

JERSEY / JUDGMENT

AG -v- Harris [2015] JRC 057 (20 March 2015)

[2015] JRC 057

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

JUDGMENT

THE BAILIFF: 1. You are here to be sentenced on a charge of grave and criminal assault and as a result of that conviction on two counts in respect of which you were earlier put on probation but you breached the Probation Order and so are to be sentenced for possession of a controlled drug and acting in a manner likely to cause a breach of the peace. 2. The facts of the grave and criminal assault, which is the more serious of the offences, are that although in terms of knife crime it falls at the lower end of the scale you, nonetheless, for no reason that we can identify, took a knife and threatened victims with it. The Court has said many times that the use of a knife is a seriously aggravating factor and you will have been told that by your counsel. It may be out of character but the use of a knife is serious and it almost inevitably results in a custodial sentence, and so we do not think that it is wrong in principle at all, we think it is right in principle to give you a custodial sentence in this case. 3. I want you to listen carefully please and it would be for your good that you do so. In this case there are two aggravating factors. One of them is the domestic violence in your relationship - we have noted that your partner is standing by you which is good - and the other aggravating factor is the use of the psychoactive substance; and when we look at your record and look at the social enquiry report, it is absolutely clear that your problem with drugs goes right to the heart of your offending. We are going to send you to prison now but we have taken into account your letter and the other references which have been given, because we think there is just a chance that you are at a crossroads and you do need to think carefully about how you are going to make sense of the rest of your life. We have to punish you today for what you have done and we are going to send you to prison but we are going to reduce the conclusions which the Crown has moved for, having regard to the various items of mitigation and, in particular, having regard to the totality principle so that we sentence you for a total which seems to us to be right, taking your conduct into account. 4. We think that the right sentence on totality grounds is that you should go to prison on the grave and criminal assault for a period of 14 months and on each of the other two charges, where you have been referred, for a period of 1 month consecutive to the 14 but concurrent with each other, making a total therefore of 15 months' imprisonment. 5. You have served an amount of time already. We want you to know that if it is true that you are at a crossroads, then you have got hope to look forward to and you need to concentrate for the rest of the time that you are in custody on how you are going to tackle drug

abuse because that really is at the heart of the problems that you have. 6. So you are sentenced to 14 months' imprisonment on grave and criminal assault; 1 month for the possession of controlled drugs, consecutive, and 1 month on the acting in a manner likely to cause a breach of the peace, concurrent with the drug charge but consecutive to the grave and criminal assault, making a total of 15 months' imprisonment. You need to think hard when you are in custody. 7. The other thing the Court would like to add is that we wish to commend the victims in this case, Advocate Gollop, who behaved with extraordinarily sensible restraint in a difficult problem facing them and we should be grateful if you would pass that on to them. We think they behaved very commendably indeed. Authorities Harrison-v-AG

[2004] JLR 111 . AG-v-Vale

[2003] JRC 201. Page Last Updated: 27 Sep 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/2015/>

CASE PAGE <https://chat.esheria.ai/case-law/jersey/ag-v-harris-2015-jrc-057-20-march-2015>

Prepared on 26 October 2026 · Esheria