

JERSEY / JUDGMENT

AG v Fortun [2002] JRC 205 (25 October 2002)

[2002] JRC 205

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

JUDGMENT

THE commissioner: 1. Arson, or maliciously setting fire to the property of another, is a troubling and serious offence. It will usually have as its cause the troubled mind of the arsonist. It is because the offence could be potentially lethal that the suggested tariff sentence is between 3 and 5 years' imprisonment. With higher sentences appropriate for aggravated cases. 2. We have in the past criticised the fact that we are unable to make a hospital order directly. But in any event careful reading of the Probation and Psychiatric Reports leaves us in doubt that treatment in that form is possible in this case. After reading the Reports we are no further into understanding what motivates Fortun; for this is not his first case before this Court for arson. 3. The fire at Le Marquand's was in the early hours; petrol was used, and whilst fortunately no one's life was endangered, some £20,000 worth of damage was caused. 4. Drink is clearly one of the causes of the problem. When you are able to avoid drink you seem able to avoid trouble, as your counsel has so clearly stated. As I have said, setting light to a property, in town, at night, using petrol, is very serious, because one has no idea what the consequences will be. 5. In your favour, it must be said, you went to the Shelter to give them some sort of warning. You pleaded guilty, you have been co-operative and we accept that you may well have had a real memory loss. The learned Jurats are not agreed. One would follow the conclusions of the Crown, the other would move for a slightly more lenient sentence. In the circumstances, you are sentenced to 6 months' imprisonment on count 1 and to 3 years on count 2; but because of the disagreement, I shall make those sentences concurrent; and the time you have spent on remand will, of course, be deducted from the sentence. Authorities A. G. -v- Drew (1985-86) JLR N.19. A. G.- v- Coutanche (1989) JLR N.11. A. G.-v- Skinner (1995) JLR N.21. A. G.-v- Haslam (25 th May, 2001) Jersey Unreported; [2001/122]. Page Last Updated: 20 Jun 2016 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/2002/>

CASE PAGE <https://chat.esheria.ai/case-law/jersey/ag-v-fortun-2002-jrc-205-25-october-2002>

Prepared on 30 October 2026 · Esheria