

JERSEY / JUDGMENT

AG -v- Ozard [2016] JRC 166B (16 September 2016)

[2016] JRC 166B

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JUDGMENT

THE DEPUTY BAILIFF: 1. You are to be sentenced today for one count of breaking and entering with intent to commit a crime. We do not need to set out the details, suffice to say that you broke into commercial premises at night that you were heavily under the influence of alcohol to the extent that you remember little about it. It could have been a dangerous situation in that you were confronted by a security guard and you scuffled with him. 2. You have a very poor record although there is nothing recent of particular note. You have the benefit of your guilty plea, for which we allow you full credit, and we have read the letters put forward on your behalf which speak well of you, and we note the contents of the social enquiry report which we have, of course, taken into account. But the simple seriousness of this offence is reflected in the fact that it was a break in at night to premises, and that you did scuffle with a security guard as a result of which he sustained a minor injury. That is something that the Court has said it must take into account in assessing seriousness and to protect security guards from carrying out their lawful duties. 3. It seems to us that we cannot in this case avoid a custodial sentence but, in the light of all of the mitigation, we feel able to reduce the Crown's conclusions somewhat and we sentence you to a period of 12 months' imprisonment. Authorities AG-v-Gaffney

[1995] JLR Note 22B . AG-v-Oeillet and Oeillet

[2007] JRC 226 . AG-v-O'Shea

[2007] JRC 076 . Whelan on Aspects of Sentencing in the Superior Court of Jersey - Third Edition, 2012. Page Last Updated: 31 Oct 2016 BAILII: Copyright Policy | Disclaimers | Privacy Policy | Feedback | Donate to BAILII

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