

ROYAL COURT
(Samedi Division)

143.
27th October, 1993

Before: P.R. Le Cras, Esq., Lieutenant Bailiff,
and Jurats Myles and Le Ruez

Police Court Appeal

Thaddeus Brian Pearce

- v -

The Attorney General

Appeal against a sentence of 1 week's
imprisonment, passed by the Magistrate on 26th
August, 1993, following convictions on a not guilty
plea to 1 charge of causing malicious damage to a
car.

Advocate Mrs. S.A. Pearmain for the Appellant.
S.C.K. Pallot, Esq., Crown Advocate.

JUDGMENT

THE LIEUTENANT BAILIFF: Given the facts before us and the findings in
the case cited to the Court, it is clear that the sentence of
imprisonment cannot stand.

In its place we substitute an Order that the appellant be bound over for one year to be of good behaviour. He must watch the company he keeps and should be aware that, should he breach the Court's Order, the Court is not limited - if a term of imprisonment be imposed - to the learned Magistrate's view of what was sufficient.

Authorities

Rogers -v- A.G. (13th November, 1989) Jersey Unreported.

Young -v- A.G. (20th December, 1989) Jersey Unreported.

A.G. -v- Ryan & Mesney (20th April, 1990) Jersey Unreported.