

24th February, 1986.

Police Court Appeals

A.G. -v- Timothy John Freemantle

DEPUTY BAILIFF: gained access to a private dwelling, where apparently he was a regular visitor and he punched the 16 year old victim, not once but twice, on the nose, merely on suspicion that, despite his denial the victim had so to speak, spoken out of turn causing injury necessitating medical attention. A custodial sentence was certainly correct in principle and 3 weeks on the lenient side. We are satisfied that the honorary police record did not weigh with the Magistrate and it was the actual assault that did. We note in particular that the appellant is on probation and that this was the third occasion upon which he had breached his probation order. The original offences include one of violently resisting police in the due execution of duty. The probation order was three times allowed to stand. We think that he was very fortunate not to receive a consecutive sentence for that offence. The appeal is dismissed and Mr. Le Marquand, you will have your legal aid costs.