

2 pages.

ROYAL COURT

5th July, 1991

91.

Before: The Bailiff, and Jurats  
Blampied and Herbert

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The Attorney General

- v -

Darren Maurice Le Cocq

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Infraction of Article 17(2) of the Fire Service (Jersey) Law, 1959;

**PLEA:**

Guilty.

**DETAILS OF OFFENCE:**

Going home with friends after an evening's drinking, Le Cocq saw a car on fire. A little further on, they passed a parked taxi. Le Cocq disappeared and came back with a can of petrol. He doused the taxi. On his version someone else set light to it. This was denied by every other witness; even if true, it was a joint venture. The car was used by its owner as a taxi. He had to hire a replacement for three weeks, and forfeited the excess on his insurance. He had to buy a new car two years earlier than he would have done.

**DETAILS OF MITIGATION:**

Making a genuine attempt to settle down. Stable relationship with girlfriend. Well thought of in employment. Attending courses for job.

**PREVIOUS CONVICTIONS:**

Many for public disorder, dishonesty etc. Longest previous sentence - 6 months.

**CONCLUSIONS:**

12 months.

**SENTENCE AND OBSERVATIONS OF THE COURT:**

Conclusions granted. Fire raising must attract custodial sentences save in exceptional circumstances. No exceptional circumstances here.

**REMARKS:**

This was in the lower range of arson, when compared to setting fire to dwellings or where there was a risk of fire spreading to dwelling (though as the Bailiff pointed out the car could have exploded). Defence had pleaded for one last chance; the Court thought that Le Cocq had been given many chances and had not taken them.

Breach of probation order imposed following guilty plea to three counts of breach of the peace, [see attached judgment (30th March, 1990) Jersey Unreported].

On 30th March, 1990, Le Cocq was placed on Probation with a condition of Community Service. He had breached the Probation Order, and was dealt with on the 5th July, 1991, for the breach.

**CONCLUSIONS:**

Three months' imprisonment on each count concurrent, but consecutive to twelve months' imprisonment imposed for offence under the Fire Service Law.

**SENTENCE AND OBSERVATIONS OF THE COURT:**

Conclusions granted.

**REMARKS:**

On the 30th March, 1990, the Crown had moved for six months on each count concurrent. Three months on each concurrent represented a credit given for the Community Service which Le Cocq had worked (just under half of the total time which he was supposed to do).

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Miss S.C. Nicolle, Crown Advocate.  
Advocate R.G. Morris for the accused.

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JUDGMENT

BAILLIFF: Setting fire to a motor vehicle is a very serious offence, as the Crown Advocate has said. It is one of those offences with which this town is plagued from time to time by thoughtless vandals; and unless there are special circumstances the Court agrees with Miss Nicolle that persons who do this sort of thing must expect a prison sentence.

We have looked at this case and we have taken into account everything you have said, Mr. Morris, as to whether it would be possible to give Le Cocq a further chance.

In our opinion he has had many chances, which he has not taken and the time has come when we feel we cannot, even though reluctantly, having regard to his age, give him a further chance. We think he has had those chances; we think it is far too early to say that he has reformed; his relationship with his present girlfriend is of very recent standing; he appears to be making an effort, but we think nevertheless that the time has come when he has to learn that a prison sentence is what his behaviour will entail. The conclusions are granted; you are sentenced to a total of fifteen months' imprisonment.

No authorities cited.