

ROYAL COURT

14th November, 1990

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Before: The Bailiff, and  
Jurats Coutanche and Orchard

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Police Court Appeal: François Christophe Besse

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Appeal against sentence of one month's imprisonment, imposed following guilty plea to one charge of grave and criminal assault. Appellant was crew member of visiting French naval vessel at time of offence.

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Advocate S.C. Nicolle for the Crown.  
Advocate C.J. Scholefield for the appellant.

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JUDGMENT

BAILIFF: There is much, Miss Nicolle, in what you have said to the Court inasmuch as we are not clear as to exactly whether there is a formal arrangement between the Governments of the United Kingdom and France, or merely between the naval authorities and indeed exactly in what form. But it is clear to us that the appellant faces disciplinary proceedings of some severity for his outrageous behaviour during his stay here.

If we had the power we would have been minded to consider adopting a suspended sentence, but this is not something we can impose at will today. Therefore we think that justice would be met by binding him over for two years. You will explain what that means to him. If he were to come back here and commit any other offence he knows that he would face a penalty and we think, therefore, we can leave him to be dealt with by the naval authorities. I hasten to add, Miss Nicolle, that if it were possible to follow this up a little more formally, it might be helpful in future occasions.

We will substitute a sentence of two years' binding over in the light of what you have said, Mr. Scholefield, and you will have your legal aid costs.

No authorities.