

JERSEY / JUDGMENT

AG -v- Mohammed [2008]

JRC 189 (07 November 2008)

[2008] JRC 189

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JUDGMENT

the bailiff: 1. Mohammed, you are an intelligent young man who has so far made a complete mess of his life as a result of engaging in drugs. You know that, we know that, everyone in this Court knows that. You went into these recent offences with your eyes open and we have no doubt that you deserve to be sent to prison for quite blatantly committing an offence when you were on probation. 2. We have given very anxious consideration to all the remedies available to us. We are not going to make a Community Service Order and we are not going to make a Probation Order. The only thing that has caused us difficulty and given us pause for thought before imposing another custodial sentence on you, is the paragraph in the Probation Officer's Report and your own counsel's submissions about your course at Highlands. We think that you are quite right to pursue this educational opportunity because, if you are going to turn your life around, it will require the obtaining of some qualifications as well as the willpower within yourself to give up bad company and to give up drugs. Only you can do that, the Court can impose penalties but only you can decide whether or not you want to turn your life around and do something about it. You are very lucky that you still have the support of your parents and you have let them down on more occasions probably than you would wish to remember. 3. We are going to impose a custodial sentence but we are going to exercise our power under the Criminal Justice (Suspension of Prison Sentences)(Jersey) Law 2003 to suspend that sentence for a period of 12 months. Now what that means is that if, during that time, you do not commit an offence which is punishable with imprisonment then you will not go to prison. If you do commit an offence which is punishable with imprisonment, then you will come back to this Court and it is very likely that the prison sentence which we are going to impose now will be activated and you will go into custody. We are doing that for one reason only and that reason is that you should continue your course at Highlands College and complete it. We cannot make that a condition of the order we are going to make now so we are trusting you and if you breach that trust then you must expect that in future the Courts will not be as sympathetic towards you. 4. The Court is going to grant the conclusions in the sense that we are going to impose sentences of imprisonment as moved for by the Crown Advocate but we will suspend those sentences for a period of 12 months and we hope very much that you will take advantage of this chance and complete your course at Highlands College and make something of your life. 5. We order the forfeiture and destruction of the drugs. Authorities

Criminal Justice (Suspension of Prison Sentences)(Jersey) Law 2003. AG v Mohammed

[2004] JRC 027 . AG v Lopes

[2001] JRC 63 . AG v Fenn and others

[2003] JRC 105 . AG v Tanguy and Stewart

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Prepared on 26 October 2026 · Esheria