

JERSEY / JUDGMENT

AG -v- Monet [2009] JRC 188 (25 September 2009)

[2009] JRC 188

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

JUDGMENT

THE commissioner: 1. The defendant stands to be sentenced for 1 count of receiving stolen goods, 1 count of malicious damage, 1 count of larceny and 24 counts of obtaining goods by false pretences to a total value of £2,570.24. The receiving and false pretences offences arose out of a chequebook belonging to a Mr Graeme Holley which the defendant says he found in King Street and decided to keep. Under the influence of alcohol he used it and found that he was able to purchase goods with it, namely training shoes, a phone, takeaway food and alcohol in addition to some luxury goods which have not been recovered. At the time he says he was consuming over a litre of vodka a day. 2. The defendant has a bad record and he has been subject to Binding Over Orders, fines, community service and custody, although it is true that his rate of offending appears to have slowed between 2001 and 2004 when he was in a stable relationship. However these offences were committed when he was a subject of a Binding Over Order for 12 months imposed by the Magistrate on 20 th February, 2008. That offence involved malicious damage to a police cell suit valued at £100. 3. In the case of AG-v-Hamon 1998/104 the Court stated that:- "Cheque and credit card frauds, by and large, attract custodial sentences, and the range, I have to say is between six months and eighteen months, but each case must turn on its facts." 4. The Crown seek a total sentence for all the offences here of 19 months' imprisonment. The defence do not challenge the sentencing band. 5. In terms of mitigation the defendant no longer has the benefit of youth but he has pleaded guilty to all the offences and is entitled to credit for that. He has been in a relationship for some 30 months and indeed he and his partner are expecting a child in February. We have read your letter and we have read your partner's letter and know that she is currently in Australia but returning in November. It is clear that alcohol is at the root of your problems although, as the Court has said on many occasions, it is not a mitigating factor. We also note that you have voluntarily signed up to the mentoring programme run by Freedom for Life Ministry and that Mr Houiellebecq from that Ministry is in Court to support you. 6. However, these offences are too serious and the mitigation insufficient to allow us to treat this case as exceptional. We are prepared however to reduce the sentences sought and to treat count 27 as concurrent. 7. On count 1; you are sentenced to 6 months' imprisonment, on counts 2 to 25; you are sentenced to 12 months' imprisonment, all concurrent. On count 26; you are sentenced to 1 month's imprisonment, concurrent and on count 27; 1 month's imprisonment, concurrent. Each

sentence is concurrent with the other giving rise to a total of 12 months' imprisonment. 8. We note that no additional penalty is sought by the Crown in relation to the breach of the Binding Over Order. Authorities Whelan on Aspects of Sentencing in the Superior Court of Jersey. AG-v-Hamon 1998/104. Page Last Updated: 29 Jul 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/2009/>

CASE PAGE <https://chat.esheria.ai/case-law/jersey/ag-v-monet-2009-jrc-188-25-september-2009>

Prepared on 28 October 2026 · Esheria