

JERSEY / JUDGMENT

AG -v- Samson [2010] JRC 200 (05 November 2010)

[2010] JRC 200

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JUDGMENT

THE DEPUTY BAILIFF: 1. Mr Samson, you are back before this Court on a reference from the community service authorities for breach of the Community Service Order. The reports show that you failed to report on 31 st March when you were then advised by the Probation Services that they would give you one last chance. There was a difficulty on the 14 th and 21 st August and then a further difficulty on 11 th September. The context for this is that you were given community service in 2009 by Commissioner Clyde-Smith where he said it was very likely that if you did not perform the terms of the Community Service Order you would be sent to prison, and when you did not and you came back before this Court and I was presiding last November, I said to you:- "The Court has directed you perform community service and you have been given a number of last chances. With quite a lot of hesitation, the Court is going to give you what I call they very last of the last chances.... I want to emphasise to you that if there is any further problem with the performance of this community service, any further problem at all, there will be no hesitation and you will be sent prison to perform the prison sentence instead of the Community Service Order that is being imposed." Well, when the Court says that to you we really don't have any option today and, I have to tell you, that it is with sadness that the Court reaches that conclusion because there is no doubt that you have tried hard. You have made concerted efforts in the last nine months and to that extent you are to be congratulated, but the Court's orders must be performed and we did make it quite clear to you what would happen if you did not. 2. So as a result, the Community Service Order is to be revoked and for the offence of breaking and entry and larceny instead you will serve 1 month and 3 weeks' imprisonment which is the equivalent to 65 hours' community service which is left to serve. I just want to add this; we have looked at the reports from Dr Minihane and from Mr Gafoor and they do show that you have made efforts to overcome substance misuse; they also show that you have indicate a willingness to attend the Alcohol and Drug Service for help on a voluntary basis and we strongly encourage you to do that and to use this prison sentence, which is very short, as constructively as you can by committing yourself to taking advantage of the help which is still being offered to you. At the end of the day your conduct has consequences and that is why you are being sent to prison. Authorities AG-v-Samson

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