

JERSEY / JUDGMENT

AG -v- Golding [2017]

JRC 127 (11 August 2017)

[2017] JRC 127

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JUDGMENT

THE commissioner: 1. Mr Golding, on 7th April this year you were sentenced to a 12 month Probation Order and 160 hours' Community Service Order for an offence of grave and criminal assault. Given your record you were quite lucky to be given that chance and yet, only two weeks later, you committed the offence for which you are now before us. That was another assault, caused by your temper coupled with the consumption of alcohol. We accept that the assault in this case only involved two punches but it is more serious than that because the victim was unconscious for a short while after your first punch and yet you still punched him again when he got up. 2. Nevertheless, in mitigation we have taken note of what your advocate has said and what is in the reports and in the letters we have received. In particular we do note the effect which the circumstances surrounding your father's death have had on you, but the pain which you are suffering from that does not give you any excuse to go around hitting people. 3. You are 19 and the Criminal Justice (Young Offenders)(Jersey) Law 1994 applies to you but we are quite satisfied that you do have a history of failure to respond to non-custodial sentences and you are unable or unwilling to respond to them and your advocate has very reasonably and properly on your behalf accepted that; so there is no alternative to youth custody in the present case. 4. We hope you will take advantage of what is on offer in youth detention and we are also pleased to read and to hear that you hope to start afresh with the help of your grandmother in England when you come out. Ultimately the choice is yours. If you carry on like you are at present, hitting people, attacking them, then you are going to spend more and more time in prison for longer and longer periods and that would be a terrible waste of your life. So we hope you think about that and we hope you can turn away from the course you have been following so far. 5. But today there is no alternative to youth detention and we think the conclusions overall are correct. But we do think that, given the offence for which you were dealt with at the Magistrate's Court involved a fracture, it is wrong to distinguish between the two. So on the count before us we are going to sentence you to 9 months' youth detention and on the breach offence to 9 months' youth detention, consecutive, making a total of 18 months' youth detention in all. I tell you that you may be subject to supervision when you are released and we discharge the Probation Order and the Community Service Order imposed by the Magistrate's Court. Authorities Criminal Justice (Young Offenders) (Jersey) Law 1994. Harrison-v-AG

[2004] JLR 111 . Page Last Updated: 17 Aug 2017 BAILII: Copyright Policy | Disclaimers | Privacy Policy | Feedback | Donate to BAILII

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