

ROYAL COURT  
7th December, 1987.

Before the Bailiff, assisted by Jurats Coutanche and Le Ruez.

Police Court Appeal: Paul Henriette

Advocate S.C. Nicolle for the Crown.

Advocate P.C. Sinel for the appellant.

(Appeal against an aggregate sentence of six months imprisonment imposed in respect of offences under Articles 9(4)(as amended) and 28(1)(as amended) of the Road Traffic (Jersey) Law, 1956, Article 2 (as amended) of the Motor Traffic (Third Party Insurance)(Jersey) Law, 1948, and charges of violently resisting police officers and assault on a police officer.)

THE BAILIFF: People who drive when they are disqualified and uninsured are a great risk to the public. These are serious offences. We cannot find that the Magistrate mis-directed himself in anyway; he had the report before him; he was not obliged to grant Community Service; that is entirely within his discretion. We cannot see from his remarks that he mis-directed himself. He indeed dealt with it rather than sending it up here, and he would have expected your client to get more had he come up here. These were serious offences and, quite rightly, you have not sought to minimise them. He was on welfare and then obtained a job; if he had obtained a job earlier there might have been something in your submission. We cannot find that the sentence is wrong in principle nor manifestly excessive and as regards the consecutive question, the assaults took place in the second part of the afternoon, they were a different matter, and the Magistrate was entitled to make them consecutive. You have said all you can on behalf of your client but the appeal is dismissed, and you have your legal aid costs.