

JERSEY / JUDGMENT

AG -v- Jalam [2015] JRC 169 (18 August 2015)

[2015] JRC 169

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JUDGMENT

THE DEPUTY BAILIFF: 1. You are to be sentenced today for one count of assault and one count of indecent assault on a young woman in St Helier in the early hours of 23 rd March this year. This was a nasty and sustained incident in which you forced the woman, who you had met earlier that evening, into the corner of a deserted carpark and subjected her to threats, aggression and violence and to a sustained indecent assault. We have read her statement and the effects on her have been profound and it is not too extreme to suggest that she will carry the effects of your drunken predatory aggression with her for a long time to come. 2. It is true that she also was intoxicated and that there was playful consensual activity as you walked through town together but none of that either explains or justifies what you later subjected her to. It must have been a terrifying ordeal for her. 3. You do not have the benefit of a good character in that although you do not have previous convictions in respect of sexual offending your record is, nonetheless, poor and contains one instance of violence against a woman. 4. You have pleaded guilty and you are entitled to credit for that but the Court is not convinced that had the CCTV evidence, which we have seen, not been clear you would not have continued to maintain your innocence. The Court's view is that the Crown is correct in its approach in the light of all of the circumstances. 5. We note the mitigation including, of course, the guilty plea and your letter of remorse and the other letters and your advocate who has said all that can properly be said on your behalf. 6. The Court is satisfied however that the Crown is right in its conclusions and in respect of Count 1 you are sentenced to 12 months' imprisonment and in respect of Count 2 you are sentenced to 4½ years' imprisonment, the two sentences to be concurrent making a total of 4½ years' imprisonment. 7. The Court makes an Exclusion Order from licensed premises in the terms moved for by the Crown for a period of 2 years from the date of your release. 8. The period after which you may apply to come off the notification requirements under the Sexual Offenders Law is a period of 8 years from today's date. 9. We also make a Restraining Order in the terms requested by the Crown in paragraphs 89(i) and 89(ii) again for a period of 8 years from today's date. We do not make an order in the terms of 89(iii); in the light of the other orders we have made we do not regard that as a proportionate, or necessary. Authorities Sex Offenders (Jersey) Law 2010. AG v Kelly

[2005] JRC 175 . AG v Carvalho

[2007] JRC 034 . AG v Benest

[2012] JRC 139 . AG v Santos

[2015] JRC 067A . AG v Santos

[2015] JRC 077 . AG v Correia

[2015] JRC 083 . R v Milberry [2002] EWCA 2891. R v E [2003] 2 Cr. App. R. 9. R v Smith

[2012] 1 Cr App R (S) 82 . Page Last Updated: 27 Sep 2016 BAILII: Copyright Policy | Disclaimers | Privacy Policy | Feedback | Donate to BAILII

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