

JERSEY / JUDGMENT

AG v Rawlinson [2019]

JRC 121 (28 June 2019)

[2019] JRC 121

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JUDGMENT

THE DEPUTY BAILIFF: 1. You are to be sentenced for a single count of common assault on your former partner on 2 nd February, 2019. We do not think we need to set out the details of the assault, but it of course took place in the context of an argument after she returned home later than you thought had been arranged. During the course of that argument you slapped her twice, took her to the ground and held her head. All of these things caused injury including bruising and abrasions and we have of course seen the photographs of those injuries. 2. This is not the first assault that you have carried out on this victim, and clearly it is an incident of domestic violence which from your record seems to characterise often your relationship with women. We note the contents of the Social Enquiry Report referred to by the Crown in its conclusions, and the indication from it of a sense of entitlement to use violence by way of control or restraint. We also note that there is a propensity, so it seems to us, for you to blame your victims. Your record in this regard is a poor one. We have read the victim's statement and it is clear that she is and remains a vulnerable women. 3. You have pleaded guilty and you deserve full credit for a guilty plea. We have listened with care to the submissions that your counsel has made and in particular with regard to the restraining order it seems to us that we should not make such an order for an indeterminate period. Accordingly we make a restraining order in terms of the enhanced request made by the Attorney General but for a period of 5 years. 4. Turning to the issue of sentence, you have been given on a number of occasions in the past the opportunity to address your offending within the context of a non-custodial disposal. This is clearly no longer available to you. It has failed, and inevitably you must receive a custodial sentence. We would strongly urge you to engage with whatever help is available to you to ensure if it is possible, that you do not return before us again. We have in mind that the longest sentence you have previously served, and indeed the last sentence you served, was one of 6 months' imprisonment, and it appears to us in the context of the basis of plea on which we sentence you a leap to 18 months' moved for by the Crown would be too high. 5. You are accordingly sentenced to 12 months' imprisonment.

Authorities AG v Crabtree

[2017] JRC 143 . AG v Duffy

[2017] JRC 131 . AG v Nicolle

[2018] JRC 139 . Crime (Disorderly Conduct and Harassment) (Jersey) Law 2008. Attorney General v Rawlinson, 21 August 2018, Magistrate's Court Judgment Page Last Updated: 15 Jul 2019
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