

ROYAL COURT
Poursuites Criminelles

185.

10th November, 1989

Before: The Deputy Bailiff and
Jurats Blampied and Le Ruez

Attorney General

- v -

Marcel Henri Perron

Representation of Attorney General
under S.6 of the Sea Fisheries
Act 1968, as extended to Jersey
by the Sea Fisheries (Channel
Islands) Order 1973.

The Attorney General for the Crown
Advocate R.J. Renouf for the accused.

JUDGMENT

THE DEPUTY BAILIFF: The learned Jurats were divided; one was minded to grant the conclusions; the other was persuaded by the principle referred to in Thomas on Sentencing (2nd edition) at p.31 that the maximum sentence should be reserved for the worst possible example of the offence concerned. Both in accordance with convention that I should give my casting vote on the side of leniency and because I agree with the general principle the

conclusions will be reduced. We sympathise with that which the Attorney said. The maximum fine is absurdly low but it is not for the Court to try to make up for the deficiencies of the legislature. Here there is a guilty plea, a voluntary return to the jurisdiction and the catch obtained within the three mile limit is very small. Accordingly, Perron is fined £400, or in default of payment he will serve two months' imprisonment. The catch is forfeited and Perron will pay costs of £100.

n.b. no authorities.