

JERSEY / JUDGMENT

The Attorney General v Henryk Jerszy Juchniewicz

COURT

Royal Court

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Inferior Number Sentencing - forgery**[2026]JRC145****Royal Court****(Samedi)****22 May 2026****Before :**

M. H. Temple, Esq.,
Deputy Bailiff, and Jurats Cornish and Opfermann
The Attorney General
-v-

Henryk Jerszy Juchniewicz
Sentencing by the Inferior

Number of the Royal Court, following a guilty plea to the following charges:

3 counts of:

Forgery.

Age: 60.

Plea: Guilty.

Details of Offence:

The Defendant was a general practitioner at a local surgery for over 20 years. Over the course of five years, he forged 37 prescriptions on the records of two former patients and one active patient at the time of the offending. The Defendant would use the prescriptions to attain access to medication for himself and his former wife. The Defendant would have the prescription dispensed outside the jurisdiction of Jersey and would pay for the medication in order to hide his deception. As a general practitioner the Defendant had privileged access to patient records. The Defendant's method of forging prescriptions was that he would illegitimately access a patient's record to commence a course of medication, print the prescriptions, and then cancel the prescriptions on the patient's record. This pattern of offending was confirmed by the Defendant in his interview. All but one of the prescriptions forged by the Defendant were forged in accordance with the set pattern. The forged

prescriptions although cancelled after being printed, left permanent traces on the medical records of the patients.

The Defendant used the records of a

former patient, Patient A, to forge a total of eight prescriptions: one

prescription for Hydroxychloroquine, two prescriptions of Prednisolone, one

prescription of Azithromycin and four prescriptions for Ozempic. Evidence extracted from the Defendant's

WhatsApp messages, as well as his admissions in interview, indicate that these prescriptions were forged to enable his former wife to acquire drugs to combat COVID-19 in accordance with medical guidance at the start of the pandemic.

Patient B was a former patient of

the Defendant. The Defendant forged

a total of twenty-one prescriptions for Modafinil.

Patient C was an active patient at

the time of the forgeries. The Defendant

forged a total of eight prescriptions for four different drugs in the name of Patient C: four prescriptions for

Diazepam, which is a controlled Class C drug, two prescriptions for

Pantoprazole, one prescription for Citalopram, and one prescription for

Modafinil. Seven of the eight

prescriptions were identified through the set pattern, however the forged

Modafinil prescription was identified after the Defendant used it to dispense medication at a pharmacy in the UK.

Details of Mitigation:

Previous good character,

cooperation with the investigation, early guilty plea, 16 positive references, genuine remorse, loss of financial interest in the surgery resulting from his conviction.

Previous Convictions:

None.

Conclusions:

Count 1:

12 months' imprisonment concurrent to Counts 2 and 3.

Count 2:

15 months' imprisonment.

Count 3:

12 months' imprisonment concurrent to Counts 1 and 2.

Total: 15 months' imprisonment.

Contribution to costs sought in the sum of £1,000.

Sentence and Observations of Court:

Count 1:

180 hours' community service order, equivalent to 12 months' imprisonment, concurrent to Counts 2 and 3.

Count 2:

210 hours' community service order, equivalent to 15 months' imprisonment.

Count 3: 180 hours' community service order, equivalent to 12 months' imprisonment, concurrent to Counts 1 and 2.
Total: 210 hours' community service order, equivalent to 15 months' imprisonment.
Costs ordered in the sum of £1,000.
Ms C. L. G. Carvalho, Crown Advocate.
Advocate N. B. R. Mière for the Defendant.

