

A.G. -v- Martyn Eldon Gibaut.

31st May, 1985.

Inf. No.

BAILIFF:- "I have no hesitation whatsoever in granting the conclusions of a total of 18 months imprisonment which could have not not been less. This was a most serious assault on the police and a most serious offence against public order in the streets of the town. We accept that the defendant did not intend to use, to fire the firearm, well, not firearm, the crossbow, deliberately at the police but the police, of course, were not to know that. The defendant had the crossbow in a firing position, deliberately aimed at the police, in order that the police would think that it might be used and one has to bear in mind too that of course at one stage, if not more, he threatened that he would use it, it could very easily have gone off and if it had either the police or pedestrians going about their lawful business or motorists or all three, could very well have been very badly injured. There were three occasions when these threats were made with the crossbow being aimed - there's the occasion in the alleyway, there was the occasion in New Street when Police Constable Bree was followed and pedestrians had to take cover behind cars and of course there was the third and even more serious occasion in Duhamel Place when there was a queue of cars and at one stage the crossbow was pointed at the windscreen of the first car. It cannot be emphasised too strongly that to aim a loaded, lethal weapon at anybody, no matter what the intention, to put them in fear is a most serious assault and 18 months is not a day too long particularly when one takes into account the record of the defendant which has violent tendencies and therefore, without any hesitation, the Court sentences you to 18 months imprisonment on each of counts 2, 3 and 4

to be concurrent and we also order the forfeiture of the crossbow and bows.