

ROYAL COURT

8th July, 1988

Before: The Bailiff,
assisted by
Jurats Vint and Le Ruez

Her Majesty's Attorney General

- v -

Anthony Morris

Three infractions of paragraph (1)(b) of
Article 14 of the Housing (Jersey) Law,
1949

Advocate S.C. Nicolle for the Crown
Advocate S.J. Habin for the accused

JUDGMENT

BAILIFF: Since the Crown does not allege that the letter from a company which was said to employ the defendant was a forgery, in our opinion it was wrong to place so much emphasis upon it. There is something to be said, Mr Habin, for your submission that charges 1 and 2 could be considered as one; they stem from the same need. On the other hand charge 3 is an aggravating matter because by that time he was using the letter and using his original false statement to the Committee to obtain further accommodation which is badly needed for people who are qualified. We

note, however, that he now appears to be in a position whereby he is never going to be able to qualify. That means that a young family could eventually be without a home in the Island, we do not know. It is one of these difficult cases where, as you say, it is not a question of doing it for personal gain in the sense of exploiting the housing shortage for financial gain by reason of greed, but rather of finding a roof to go over one's head. It is one of these sadder type of cases which apparently are increasing because of the shortage of houses and because people find themselves in desperate need of housing and turn to this dishonesty. It is a form of dishonesty of course, thus depriving people who are properly qualified of accommodation, however, it does not lessen the unhappiness of a family which finds itself in this position.

Under the circumstances, we are going to accept your submission and make the fine on charge 2 concurrent. Stand up, please, Mr Morris. You are fined on charge 1, £1,500 or, in default, five months' imprisonment; on charge 2, £1,500 or, in default, five months' imprisonment, concurrent; and on charge 3, £1,500 or, in default, five months' imprisonment, consecutive, and you will pay £500 costs.

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n.b. No authorities referred to.