

JERSEY / JUDGMENT

AG v Powell [2000] JRC 107 (16 June 2000)

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JUDGMENT

THE BAILIFF: 1. To threaten to strike a police officer with a knife is a very serious offence and must be severely punished. The fact that Powell was drunk is no defence and no excuse and is indeed an aggravating factor in that his intoxication made him, on that occasion, a much more dangerous person. We think that the conclusions of the Crown Advocate on counts 1 and 2 are entirely correct. 2. So far as the offence in the Royal Square is concerned, we accept the submissions of defence counsel and we will impose a concurrent sentence. 3. Powell, we have no doubt that you must control your drinking if you are to get your life in order and if you are not to be at risk of committing even more serious offences. We are going to try to help you in that respect by imposing an order under the Licensed Premises (Exclusion of Certain Persons) (Jersey) Law, 1998, which will prohibit you from entering any licensed premises for a period of 3 months to begin on the date on which you are released from prison. We hope that you will take advantage of that prohibition to conduct your life differently once you are again at liberty. 4. On count 1, you are sentenced to 18 months' imprisonment; on count 2, you are sentenced to 12 months' imprisonment, concurrent; on count 3, you are sentenced to 1 week's imprisonment, concurrent, making a total of 18 months' imprisonment. We impose an Exclusion Order under the 1998 Law for a period of 3 months to begin on the date on which you are released from prison. We further order the forfeiture of the knife. Authorities Whelan: Aspects of Sentencing in the Superior Courts of Jersey: pp.90-91; 94-95. Ibid: 1995-1996 Noter Up: p.34. Ibid: 1996-1997 Noter Up: pp.45-46. AG -v- Gibaut (31 st May, 1985) Jersey Unreported. AG -v- Whiteford (2 nd July, 1993) Jersey Unreported. AG -v- Ashford (12 th July, 1996) Jersey Unreported. Page Last Updated: 19 Aug 2015 BAILII: Copyright Policy | Disclaimers | Privacy Policy | Feedback | Donate to BAILII

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