

JERSEY / JUDGMENT

AG v Fagan [2001] JRC 137 (15 June 2001)

[2001] JRC 137

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JUDGMENT

THE DEPUTY BAILIFF: 1. To threaten anyone with a knife is a serious matter. We accept that this was at the lower end of the scale of such offences. It involved two very superficial injuries to the victim's arm caused as he tried to take the knife from the defendant which he succeeded in doing. 2. Such cases normally merit imprisonment because of the potential for serious injury caused by the use of a knife. In this case there is very powerful mitigation. We accept that it arose out of the fact that the defendant had been in love with the victim; he had deceived her and let her down in a very public way over the proposed marriage, and then over accommodation. What is unusual is that the victim has written a letter and spoken to the probation officer accepting some responsibility and asking for leniency on the part of the Court. 3. The defendant has no previous convictions of any relevance; she is of excellent character; hardworking, and holds a responsible job. We are satisfied that it was a one-off incident which was fuelled by a mixture of love and anger coupled with a large consumption of alcohol. 4. Stand up, please. The Court is not going to send you to prison. We are going to impose a community service order of 240 hours and we must tell you that the period of imprisonment we would have had in mind would have been one of 18 months. No Authorities Page Last Updated: 19 Aug 2015 BAILII: Copyright Policy | Disclaimers | Privacy Policy | Feedback | Donate to BAILII

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