

ROYAL COURT
(Samedi Division.)

130.

8th October, 1993

Before: The Bailiff,
and Jurats Orchard and Herbert

The Attorney General

- v -

Antonio Romano Capuano

First Indictment.

4 counts of malicious damage. (counts 1,3,4, and 5 of the Indictment).
1 count of being disorderly on licensed premises, contrary to Article 83 of the Licensing (Jersey) Law, 1974). (count 2).

Second Indictment.

3 counts of assault (counts 1-3).
1 count of assault on a Police Officer. (count 4).

PLEA: Guilty.

CONCLUSIONS:

First indictment

Counts 1,4,5 : 2 months' Imprisonment.
Count 2 : Fine of £20, or 1 weeks' Imprisonment in default.
Count 3 : 3 months' Imprisonment.

Second Indictment

Counts 1,2 : 8 months' Imprisonment.
Count 3 : 15 months' Imprisonment.
Count 4 : 2 months' Imprisonment.

Terms of Imprisonment Imposed in First Indictment concurrent with each other.

Terms of Imprisonment Imposed in Second Indictment concurrent with each other but to follow consecutively terms of Imprisonment imposed in First Indictment. Total 18 months' Imprisonment.

SENTENCE OF THE COURT:

Conclusions granted, save that sentences imposed in first and Second Indictments to run concurrently. Total 15 months' Imprisonment.

M.C. St.J. Birt, Esq., Crown Advocate.
Advocate Mrs. S.A. Pearmain for the Applicant.

JUDGMENT

THE BAILIFF: The Court has listened very carefully to what your Counsel has said, and the Court understands the position you are in.

However, you embarked on a series of assaults and causing malicious damage, none of which, taken individually, were very serious, but serious enough to be brought before the Courts.

You cannot take the law into your own hands and assault people as and when you feel like it. The Court knows that you are trying to change by the treatment you are receiving in the prison, and the Court is quite satisfied that that treatment can continue whilst you are there.

We are going to make a slight alteration in the conclusions. We think your Counsel was right when she asked us to consider all the offences as part of a single activity, although spread over a period of time and we are going to make the sentences asked for by the Crown in respect of the first group and the second group, concurrent.

You will serve a total of fifteen not eighteen months; however, as regards the the £20 fine, or in default one week's imprisonment, imposed in respect of Count 2 of the first indictment that prison sentence will, if necessary, follow consecutively.

No Authorities.