

JERSEY / JUDGMENT

AG -v- Duffy [2017] JRC 131 (18 August 2017)

[2017] JRC 131

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

JUDGMENT

THE DEPUTY BAILIFF: 1. You are to be sentenced today for two counts of common assault, one of grave and criminal assault and one of affray. All of those counts were alcohol-fuelled and the assaults were part of a course of domestic violence carried out by you on your then partner. 2. As the Court has said on many occasions it takes incidents of domestic violence very seriously indeed. A person is entitled to feel safe in their own home. 3. The affray also was particularly serious involving as it did threats with knives against police officers who were going about their public duty and the Court has, on many occasions, also said that in general it marks such offences with a term of imprisonment. 4. We do not need to go into the detail of this offending, that has been set out fully in the summary given by the Crown, but this was undoubtedly a terrifying experience for your former partner and others who witnessed it. 5. We have considered carefully the reports and we note the difficulties that you have faced. We have read your letter and those of your father and son and others carefully and we understand that there is another side to your character that shows when alcohol is not involved. You have the benefit of an early guilty plea, which is of real value in a case such as this, and you have the benefit of your full cooperation. 6. Nevertheless, the public must be protected and the offences, which are serious, must receive an appropriate sanction. We were, as you may have heard when the Court came in, considering increasing the conclusions moved for by the Crown but in the light of the mitigation that has been communicated to us both by your counsel and within the letters and the reports we think, instead, that we will largely impose the sentence that the Crown has moved for in its conclusions. We will make some variation to Count 1 to reflect the Court's view of the seriousness but that will not affect the overall sentence. 7. We impose an Exclusion Order in the terms sought by the Crown, you are accordingly excluded from 1st, 2nd, 3rd, 4th, 5th and 7th Category licenced premises excluding the Multiplex Cinema, the Arts Centre, the Airport, the Ferry Terminal and the Opera House for a period of 12 months to take effect on the day on which you are released from prison. 8. In the light of the effect on your former partner we also impose a Restraining Order in the terms sought by the Crown to run for a period of 5 years from today. 9. As I have said, we propose to sentence along the lines proposed by the Crown with this exception: with regard to Count 1 you are sentenced to 4 months' imprisonment to run concurrent with Count 3, for Count 2; 4 months' imprisonment to run concurrent with Count 3, Count 3; 15 months'

imprisonment to run consecutively to Count 4 and Count 4; 15 months' imprisonment to run consecutively, a total of 30 months' imprisonment. 10. We order the forfeiture and destruction of the knives. Authorities AG-v-Crabtree

[2014] JRC 165A . AG-v-Smale

[2011] JRC 156A . AG-v-Heard

[2012] JRC 132 . AG-v-Da Silva

[2016] JRC 046 . AG-v-Mears

[2008] JRC 217 . AG-v-Horn

[2010] JRC 104 . Licensed Premises (Exclusion of Certain Persons)(Jersey) Law 1998. Crime (Disorderly Conduct and Harassment)(Jersey) Law 2008. Page Last Updated: 17 Oct 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/2017/>

CASE PAGE <https://chat.esheria.ai/case-law/jersey/ag-v-duffy-2017-jrc-131-18-august-2017>

Prepared on 23 October 2026 · Esheria