

ROYAL COURT  
(Samedi Division)

3rd October, 1997

188.

Before: F.C. Hamon, Esq., Deputy Bailiff, and  
Jurats Herbert and Rumfitt.

The Attorney General

- v -

Marlene Ann Godfrey

2 counts of obtaining money by false pretences (counts 1, 2).

Plea: Guilty.

Age: 50.

Details of Offence:

Defendant obtained two personal loans of £2,500 each using a false identity as she was a high credit risk. Considerable effort made to falsify identity including obtaining provisional driving licence in false name, forging employer's reference, lying to police and finance company representatives.

Details of Mitigation:

Heavily in debt. Unable to control expenditure. Assisting daughter to look after daughter's young child following separation from husband.

Previous Convictions: Two minor but not relevant.

Conclusions: 9 months' imprisonment on each count concurrent.

Sentence and Observations of the Court:

3 years' probation on condition that she complete 180 hours' community service within 12 months. A serious and systematic fraud but prison would not solve her problems.

A.R. Binnington, Esq., Crown Advocate.  
Advocate R.G.S. Fielding for the accused.

JUDGMENT

5 THE DEPUTY BAILIFF: This was, on the facts outlined to us, a serious and sophisticated fraud. Godfrey prepared a false name and, using her address as her place of work, obtained substantial funds from two finance companies. When her fraudulent behaviour was found out, she even attempted to hoodwink the investigating police officers by writing a seven page letter of pure invention about a Mrs. Roberts, whom she had invented to further her scheme.

10 Her forged reference and the false driving licence, had been carefully fabricated from an old school photograph. There was a continuing tissue of lies that put the police to an immense amount of trouble. It was much later on that she eventually admitted to supplying the fake references, the fake driving licence, and to lying to the finance companies. We should add that Barclays Bank has also suffered loss by honouring overdrawn cheques.

15 Mr. Fielding has said everything he possibly could. We are quite certain that Miss Godfrey is totally inadequate financially. What we have had to do this morning is to weigh in the balance the needs of society to punish, by issuing a warning that must go out to fraudsters.

20 We have given the matter considerable thought and we feel that prison is not going to solve the problem. Miss Godfrey needs consistent help. We must say that we have been helped very much by Mr. Fielding. In addition, as Mr. Heath is in Court, perhaps he would pass on, to the author of the social enquiry report, how impressed we were with its contents.

25 Miss Godfrey, stand up, please. We are going to sentence you to three years' probation and 180 hours' community service to be carried out within twelve months.

Authorities

Thomas: "Principles of Sentencing" (2nd Ed'n): pp.160-165.

Whelan: "Aspects of Sentencing in the Superior Courts of Jersey":  
p.142.