

JERSEY / JUDGMENT

AG -v- K [2015] JRC 175 (24 August 2015)

[2015] JRC 175

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JUDGMENT

THE DEPUTY BAILIFF: 1. We remind the media that they are not allowed to report this matter in such a way as may be likely to identify the child in his case. 2. K you are to be sentenced in respect of one count of recklessly exposing a child to harm. 3. Although, mercifully, your son was not in fact harmed, the consequences of your actions could have been catastrophic. By taking a mixture of drugs you rendered yourself incapable of looking after him and keeping him safe. When the smoke alarm in your home was set off because food had been left on the stove cooking, it did not rouse you and you could not initially be roused by firemen who attended at the scene. We accept, of course, that this was recklessness on your part and you did not deliberately expose your child to harm, however it took the actions of third parties to avoid that harm, and to protect your child. It was no thanks to you. 4. This is your fifth conviction for child neglect and so whilst you do have the benefit of a guilty plea, you are not of good character in this respect. We have, however, considered the mitigation very carefully indeed, including all of the various reports we have received. We understand and appreciate the difficulties that you face. We have read carefully the letter that you have provided to the Court and we accept that your remorse is genuine. 5. We have decided to adopt the conclusions of the Crown. It seems to us that a suspended sentence of 9 months marks the seriousness of the neglect but the suspension offers you the chance to show that you can take the help that is offered to you, and to turn your life around and we very much hope that you will do so. 6. Accordingly, the decision of the Court is to impose a sentence of 9 months' imprisonment, suspended for 2 years. That means that within the 2 year period of suspension, if you commit another offence and come back before the Court in circumstances where you might face a sentence of imprisonment, then the Court can also require the sentence to be served. If you do not, however, then at the end of the 2 year period you no longer need to be concerned about imprisonment for this matter. If you have not understood what I have just said, your advocate will explain it to you again once the Court has risen. Authorities Children (Jersey) Law 2002. Criminal Justice (Suspension of Prison Sentences)(Jersey) Law 2003. AG-v-J and Le Geyt

[2011] JRC 203. Page Last Updated: 16 Jan 2017 BAILII: Copyright Policy | Disclaimers | Privacy Policy | Feedback | Donate to BAILII

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