

ROYAL COURT
(Superior Number)

19th September, 1988

Before: The Deputy Bailiff and
Jurats Coutanche, Lucas, Baker,
Le Boutillier, Bonn, Orchard,
Hamon and Mrs Le Ruez

Her Majesty's Attorney General

- v -

PH

Sentencing, following plea of
guilty to Manslaughter.

Advocate M.C. St. J. Birt, Crown Advocate,
Advocate C.M.B. Thacker for the Accused.

JUDGMENT

THE DEPUTY BAILIFF: The Court unanimously agrees with everything Crown Advocate Mr Birt has said and if it were within our power to do so we would, without any hesitation, impose a sentence of two years' imprisonment for an offence which we regard as very serious and contains all the aggravating features referred to. However, we are restricted by the terms of Article 18 of the Children (Jersey) Law, 1969, and therefore we must pass a sentence within that provision. PH , you are sentenced to Borstal

training, which will mean that that will be converted into youth custody, and you are disqualified from driving for seven years. Pending transfer to an institution in England, you are remanded in custody.

We say again what we have said so many times that Article 18 of the Children (Jersey) Law, 1969, should be repealed.

Authority

R. -v- Boswell (1984) 3 All E.R. 353.