JUDGMENT

THE DEPUTY BAILIFF: 1. Henryk Juchniewicz, you are 60 years old and are to be sentenced on an indictment containing three counts of forgery. 2. In summary, over a five-year period from 22 March 2020 to 21 March 2025, you forged a total of 37 prescriptions for medication using the records of two former patients and, at that time, one current patient. All three patients are no longer residents of Jersey. 3. The forgeries of the prescriptions took place in your capacity as a general practitioner practising at the Cleveland Clinic where you had unrestricted access to patient records. Your pattern of forgery was to access the patients' records to commence a course of medication, then print the prescription, and then usually shortly afterwards cancel the prescription. The drugs were for your personal use or a member of your family or a contact. 4. The Crown accepts that you derived no financial benefit from forging the prescriptions in terms of payments by others to you. 5. As regards the first patient, which is Count 1, you forged 8 prescriptions for four drugs, Hydroxychloroquine, Prednisolone, Azithromycin and Ozempic. As regards the first three of these drugs, the forgeries took place on 23 and 24 March 2020 at the start of the Covid-19 pandemic, and were prompted by guidance that you had heard that the drugs could be used to combat Coronavirus. As regards the fourth drug, Ozempic, the forgeries occurred between October and December 2023. 6. As regards the second patient, which is Count 2, there were a total of 21 forged prescriptions which all related to the drug Modafinil, which we understand is a stimulant drug used to promote wakefulness and increase alertness. These forgeries were committed to allow you to work exceptionally long hours. At the time you were under financial pressures from your wife – now ex-wife – which were causing you to work up to an additional 120 hours a month over and above your normal hours of work as a GP to earn extra money. 7. As regards the third patient, which is Count 3, you forged 8 prescriptions in 2024 and 2025 which related to the drugs Diazepam, Pantoprazole, Citalopram and Modafinil. Again, most or all of these prescriptions appeared to have been for your own use to deal with the pressures that you were apparently suffering at the time. It appears that you collected some of these prescriptions from a pharmacy in the UK in an attempt to avoid detection. 8. The forgeries only came to light in June 2025 when concerns were raised by an ex-patient with health governance which resulted in a medical investigation, and the Court wishes to commend the Practice Manager of the Cleveland Clinic for the way that she dealt with this. 9. You were arrested on 7 August 2025 by the police and interviewed, and you had a second police interview on 27 November 2025. Whilst there were some inaccuracies in your answers, you made admissions

during the police interviews, and in your second interview you said that you were under a lot of stress, not sleeping well, in a bad relationship, and that you had self-prescribed the medication to help cope with your high workload and poor mental state.

10. You first appeared in the Magistrate's Court on 26 February 2026 and entered guilty pleas to all counts, since when you have been on conditional bail.
11. As regards the approach to sentencing for the offence of forgery – which involves a breach of trust – the approach is summarised in Whelan, *Aspects of Sentencing* 3rd Ed at paragraph 342: “The matter can be put no more plainly than it was: “A person convicted of an offence involving a criminal breach of trust will receive a custodial sentence unless there are exceptional circumstances.””
12. We have considered the non-exhaustive list of factors that a sentencing court should consider as set out in the English case of *R v Barrick* [1985] 7 Cr. App. R. (S) 142 which have been applied in Jersey in various cases since, such as in *AG v Vincent* [2007] JRC 132 which involved a doctor obtaining two Class A drugs by false pretences which that doctor administered to himself.
13. Summarising the effect of the Barrick factors in this case, there is no doubt that the trust placed in you as a doctor in the community was absolute: (i) You breached the trust of three former patients by falsifying their medical records to forge prescriptions. (ii) You breached the trust of your surgery, the Cleveland Clinic, and (iii) You breached the public's trust in the medical profession.
14. The offences took place over a five-year period, which is a significant period of time, before your behaviour was detected.
15. You did not gain financially, but we make clear that lack of financial benefit is no bar from imposing a custodial sentence in an appropriate case.
16. As regards the effect on the victims, none of the victims have provided victim personal statements, but the Court considers the victims may have been caused worry by your actions.
17. There has also been an adverse effect on the public in terms of breaching public confidence in doctors. There will have been an adverse effect on your former colleagues in the Cleveland Clinic, and there have also been adverse effects on you, in that you are suffering from anxiety and depression.
18. As regards your mitigation, the Court considers that this is very considerable. You made admissions in your police interviews. You pleaded guilty at the first opportunity for which we give you full credit. At the time of your offending, you were having significant difficulties in your marriage. Your now ex-wife filed for divorce in 2018 and again in February 2024, and your divorce was finalised in October 2024.

