

JERSEY / JUDGMENT

AG -v- Riley [2015] JRC 129 (12 June 2015)

[2015] JRC 129

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JUDGMENT

THE DEPUTY BAILIFF: 1. This was a nasty, alcohol-fuelled assault committed on a taxi driver whose taxi you had entered. Common assaults are, of their nature, less serious than grave and criminal assaults but in the view of this Court, this assault was towards the more serious end of a common assault. It is clear that alcohol has played a significant role in this offending but, of course, that is not a mitigating factor. It is rather an aggravating factor. 2. It is correct that people who provide a service to the public, such as taxi drivers, are entitled to feel as safe as possible when they enter into their job and provide that service. We have read with particular care the statement of the victim in this case and we note that it was truly a shocking matter for him. 3. You are assessed as being at a high risk of reconviction which is hardly surprising in the light of your record. You have not responded well to non-custodial alternatives in the past. 4. We note the mitigation that is available to you and we have taken that, and the letters written on your behalf, into account which has enabled us to reduce somewhat the conclusions of the Crown. 5. However, we think that a custodial sentence is inevitable in this case and the sentence of the Court is that you will go to prison for 12 months. 6. In terms of the compensation sought, we make a Compensation Order in the amount requested by the Crown. We order that £1,000 of that shall be paid within 1 month and the balance shall be paid within 12 months of your release from prison, with a default sentence of 3 months' imprisonment should you fail to pay. 7. We also make an Exclusion Order for a period of 2 years from today's date in the terms sought by the Crown, noting that the Crown does not seek an exclusion from 3rd category premises and accordingly that does not arise. Authorities Harrison-v-AG

[2004] JLR 111 . Whelan on Aspects of Sentencing in the Superior Courts of Jersey. AG-v-Stearn

[2014] JRC 036 . Page Last Updated: 27 Sep 2016 BAILII: Copyright Policy | Disclaimers | Privacy Policy | Feedback | Donate to BAILII

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Prepared on 27 October 2026 · Esheria