

JERSEY / JUDGMENT

The Attorney General v Nathan Stanton Monks

COURT

Royal Court

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Inferior Number Sentencing – grave and criminal assault.**[2016]JRC130****Royal Court****(Samedi)****29 July 2016****Before :**

J. A. Clyde-Smith, Esq., Commissioner, and

Jurats Thomas and Ronge

The Attorney General

-v-

Nathan Stanton Monks

Sentencing by the Inferior

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

Age: 23.

Plea: Guilty.

Details of Offence:

Monks and the victim of the grave

and criminal assault, have known each other since they were about 16 years old. At about 10:40pm on 18th

January, 2016, Monks sent a Facebook message reading “Hey do you want to come out for a drive” to the

victim. Two hours later, at about

12:45am, the victim messaged Monks, asking Monks whether he was still out. The two agreed to meet in the carpark at

Durrell.

The victim drove to Durrell with two

female friends in his car. He

arrived shortly before Monks, who had three other individuals with him. Monks suggested that they go for a

drive. They travelled first to

Longbeach then to St Catherine’s.

The victim noticed that Monks was not as chatty as usual, which he found strange.

On arrival at St Catherine’s,

the victim parked his car near the café. Monks pulled up alongside him and told

the victim: "Your indicator is hanging off." The victim got out of his car to check and Monks followed. Monks then said: "Your ex-girlfriend has told me you're slagging me off." The victim's ex-girlfriend was with them at the time. Monks then punched the victim four times to the head area. The victim fell to the ground, and Monks pulled him back upright by pulling him by the lapels, tearing them and causing injuries to his neck. Monks backed away and shouted: "If you get the police involved, we'll come looking for you." The victim telephoned the police to report the assault. He was examined by a Force Medical Examiner and found to have swelling, bruising and a cut to his lower lip, abrasions to his neck and bruises to his arm.

Details of Mitigation:	Guilty plea.
Previous Convictions:	28 convictions, including two assaults.
Conclusions:	
Count 1:	9 months' imprisonment.
Sentence and Observations of Court:	Conclusions granted. R. C. P. Pedley, Esq., Crown Advocate. Advocate D. S. Steenson for the Defendant.

JUDGMENT

THE commissioner: 1. The defendant stands to be sentenced for a grave and criminal assault which the prosecution accept on the basis of a plea put forward, falls at the lower end of the scale of seriousness, with the injuries being caused to the victim being minor. The initial allegation was more serious which led to the matter being referred to the Royal Court and, as the prosecution say, this level of assault would more commonly be dealt with in the Magistrate's Court. The defendant has been remanded in custody for 192 days which is the equivalent of a sentence of 9 months and 14 days' imprisonment, assuming remission. It is clear from the social enquiry report that he has made good use of his time in custody. 2. The defendant has a record of previous convictions and is assessed as at high risk of reoffending but in the circumstances the prosecution seek a sentence of 9 months which would result in the defendant's release today. 3. In terms of mitigation the defendant has pleaded guilty and he has also written a careful letter to us which we have considered, and we have listened to everything that Advocate Steenson has said on his behalf. The defence do not dispute the conclusions of the Crown and we accept and agree with those conclusions. 4. You are sentenced to 9 months' imprisonment. 5. We want to just mention one matter to you - in the report of Dr Elmsley, she recommends that you be assessed for suitability for the Accredited Thinking Skills Programme or a similar programme, which is

available in the community, and we would like to urge you to take advantage of that, we think it may be of assistance to you. Authorities AG-v-Monks

[2015] JRC 028. Harrison-v-AG

[2004] JLR 111. Evans and Phillips-v-AG [1997] JLR 94. AG-v-O'Shea

[2010] JRC 040.

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