

ROYAL COURT

6th March, 1992.

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BEFORE: The Deputy Bailiff and  
Jurats Vint and Herbert

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Her Majesty's Attorney General

-v-

Henry Hardacre

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Application to be released from prison, to which  
the applicant had been sent in respect of a fine  
default, and to be given additional time to pay.  
(See: (24th January, 1992) Jersey Unreported).

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Miss S. C. Nicolle, Crown Advocate.  
Advocate D. Sowden for the accused.

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**JUDGMENT**

DEPUTY BAILIFF: The opinion of the Court is ( ) : the defendant is quite unworthy of sympathy, but the interests of society lie in the payment of the fine.

On the one hand, society loses the fine money, the cost of welfare assistance to the wife and child and the cost of maintaining him in prison. On the other hand, there is just a chance that by going to prison he may have learned his lesson and he may be telling the truth about the availability of work.

We wish to stress that neither the Viscount's department nor the Viscount's department's conduct of this matter can be criticised in any way. Nevertheless, we order that the defendant be released from prison forthwith, that he will resume paying £50 per week, commencing on Monday 16th March. The balance of the prison term in default will remain effective, so that if he defaults again, the Viscount's department will repeat its action and the defendant will be wasting his time coming back to this Court, because compassion will not be exercised a second time.

No Authorities