

JERSEY / JUDGMENT

AG -v- Self [2010] JRC 022 (22 January 2010)

[2010] JRC 022

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JUDGMENT

THE commissioner: 1. Self is to be sentenced on 5 counts of forgery and 1 count of obtaining by false pretences, of which offences he was convicted by verdict of the Jury after a trial. The total amount of money involved was many tens of thousands of pounds. There was an element of breach of trust in so far as his business partner was concerned and the offences were committed over a period of 12 months. 2. We have taken into account the other factors mentioned in R-v-Barrick

(1985) 7 Cr. App. R. (S) 142. This was a pre-meditated and relatively sophisticated series of offences which required expert evidence to be given at trial. The defendant has previous convictions for similar offences. 3. Defence counsel accepted that 3 years' imprisonment was the proper starting point. We were not impressed by the argument that there had been delay which justified the view that there should be some reduction in sentence. Self now admits that he acted dishonestly. If he had admitted that at the start there would have been no delay at all. The Defendant has expressed some regret but we agree with the Crown Advocate that there are no mitigating factors which justify any reduction in sentence from the starting point. 4. The conclusions are therefore granted in so far as the offences of dishonesty are concerned and you are sentenced to 3 years' imprisonment on each of those Counts. We also impose a sentence of 1 month's imprisonment on the offence of Count 10 but applying the totality factor, we will make that concurrent with the other sentences. 5. You are disqualified from holding a driving licence for a period of 2 years and you are also disqualified as a director for a period of 7 years pursuant to Article 78 of the Companies (Jersey) Law 1991 . 6. I order you to pay a sum not exceeding £30,000 towards the costs of the Prosecution. Authorities Companies (Jersey) Law 1991. Whelan on Aspects of Sentencing in the Superior Court of Jersey. Governo -v-AG [1987-88] JLR N 21a. AG-v-Barnes

[2002] JLR N 13. AG-v-Nelson 2002/199. AG-v-Speck

[2004] JRC 100 . AG-v-Cardoso

[2009] JRC 044 . R-v- Barrick

(1985) 7 Cr. App. R. (S) 142. AG-v- Mahe

[2000] JLR N 47a and b. Sinclair-v-AG [1995] JLR N 28d. Cooper-v-AG

[2001] JLR N 2. Izodia Plc-v-RBSI

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