

JERSEY / JUDGMENT

AG -v- Knowles [2014] JRC 240 (03 December 2014)

[2014] JRC 240

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JUDGMENT

THE commissioner: 1. The defendant, Mr Knowles, has been remanded up to the Royal Court because of Count 3 on the Indictment, an attempt to obtain £3,000 by false pretences, but he also stands to be sentenced for two counts of receiving stolen property, two counts of larceny and one count of resisting arrest. These offences were all committed on the same day and took place during the period of suspension of a sentence of 6 months' imprisonment imposed by the Magistrate's Court on 4 th October, 2013, for escaping from lawful custody; this is, in fact, the second breach of that suspended sentence. 2. The defendant has a bad record for similar and other offences, including very serious assaults and is assessed at a high risk of reconviction and a high risk of serious harm through future violence. The social enquiry report prepared in August shows that the defendant had a difficult childhood and an adult life that has been marred by substance abuse. He was, apparently, under the influence of valium when these offences took place. 3. The only real mitigation available to the defendant is his plea of guilty but Advocate Bell has pointed out, amongst other things, that all of the property has been recovered and these were not sophisticated offences for which he was almost certain to be caught. 4. He has written us a lengthy letter of remorse which we have considered carefully. However, after due consideration, we are going to grant the conclusions of the Crown. The defendant has been shown leniency by the courts in the past, to no avail, he shows a total disrespect for the law. We think that he receives limited credit for his guilty plea, as he really had no option but to plead guilty. As for the suspended sentence, and having regard to the case of AG-v-Watts

[2005] JLR N49,

[2005] JRC 171 , these further offences are not trivial and do merit a custodial sentence and therefore it is just and fair to activate the suspended sentence. 5. On Count 1 you are sentenced to 3 months' imprisonment, on Count 2; 3 months' imprisonment, concurrent, on Count 3; 18 months' imprisonment, concurrent, Count 4; 1 month's imprisonment, concurrent, Count 5; 1 month's imprisonment, concurrent and Count 6; 1 month's imprisonment, consecutive. We are going to activate the suspended sentence and impose a sentence of 6 months imprisonment, consecutive, this makes a total of 25 months' imprisonment. And we do hope, Mr Knowles, that you do take advantage of all of the

opportunities that are available to you in the prison. Authorities AG-v-Watts

[2005] JLR N49. AG-v-Watts

[2005] JRC 171 . Criminal Justice (Suspension of Sentences) (Jersey) Law, 2003. AG v Byrne

[2011] JRC 060 . AG v Dauny

[2010] JRC 141 . AG v Self

[2010] JRC 022 . AG v Hasson and Hubbard

[2008] JRC 076 . Whelan on Aspects of Sentencing in the Superior Courts of Jersey. Page Last
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