

JERSEY / JUDGMENT

AG v Romeril [2000] JRC 192 (29 September 2000)

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JUDGMENT

THE DEPUTY BAILIFF: 1. This was a disgraceful incident. The Social Enquiry Reports suggest that this defendant has a very unfortunate attitude towards the police which led him to obstruct them when they were arresting a friend of his for an alleged grave and criminal assault. If the defendant persists in this sort of attitude he may find himself led into committing more serious offences which may ultimately lead to imprisonment. We were pleased to note Miss Roscouet's assertion on behalf of the accused that he has reflected further on the matter and on his attitude and that he is now remorseful for his actions. 2. The defendant is aged 18 and is a first offender. We entirely agree that a financial penalty is the correct method of disposing of this case. We have carefully considered the points Miss Roscouet made as to the level of the fine on the first count, but we are satisfied that - in view of what the defendant did and his present financial position - the fines are perfectly correct. 3. Stand up, please, Romeril. We order a fine of £500, or 4 weeks' imprisonment in default of payment on count 7; on count 8, you are fined £100 or 1 week's imprisonment in default of payment. Those default sentences to be consecutive, making a total fine of £600 or 5 weeks' imprisonment in default of payment and we allow you 12 weeks in which to pay. 4. We would add that we understand the difficulty that the Magistrate sometimes faces in deciding when to send a case up to the Royal Court where a defendant is charged along with a number of others and the part of one defendant is not so dissimilar to parts played by others. In those circumstances it is quite right that all the cases are sent up so that this Court does not have its hands tied by any sentence passed in the Magistrate's Court. However, there are cases where it is obvious that the sentence to be passed on one co-accused will have no impact on the sentence to be passed on those charged with the more serious offences because there is such a difference in what is alleged. We have no doubt that this is such a case. We cannot see that the sentence imposed on this defendant for the comparatively minor offences which he faces could conceivably have any influence on the sentences to be passed on the other co-accused who are charged with offences of grave and criminal assault. We are therefore in no doubt that this case should not have been sent up by the Magistrate's Court. Authorities AG -v- Waller (25 th November, 1997) Jersey Unreported. AG -v- Brolly (20 th November,

1998) Jersey Unreported. Falle -v- AG (19 th June, 1995) Jersey Unreported. Waugh -v- AG (12 th September, 1994) Jersey Unreported. AG -v- Manson & MacKenzie (25 th February, 2000) Jersey Unreported. Page Last Updated: 02 Nov 2015 BAILII: Copyright Policy | Disclaimers | Privacy Policy | Feedback | Donate to BAILII

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Prepared on 29 October 2026 · Esheria