

ROYAL COURT

26th April, 1991

56B.

Before: The Bailiff, and
Jurats Le Boutillier and Vibert

The Attorney General

- v -

Derrick Albert Lee

OFFENCE:

Driving whilst disqualified; driving while uninsured; breach of the peace; malicious damage.

PLEA:

Guilty.

DETAILS OF OFFENCE:

Found driving without licence and uninsured for third time in five years. Was in breach of an existing ten year driving ban. Whilst on remand caused trouble on being locked out of digs. Terrorised 60 year old landlady by banging of door threatening to burn the house down. Damaged door frame at Police HQ (£18 worth).

DETAILS OF MITIGATION:

Co-operation. Guilty pleas.

PREVIOUS CONVICTIONS:

Lengthy; all motoring and drink.

CONCLUSIONS:

9 months' imprisonment. (7 months for disqualified driving; 8 months for insurance offence (concurrent); 1 month B.O.P. (consecutive); 1 week for malicious damage (concurrent): total: 9 months).

SENTENCE AND OBSERVATIONS OF THE COURT:

Conclusions granted in varied form (8 months for disqualified driving; 9 months concurrent for insurance offence; 2 months concurrent B.O.P.; 1 week concurrent malicious damage = 9 months).

C.E. Whelan, Esq., Crown Advocate.
Advocate R.J. Renouf for the accused.

JUDGMENT

BAILIFF: This is the third time that you have committed offences of driving whilst disqualified and without insurance. They are very serious offences, about which this Court has expressed itself in the past. We note that the maximum for driving whilst disqualified is twelve months and driving without insurance is eighteen months. We think that the overall sentence asked for by the Crown is the correct one but we are going to vary it between the various counts.

On Count 1, you will be sentenced to eight months' imprisonment. On Count 2, to nine months' imprisonment concurrent. On Count 3, two months' imprisonment concurrent. On Count 4, one week's imprisonment concurrent. Making a total of nine months' imprisonment.

Authorities cited:

A.G. -v- Mière (5th February, 1990) Jersey Unreported.

Thomas' "Principles of Sentencing" (2nd Ed'n) p.p. 350-351.