

ROYAL COURT  
(Superior Number)

31st October, 1988

Before: The Bailiff and  
Jurats Coutanche, Vint, Lucas, Myles, Baker,  
Bonn, Hamon, Gruchy and Le Ruez.

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Her Majesty's Attorney General

- v -

Eugene Michael Mullin.

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Superior Number sentencing - one count of arson.

The accused had set fire to a private residence following a domestic dispute.

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H.M. Attorney General for the Crown  
Advocate M. St. J. O'Connell for the accused.

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**JUDGMENT**

**THE BAILIFF:** As you know, Mullin, this was a very serious case of arson and, as as your counsel has rightly conceded, being a serious case there has to be a custodial sentence; there is no question about that. The question is whether we should take into account the matters raised by your counsel and reduce the conclusions asked for. We have taken into account all of the matters that your counsel has urged upon us, but we cannot think that the conclusions of the learned Attorney General are excessive. They must reflect the seriousness of the offence and the circumstances. It is quite

true that you were able to ascertain that there was nobody in the premises, but there were certain matters which you told the police and clearly this is a very serious offence. There are not the mitigating circumstances in this case that would entitle us to reduce the conclusions. Furthermore, you not only require a prison sentence but you require treatment, which you will have if you go to Grendon Underwood. In sentencing you to four years as we do, we make a recommendation that you will go to Grendon Underwood for treatment. Having said that, this in many ways is a distressing case because you came to Jersey to try to make good and you did for quite a long time, but unfortunately circumstances were such that this very serious offence occurred and therefore we feel that we have little option, having considered all the facts, but to agree with the Attorney General.

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Authorities referred to:-

D.A. Thomas (2nd edition) p.170 et seq. re. Arson.

A.G. -v- Pallot J.J. 22nd August, 1984 - unreported.

Crown -v- Coughlan 14.3.74, 5082/C/73.

Crown -v- Taylor 21.11.75, 3278/A/75.

Crown -v- Foley 26.7.72, 2506/B/73.

A.G. -v- N.J. Maguire J.J. 12th June, 1986 - unreported.

A.G. -v- I. Drew J.J. 6th January, 1987 - as yet unreported.

A.G. -v- Cassin J.J. 6th February, 1985 - unreported.

A.G. -v- R.C. Olive J.J. 24th May, 1979 - unreported.

A.G. -v- R. Le Masurier J.J. 4th July, 1974 - unreported.

A.G. -v- T.R. Hutchings J.J. 18th October, 1974 - unreported.

A.G. -v- A. Bauw J.J. 25th April, 1975 - unreported.

A.G. -v- R. Smith-December, 1964 - unreported.