

25th September, 1987

ROYAL COURT

Before the Deputy Bailiff, assisted by Jurats J.H. Vint and B. Myles.

Her Majesty's Attorney General

-v-

Ashley Villa Limited, John Joseph O'Brien and
Sandra May Netherway, his wife.

DEPUTY BAILIFF: The maximum fine for each of these offences for each defendant is five thousand pounds, which gives on this "billet" a grand total of thirty thousand pounds, and that is an indication of the seriousness with which the legislature intended the Courts to regard Housing law offences, and this Court takes heed of the view of the legislature. These offences are as blatant as any Housing law offences that this Court has heard. The original arrangement and the way in which it was entered into was an aggravation, and in particular the attempt to procure the Lawsons to sign documents in retrospect after giving them notice to go is a particularly strong aggravating factor and therefore the Court has no hesitation at all in granting the conclusions. Therefore, the company is fined on the first charge, the sum of five hundred pounds, and on each of the second, third and fourth charges, the sum of one thousand two hundred and fifty pounds, making total fines against the company of four thousand two hundred and fifty pounds. The second defendant, John Joseph O'Brien, on the one and only charge against him, is fined the sum of five hundred pounds or, in default of payment, will serve three months imprisonment, and the third defendant, Sandra May O'Brien, née Netherway, also on the only count against her, the first charge, is fined five hundred pounds or, in default of payment, will serve three months imprisonment. And the three defendants jointly and severally are condemned to pay costs in the sum of two hundred and fifty pounds.

ADVOCATE LE MARQUAND: Sir, in respect of the payment of the fines, I hold moneys belonging to the O'Brien's, but I do not have them in my possession. I can give an undertaking, Sir, to pay those to the Viscount's department within the next fortnight.