

ROYAL COURT

25th March, 1988

Before: V.A. Tomes, Esq., Deputy Bailiff
assisted by Jurat Mrs B.H. Myles
and Jurat Mrs M.J. Le Ruez

Her Majesty's Attorney General

- v -

Harry John Fenn

24 infractions of the Social Security
(Collection of Contributions) (Jersey) Order, 1975

Advocate S.C. Nicolle on behalf of the Crown
Advocate S. St. J. O'Connell on behalf of H.J. Fenn

JUDGMENT

THE DEPUTY BAILIFF: It is beyond belief that the defendant did not know of the existence of Social Security obligations. The very fact that he was eventually shocked shows that there must have been some discussion on building sites or in public houses about it. We are quite certain that frequenters of building sites and public houses well know what the situation is. As Miss Nicolle has said, this case sets up a new and dubious record.

The defendant came here in January, 1969, evaded his obligations under the Insular Insurance Law and since 1975 has done so under the Social Security Law. We consider the fines moved to be too low. We are going to take the unusual step of increasing the conclusions. We do not know that Booth in 1986 had anything like the same record and no allowance has been made for inflation since January, 1986. We intend that the appalling record of the defendant from January, 1969, to date must be reflected in the fines imposed. If he will not work and pay, then he will serve imprisonment instead. So, on all the odd numbered counts, counts 1 to 23, twelve of those, he will be fined the sum of £20.00 (Twenty Pounds) or in default of payment serve four days' imprisonment on each. On the even numbered counts, 2 to 24, he will pay a fine of £100.00 (One Hundred Pounds) or in default serve twenty days' imprisonment. That makes a total of £1,440 (One Thousand Four Hundred and Forty Pounds) or in default 288 days' imprisonment. He will pay costs as requested in the sum of £50.00 (Fifty Pounds) and he will pay the fines and costs at the rate of £50.00 (Fifty Pounds) per week.