19. You have been dismissed from your practice as a GP at the Cleveland Clinic. You had been intending to sell your shares back to the Cleveland Clinic on retirement for we understand at least £450,000, but you will now only receive the nominal value for those shares of £100.
20. At the time of your offending you were working exceptionally long hours to gain extra money to cope with the additional financial pressures to which you were subject at that time. It is very likely you will be struck off by the General Medical Council and no longer be able to practise as a doctor.
21. There is also mitigation available to you in the form of a Psychological Report prepared by Dr. Mareike Suesse and dated 15 May 2026, which confirms that you suffer from depression now and most likely at the time of the offending.
22. The Pre-Sentence Report assesses you as being suitable for community service and that you are low risk of re-conviction. The Court has been provided with many very positive references concerning you from colleagues and friends. You have written a letter of apology to the Court fully accepting the seriousness of your offending. You have also now written to each of the three patients whose records you falsified, apologising to them completely.
23. You have no previous convictions and are a man of previous good character, and we have considered everything which Advocate Mière has said on your behalf in mitigation this morning.
24. The Crown has moved for a custodial sentence of a total of 15 months' imprisonment. Given the established policy of the courts, the key question is whether there are exceptional circumstances in this case to justify not imposing a custodial sentence. As the Royal Court observed in the case of *Kirkland v Attorney General* 2001/200, it is one of the tragedies of cases like this that there is almost invariably very powerful mitigation. The accused will usually be of hitherto impeccable character, unlikely ever to offend again, and likely to be unable ever again to secure similar employment, and have brought disgrace and hardship onto his family.
25. In *Vincent*, at paragraphs 7 and 8, the Royal Court commented: "We have been referred to *Whelan on Sentencing*, and in particular the case of *Barrick* [1985] 7 Cr. App. R. (S) 142 at 145, where the Court observed that a court has to look for something more than individual features to find exceptional circumstances. We quote from that case: "... it is not right to search for factors which in isolation may amount to exceptional circumstances. In deciding on sentence a Court looks at all the circumstances to see whether, taken in their totality, they can be said to be exceptional."

26. In the case of Vincent the accused was sentenced to 240 hours of community service as an alternative to 18 months' imprisonment in view of his substantial mitigation and exceptional references. The Crown agrees that the offending in Vincent was more serious than that in the present case, in that in Vincent the offending involved two Class A drugs, whereas only one of the drugs in this case, Diazepam, is a Class C drug. The Court also considers that the mitigation available to you in this case is equally as compelling as that in the case of Vincent.
27. Would you please stand up.
28. The sentence which the Court passes is as follows: (i) In respect of Count 1, we impose a sentence of 180 hours of community service, equivalent to 12 months' imprisonment, which is to be concurrent with Counts 2 and 3. (ii) In respect of Count 2, we sentence you to 210 hours of community service, equivalent to 15 months' imprisonment. (iii) In respect of Count 3, we sentence you to 180 hours of community service, equivalent to 12 months' imprisonment, concurrent with Counts 1 and 2. Your total sentence is therefore 210 hours of community service, equivalent to 15 months' imprisonment.
29. We also order that you pay a contribution to the Crown's costs in the sum of £1,000, and you have one week to pay.
30. Finally, we encourage the Cleveland Clinic to make every effort to correct the records of the three patients affected in this case, and to the extent that your cooperation assists in that process, Mr Juchniewicz you are strongly encouraged to do so.
31. That is your sentence. Please sit down. Authorities Whelan, Aspects of Sentencing 3rd Ed. R v Barrick [1985] 7 Cr. App. R. (S) 142. AG v Vincent [2007] JRC 132. Young v Attorney General (1998/147). Kirkland v Attorney General 2001/200. Attorney General v Picot [1990] JRC 074. Attorney General v Hanley 1993/134. AG v Jima-Otero [2017] JRC 163. AG v Arthur [2018] JRC 129. Arthur v AG [2018] JCA 217. AG v Coleman [2020] JRC 023. AG v Kent [2025] JRC 189. R v Higgs (1986) 8 Cr. App. R. (S.) 440.

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