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ROYAL COURT  
(Samedi Division)

97.

23rd May, 1997

Before: F.C. Hamon, Esq., Deputy Bailiff, and  
Jurats Gruchy and Quérée

The Attorney General

- v -

Peter Michael O'Hara

1 count of maliciously setting fire to material being the property of another, contrary to Article 17(2) of the Fire Service (Jersey) Law 1959.

Plea: Guilty.

Age: 33.

Details of Offence:

Set fire to the seat of an unoccupied coach parked next to 25 other coaches. 2 coaches burnt out and 3 others damaged. Potential for fuel explosion near busy underpass.

Details of Mitigation:

Depressed. Did not realise consequences. Gave himself up to police without which unlikely to have been traced. £77,000 damage.

Previous Convictions:

None.

Conclusions:

1 1/2 years imprisonment.

Sentence and Observations of the Court:

2 years imprisonment.

A.J.N.Dessain, Esq., Crown Advocate.  
Advocate R.G. Morris for the Accused.

JUDGMENT

THE DEPUTY BAILIFF: Arson is always a very serious offence; in this case it was extremely fortunate that the fire which quickly took hold did not, as the result of an explosion of petrol tanks or otherwise, cause injury to a member of the public or indeed of the emergency services.

We have given careful consideration to the matters set out in the probation and psychiatric reports, and to the possibility of an individualised sentence but we have concluded that a prison sentence in this case is inevitable. Having reached that decision, we have given anxious consideration to the length of such a sentence. It is true that the Defendant surrendered himself to police headquarters and he immediately admitted his guilt.

That is evidence of genuine remorse. Defence counsel has produced references showing that the defendant is, generally speaking, a good employee, and we have taken note of the fact that he is well regarded both by his employers and - naturally - by his family.

Nevertheless, in our judgment, the conclusions are out of line with the usual bracket of sentence for an offence of this gravity. Giving the fullest possible weight to the mitigating factors, we consider that the minimum sentence which can properly be imposed in the particular circumstances of this offence and of this offender is one of 2 years imprisonment.

O'Hara, the sentence of this Court is that you will be sentenced to imprisonment for 2 years.

No Authorities