

JERSEY / JUDGMENT

AG v Lewandowski (Royal Court : Sentencing (Criminal) : Binnington)

[2026] JRC 008 (6 January 2026)

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JUDGMENT

THE commissioner: 1. You may remain seated until I ask you to stand. 2. Lukasz Lewandowski you are 42 years old and appear before us to be sentenced in respect of one count of breaking and entering the home of the Victim with intent to commit a crime. That being the basis of Count 1, and one count of common assault on the Victim being the basis of Count 2. Both offences were committed early on the morning of 13 May 2025 at the Victim's home. As the Crown Advocate has said the Crown's case was that you broke into the home of the Victim with the intention of committing an assault. You were found guilty of both counts 1 and 2 after an Inferior Number Trial. Although you had been in a relationship with the Victim and had for a period of time been living with her at her mother's property, you were well aware that she did not wish you to be in the property, having exchanged text and voice messages on 12 May in which she told you to stay away from the property. You acknowledged that in messages, and said that you would stay at a friend's house. 3. When you came round to the property in the early evening to collect your belongings, which the Victim had said she had left outside, you banged on the front door of the property and started shouting at her. Although the police were called you had left the area by the time that they arrived. You were subsequently contacted by the police and warned not to attend the address without prior arrangement. Unsurprisingly, given the nature of your relationship with the Victim she asked a male friend to stay with her that night as she feared that you might return. 4. Having spent the evening drinking whisky and vodka at a friend's house you returned to the property shortly after midnight and gained access by forcing the first-floor bathroom window. You took the keys which were still in the front door and then went upstairs to the Victim's bedroom where she and her friend had been sleeping. You confronted her friend and when the Victim stood between the two of you, fearing that you were about to attack him, you elbowed her in the chest. As the Victim was on the phone to the police at the time the court at trial was able to hear most of the confrontation with the Victim asking you to leave, and her friend calmly asking you to back off. You, however, were using angry and threatening language towards him. 5. The courts regard the offence of breaking and entering a domestic property, particularly when it is done at night and whilst occupied as a serious offence. As has been said in previous cases most people understandably attach importance to the privacy and security of their

own homes - " That an intruder should break in or enter for his own purposes leaves the victim with a sense of violation and insecurity." 6. We accept that you are to be treated as a man of good character having only two written Parish Hall cautions on your record. In addition, we have read a character reference from your employer who describes you as a consistently reliable and hard-working member of his team and says that in a professional capacity he found your conduct to be exemplary, being polite and respectful to his customers which resulted in you being very well liked by his regular clientele. 7. Regrettably, there is another side to your character when it comes to your personal life. The Pre-Sentence report suggests that there is a pattern of concerning behaviour within your intimate relationships. This includes jealousy within relationships and suspecting partners of infidelity, being unable to accept the ending of a relationship, coercive control, minimisation and denial of intimate partner violence and victim blaming attitudes. The latter is exemplified by your comment to the Probation officer " that if the woman says then the man ends up in prison" . 8. You do not have the benefit of a guilty plea and furthermore, you have continued to deny your responsibility for the offences of which you are convicted. You insist that you do not have any issues with alcohol, yet your past behaviour suggests otherwise albeit that you do accept that alcohol was an issue during your relationship with the Victim. 9. The Pre-Sentence report assessed you as posing a high risk of general reconviction and that you pose a high risk of further intimate partner violence both to the Victim and to future partners. Although the Probation officer suggested various programmes to help you address these issues your level of denial and subsequent lack of motivation to address your offending behaviour makes it unlikely that any suggested interventions would be successful in reducing the risk factors identified in the report. As the Crown Advocate has already noted, and as is apparent from the Victim Impact Statement, the offence appears to have caused a marked deterioration in the Victim's mental health leading her to suffer nightmares about you breaking into her home and being too frightened to open the door at night. 10. We note that the Victim has requested a Restraining Order pursuant to the provisions of Article 8 of the Crime (Public Order) (Jersey) Law 2024 based on her fear of you physically assaulting her again and the risk of emotional abuse. We agree that such an order is appropriate on the facts of this case but we regard the period requested by the Crown as inappropriate and we regard a fixed period of 5 years as being the appropriate length for the order. Accordingly, we make a Restraining Order for a period of 5 years in the following terms: (i) That you be prohibited from contacting directly or indirectly, the Victim. (ii) That you be prohibited from going to any address that you know or believe to be the home address of the Victim. (iii) That you be prohibited from going to any address that you know or believe to be the work address of the Victim; and. (iv) Should you see or come into contact with the Victim in any public or private place, you must take immediate action to avoid any breach of the Order. You should be aware that any breach of the order would be an offence for which you would be liable to imprisonment for up to 5 years and to a fine. 11. In relation to the matter of deportation, given that the notice was not served within the time periods required by statute, we adjourn consideration of a deportation recommendation to a date to be fixed. 12. We recognise that unlike some areas of sentencing there are few guideline cases for breaking and entering and sentences will vary according to the particular circumstances of each case. In *Attorney General v Da Silva*

- [1997] JRC 218 the court identified a benchmark of not less than 3 years' imprisonment for burglary of an occupied dwelling on a guilty plea. The court identified a number of possible aggravating factors which included committing the offence at night, being violent and confronting the householder in his or her own home. 13. In *Vladimirov v AG*
- [2024] JCA A161 in an appeal against a sentence of 3 years' imprisonment on a guilty plea for breaking and entering where the applicant had in the early hours of the morning kicked in the door of a flat and subjected the occupants to a serious assault. The Court of Appeal stated that on a not guilty plea the applicant could have expected a sentence of up to 5 years' imprisonment. They drew particular attention to the inevitable trauma caused to the inhabitants of the flat. The front door to their home was kicked in without any warning and they were subjected to a seemingly random drunken attack late at night. The court considered that there was nothing manifestly excessive in the sentence of 3 years' imprisonment. This reflected full credit for the applicants' guilty pleas and his good character. 14. We have listened carefully to everything that your counsel has said, in particular her comments on the length of the sentence for the assault. Whilst we note what was said about the *Vladimirov* case, we regard the comparable feature with this case being the breaking and entering, the assault in *Vladimirov* being an aggravating factor. We are of the view that the Crown's conclusions in relation to the breaking and entering are appropriate, taking into account the aggravating factors when balanced against your previous good character. 15. Until such time as you start to take responsibility for your own actions and accept that you need help to address the alcohol and relationship issues to which we have referred there is every likelihood that you will find yourself in front of the courts again. In the circumstances however we see no alternative to a custodial sentence. 16. Stand up please, Mr Lewandowski. (i) In relation to Count 1, we sentence you to 3 years and six months' imprisonment. (ii) In relation to Count 2, having taken note what was said by your counsel, we sentence you to one month imprisonment, concurrent to Count 1. Making a total sentence of 3 years and six months' imprisonment. 17. You may sit down. *Authorities Crime (Public Order) (Jersey) Law 2024*. *AG v Da Silva* [1997 JLR Notes 14A]. *AG v Da Silva*
- [1997] JRC 218 . *Vladimirov v AG*
- [2024] JCA 161 . *AG v Gouveia*
- [2013] (2) JLR Note 9. *AG v Doyle* [1977 JJ 141] Page Last Updated: 10 Feb 2026 BAILII: Copyright Policy | Disclaimers | Privacy Policy | Feedback | Donate to BAILII

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Prepared on 22 October 2026 · Esheria