

JERSEY / JUDGMENT

AG -v- Trow [2008] JRC 063 (18 April 2008)

[2008] JRC 063

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JUDGMENT

THE DEPUTY BAILIFF: 1. Trow, you have pleaded guilty to two counts of assault and one count of conduct likely to cause a breach of the peace, all arising out of an incident on 6 th November. These offences placed you in breach of probation orders made on 23 rd October for similar offences. It is quite clear that you have an addiction to alcohol and that when you are drunk you behave in an aggressive manner. Until you deal with your drinking problem you are likely to find yourself appearing before the Court again. 2. Given the number of chances you have had from the Magistrate's Court one would expect a prison sentence to be imposed today. However, the reports from the Probation Service and the Alcohol and Drugs Service recommend a treatment order and the Crown have endorsed this suggestion. We have had to consider very carefully whether it is the right thing to do, because you have had numerous chances and you have thrown them away. 3. In the end we have been persuaded by three particular things. First of all, the report of Mr Gafoor from the Alcohol and Drugs Service; the fact that he has recommended continuation in all the circumstances has carried weight with us. Secondly, there is the fact that you are now on Antabuse in a controlled manner and this really does offer prospects of trying to deal with your alcohol problem. Thirdly, and equally importantly, there is the fact that your daughter needs you. 4. We have only just been persuaded that we can proceed by way of a non-custodial sentence, but you do have to be punished, and we do not think that the Crown's conclusions take sufficient note of that. 5. We are going to place you on probation for 18 months, concurrent on all the charges and for the breach offences, and we are also going to impose a Treatment Order. That is an Order that you must attend the Alcohol and Drugs Service as directed for 6 months. We are also going to make an exclusion order so that you cannot go into any 1 st or 7 th Category premises for 6 months. That is intended to help you by ensuring that you do not go into pubs and be tempted to drink, and to help the community by trying to ensure that you do not then come out and assault people. 6. By way of punishment we are going to impose a Community Service Order of 120 hours, concurrent on all charges and we say that is equivalent to 6 months' imprisonment, which is the sentence we would have imposed had we decided to send you to prison. 7. You must understand this really is your last chance. You are extremely fortunate that you are not going to prison today. If you do commit any further offences like this, or if you do not comply with the terms of the Probation Order, or the Community Service Order, you will be back here and you will then go to prison. No Authorities Page Last Updated: 06 Jun 2015 BAILII:

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