

JERSEY / JUDGMENT

AG -v- Dias [2015] JRC 010 (16 January 2015)

[2015] JRC 010

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JUDGMENT

THE DEPUTY BAILIFF: 1. In the course of your employment one of your colleagues in the garden annoyed you and you picked up a heavy weapon and struck him over the head with it. Fortunately there was no serious injury and he has made no complaint to the police. It was the second time, however, that you have committed an offence of this kind and the Court has considered carefully the impassioned plea from your counsel that we should impose a non-custodial sentence. Any assault using a weapon of this kind is treated by these courts as very serious, and the fact that it is the second offence leads us to the view that we have to impose a custodial sentence upon you. We think that custody is right in principle, given the fact that it is a second offence and given the fact that a heavy weapon was used, and we have felt the weight of the weapon ourselves. 2. In many respects it is a slightly odd offence. It is as though you have completely lost your temper and yet maintained a fairly clinical self-control immediately afterwards, and it is clear from the psychological report which is before us, that you have some issues which really do need to be addressed and we hope you realise that. It is possible for you to address those issues in prison and we urge you to take advantage of the psychological assistance you can get in the prison when you serve the sentence we are about to impose. 3. We have taken into account that you have been fully cooperative and that you pleaded guilty. We think that you are genuinely remorseful; we noted that your letter of apology to the victim was a long time before the court hearing, that you have a good work ethic and that you are a good family man. We take all those things into account and we think the Crown's conclusions are too long. 4. We are going to sentence you to a term of 15 months' imprisonment for this offence and we urge you to take the time in prison to address the psychological issues which need to be addressed because this type of behaviour is worrying and you need to learn how to control yourself. Count 2 is 1 month's imprisonment, concurrent, so that makes a total of 15 months' imprisonment. Authorities *Harrison v AG*

[2004] JLR 111 . *Camacho v AG*

[2007] JLR 462 . *AG v Veloso*

[2014] JRC 162B . *AG v Dias*

[2003] JRC 189 . Page Last Updated: 27 Sep 2016 BAILII: [Copyright Policy](#) | [Disclaimers](#) | [Privacy Policy](#) | [Feedback](#) | [Donate to BAILII](#)

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