

JERSEY / JUDGMENT

AG -v- Dickinson [2005] JRC 135 (30 September 2005)

[2005] JRC 135

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JUDGMENT

THE DEPUTY BAILIFF: 1. You are before the Court for an offence of unlawful sexual intercourse with a girl of 13. You also stole £320, and committed some other less serious offences. 2. We accept that you are very immature for your age, as set out in the Reports which we have read very carefully. Nevertheless, you were 18 at the time and the girl was only 13. Furthermore, you knew that she was very drunk and that she might not necessarily have consented if she had not been so drunk. Young girls are entitled to protection from themselves. 3. We take into account the mitigation that has been put forward on your behalf by your Advocate, Miss Fogarty. We note your guilty plea, the fact that you are remorseful. We have read your letter, and the references, the fact that youth detention is particularly difficult for you, as you described, and the fact that the larceny was a form of revenge rather than for gain. Nevertheless, despite all that we are satisfied that your offending is of such seriousness that we cannot proceed by way of a non-custodial penalty. 4. We agree that you need assistance. We note from one of the reports that much of that assistance could be given in youth detention and we urge that that be done. We very much hope that you will take advantage of the remaining time. 5. Normally sentences of this nature are consecutive where there are completely separate matters such as the larceny and unlawful sexual intercourse; but in view of your youth and in view of the mitigation that Miss Fogarty has put forward we are going to make them concurrent as recommended by the Crown. 6. The sentence of the Court is as follows, on Count 1 £400 fine or 1 month's youth detention, in default; Count 2, 6 months' youth detention, Count 3, 1 month's youth detention and Count 4, 12 months' youth detention, all of those including the penalty in default on the fine, to be served concurrently. So that is 12 months' youth detention in all, and I must warn you that you may be liable to supervision when you are released. Authorities AG -v- Rosser [2002]JRC067. Whelan: Aspects of Sentencing in the Superior Courts of Jersey (2 nd Ed'n): pp. 340 - 363 and 946 - 969. R -v- Taylor and Ors (1977) 64 CR. App. R. 182. Page Last Updated: 27 Mar 2017 BAILII: Copyright Policy | Disclaimers | Privacy Policy | Feedback | Donate to BAILII

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