

JERSEY / JUDGMENT

AG v CTK [2004] JRC 015 (23 January 2004)

[2004] JRC 015

Source: bailii.org · Research copy typeset by Esheria. Not court-issued or certified.

JUDGMENT

THE DEPUTY BAILIFF: 1. Now CTK, on 5 th November we gave you a chance by placing you on probation despite your previous record but you spurned that chance by re-offending very shortly afterwards. You then escaped a couple of times from Greenfields. We gave you another chance when you asked for it by granting you bail over Christmas but you spurned that chance by failing to return to Greenfields and committing further offences at the end of December. This included, yet again, taking your mother's car and more motoring offences including driving dangerously at speeds of up to 80 miles an hour whilst being chased by a police car before crashing. It was lucky that you and your passengers were not seriously injured. We have put off sentencing you, as you know, in the hope that it might have been possible for you to go to a residential hostel in England but following their visit to Jersey that is not possible. That then leaves us really with no alternative but Youth Detention. Article 4 of the 1994 Law, says that we should only sentence you to Youth Detention in certain circumstances but we are quite satisfied in this case that there has been a history of failure on your part to respond to non-custodial sentences and you appear unable or unwilling to respond to them. So there is no alternative to Youth Detention and all that remains is to decide how long it should be. 2. Your Advocate has urged that it should be less than twelve months. We have given careful consideration to that but we think that the offences you have committed require the sentence which has been moved by the Crown. We think, additionally that this may give you, over a period of some eight months, a period of stability and time for reflection. 3. In the circumstances we are going to grant the conclusions although we are going to vary the make up slightly. Count 1, six months'; count 2, six months' Binding-Over Order; count 3, six months'; count 4, three months'; count 5, three months'. On the second indictment, count 1, six months'; count 2, six months'; count 3, six months' Binding-Over Order; count 4, six months'; count 5, six months' Binding-Over Order; count 6, six months'; count 7, three months' and count 8, three months' Youth Detention. All of those sentences are to be concurrent save for those passed on count 5 of the first indictment and count 1 of the second indictment; they are to be concurrent with each other but consecutive to the other sentences which makes the twelve months' in all. 4. As to disqualification, we have listened to what your Advocate has said and we agree that we would not like to disqualify you for too long after you become free to drive. We are giving you a chance in that respect. We hope that, by then, you will have seen the error of your ways; so we are going to disqualify you for two years on all the counts where the Crown has moved for disqualification. Finally, we would like to say this: we very much hope, as we have

been told by Mr Pike, that your education can continue at La Moye. We understand Greenfields will make great efforts for your education to continue and we earnestly support that. Secondly, we hope that it will be possible for you to continue with your music whilst in Youth Detention, if that is something that you wish to do; and thirdly, we hope that in Youth Detention an offending behaviour programme and substance misuse programme can be made available. So we hope that when you emerge you will have derived some benefit from the time that you will have spent in prison. All the Probation Orders are discharged. Authorities Criminal Justice (Young Offenders) (Jersey) Law 1994 Current Sentencing Practice: - Part B8 - 5: Escape from Lawful Custody Part B8 - 53 AD4: R -v- Sutcliffe

(1992) 13 Cr. App R. (S) 538 Part B8 - 53 A06: R. -v- Wilson (1992) 14 Cr. App. R. (S) 314 Road Traffic (Jersey) Law 1956 Motor Traffic (3 rd Party Insurance (Jersey) Law 1948 Magistrate's Court Guidelines (September 1999) A. G. -v- CTK & Ors

[2003] JRC199 Page Last Updated: 24 Mar 2017 BAILII: Copyright Policy | Disclaimers | Privacy Policy | Feedback | Donate to BAILII

Source & reproduction note

Judgment wording, source notices and original paragraph numbers are retained. Esheria supplies the layout and this PDF's page numbers; these are not the source pagination. This is a research copy, not an official or certified court document. Check quotations, citations and publication restrictions against the original source before relying on it.

ORIGINAL SOURCE <https://www.bailii.org/je/cases/UR/2004/>

CASE PAGE <https://chat.esheria.ai/case-law/jersey/ag-v-ctk-2004-jrc-015-23-january-2004>

Prepared on 26 October 2026 · Esheria