Conduct and Harassment)(Jersey) Law 2008 . The offence was committed on the 6 th July and in committing this offence you placed yourself in breach of a Community Service Order. We do not need to go into the full details of the offending. This is a complex matter, and you were in a relationship with the victim and have been in such a relationship since 2008. It has been described in the papers as an on/off relationship and it was clear that it was a volatile one and involved both excessive consumption of alcohol and, as a result, violence from time to time. 2. This is far from being your first breach, but there have been mixed messages. Sometimes you had been encouraged by the victim in your breach and sometimes not. In any event though, although the victim allowed you into her accommodation on this occasion, this was nonetheless a flagrant breach of the order of the Court, and you have a quite dreadful record. There is a whole list of similar type of offending and many examples where you have not responded to all of the non-custodial alternatives that the Court has tried. 3. We note the mitigation in this case, specifically your guilty plea, but it cannot be said that you were co-operative with the police and gave frank admissions, instead you gave a misleading account initially. We note the contents of your letter and we see in it some cause for optimism, but nonetheless it is clear that there is a high risk of failure attendant on any community order that the Court might make. We do not think that it is any longer open to us to make a Community Service Order, or to deal with this other than realistically by a term of imprisonment. This breach, as I have said, is a flagrant one and one of a sequence of many breaches in the past of which you have been given the opportunity to deal with the matter in the community. 4. We think the Crown's conclusions are correct and you are sentenced to 7 months' imprisonment for the current breach and 6 months' imprisonment, consecutive, for breach of the Community Service Order, making a total of 13 months' imprisonment. Authorities Crime (Disorderly Conduct and Harassment)(Jersey) Law 2008. AG-v-Amy

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