

JERSEY / JUDGMENT

AG -v- Le Geyt [2012] JRC 178 (05 October 2012)

[2012] JRC 178

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

JUDGMENT

THE DEPUTY BAILIFF: 1. You are here to be sentenced on two Indictments charging various offences of breaking and entering and larceny, 2 counts of attempted larceny, 1 count of violently resisting police officers, 4 counts of assault against individually named police officers, 1 count of malicious damage to police property, a grave and criminal assault, counts of violently resisting police officers and an assault against a named police officer. 2. Your counsel has accepted that a custodial sentence is appropriate and we have no doubt about that. It has to be imposed and the question that we have been considering is whether the overall sentence should be as moved for by the Crown or whether because of the rules in which consecutive and concurrent sentences are imposed, we ought to increase the sentence to express the Court's determination that the police are to be protected in the job which they have to do. 3. We have had regard to everything which is in the background reports and we have had regard to everything your counsel has said. We know that you have had a truly appalling and depressing criminal record so far and of course, we have looked into the background that exists and why you might have behaved as you have, and we have read your letter of remorse. In that you say that you would like to apologise personally to your victims and the Court acknowledges that and thinks that would be a constructive thing to do if they are willing to see you, and it would be a matter for them as to whether they are. You ask us to keep the contents of that letter private and we are going to do that of course, but I want to add this; in your letter you mention a number of things which have gone wrong in your life and we recognise that many of those things are not your fault at all; but what you must recognise is that while these things might provide an explanation for your bad conduct, they do not provide any excuse. Unfortunately bad things happen to a lot of people but they do not respond as you have and you must learn that the past does not justify criminal behaviour. The Crown says you have been a drain on public resources and that really, while true probably, is not relevant to us today. There is a message of hope for you if you recognise that despite everything that you have done, once you understand that whatever has happened to you has happened and there is not an excuse for what you have done, then you are a step nearer taking the next stage in your life and avoiding criminal behaviour. Now it is clear that you have a problem with police officers. But they are just doing their job. When you react as you do, you should not be surprised if the police view you with suspicion. So when you finish the sentence that we are going to impose, you should keep your

head down, avoid situations which will bring you into conflict with the police and, if you do come across the police, you will just have to take special steps to keep yourself in check. 4. Now as I said, we have had regard to everything that is in the background reports but we have to sentence you for what you have done. The sentence is imposed not because we think it will do you good, but because it reflects what you have done wrong. As it happens, we also think that the sentence we are going to impose will do you some good. We have no doubt that in theory the sentence for the assault on Mr Lucas should be a consecutive sentence. It took place some two weeks after the other offences, it was completely unnecessary and very frightening for the officer and what was said in the case of AG-v-Mears

[2008] JRC 217 is that the Court should look at imposing consecutive sentences in order to emphasise that police officers are entitled to protection. Now given your age and record the reason we have been out so long is that we have been wondering whether you will think that increasing sentence just shows that the system and the community does not care what happens to you and that is not the case. We think that the balance comes down in making the Counts on the Second indictment attract consecutive sentences because it is a recognition that the police officers are entitled to have some protection. So we hope you will use the time spent in prison constructively and that you will benefit from it. Of course we have taken into account as the Crown has done in its conclusions, the fact that you pleaded guilty and your age, particularly your young age, and the background that you have. 5. In the circumstances we are going to adopt the Crown's conclusions in all respects except whether the sentences on Counts 2 and 3 of the Second Indictment should be consecutive and we think they should. So as a result you will go to prison on the First Indictment, Count 1; 12 months' imprisonment, on Count 2; 3 months' imprisonment, concurrent, Count 3; 3 months' imprisonment, concurrent, Count 4; 2 months' imprisonment, consecutive, Count 5; 1 month's imprisonment, consecutive, Count 6; 2 months' imprisonment, consecutive, Count 7; 2 months' concurrent, Count 8; 1 month's imprisonment, consecutive, Count 9; 1 month's imprisonment, concurrent and on the Second Indictment: Count 1; 6 months' imprisonment, consecutive to the sentences on the First Indictment, Count 2; 1 month's imprisonment, consecutive and Count 3; 2 months' imprisonment, consecutive, therefore making a total of 2 years' and 3 months' and for breach proceedings there will be no separate penalty and the existing Probation Orders will be discharged. We have very much taken into account that the assaults on the police officers were thoroughly nasty assaults and are aggravated by the spitting which is, frankly, disgusting. So 2 years and 3 months in all and really the future lies with you. Authorities AG-v-Mears

[2008] JRC 217 . Whelan on Aspects of Sentencing in the Superior Courts of Jersey. Page Last Updated: 13 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/2012/>

CASE PAGE <https://chat.esheria.ai/case-law/jersey/ag-v-le-geyt-2012-jrc-178-05-october-2012>

Prepared on 28 October 2026 · Esheria