

ROYAL COURT

28th August, 1992

156.

Before: The Bailiff, and
Jurats Vibert and Rumfitt

The Attorney General

- v -

David Francis Whiteford

1 count of carrying an offensive weapon, contrary to Article 27 of the Firearms (Jersey) Law, 1956. (Count 1 of the Indictment).
1 count of malicious damage (Count 2).

AGE: 26 years.

PLEA: Guilty.

DETAILS OF OFFENCE:

Came upon a friend being detained for having illegally entered the staff premises of a restaurant. Whiteford demanded his friend's release and let it be seen that he was holding an open lock-knife. He said that he had drawn the knife only because the restaurant staff had knives. This was accepted by the prosecution on the guilty plea. The malicious damage was to a light fitting in the police cell.

DETAILS OF MITIGATION:

Guilty plea; knife was not thrust or brandished at anyone; knife pocketed voluntarily; clinical depression; under treatment at time of offence.

PREVIOUS CONVICTIONS:

Two for (minor) violence not involving weapons.

CONCLUSIONS:

3 months and 1 week's imprisonment concurrent = 3 months' imprisonment.

SENTENCING AND OBSERVATIONS OF THE COURT:

Conclusions granted.

C.W. Whelan, Esq., Crown Advocate.
Advocate P. Landick for the accused.

JUDGMENT

THE BAILIFF: The conclusions are granted. I hope that you have learned your lesson about living in Jersey, Mr. Whiteford. You have a long record. I note Dr. Faiz is trying to help you and I hope that he will be successful.

You are sentenced to three months' imprisonment on Count 1, and 1 week's imprisonment concurrent on Count 2. The knife is forfeited.

Authorities

Thomas: Current Sentencing Practice 2180/10: R. -v- Magee and
Flavin (1990) 12 Cr. App. R.(S.) xxx.

A.G. -v- Douglas (31st January, 1992) Jersey Unreported.

A.G. -v- Godwin (4th December, 1989) Jersey Unreported.