

ROYAL COURT
(Samedi)

18th March, 1994

Before: The Bailiff and, Jurats
Bonn and Hamon

60.

Her Majesty's Attorney General

-v-

David Edwin Evans

4 Infractions of the Social Security (Collection of Contributions) (Jersey) Order, 1975: (Article 10(1); charges 1,3,5, and 7)

4 Infractions of the Social Security (Jersey) Law, 1974: Article 36(1) (charges 2,4,6,8)

PLEA: Facts admitted.

DETAILS OF OFFENCE: Failed since 1987 to file Social Security Returns.

DETAILS OF MITIGATION: Good record of paying during 1960 & 1970 and early 1980s. 1986-87 Business failed. Moved addresses - no deliberate moving to evade. Agreed to pay off arrears of £8,000 and had started doing so. Deliberate evasion.

PREVIOUS CONVICTIONS: Numerous but not relevant (traffic).

CONCLUSIONS: Charges 1,3,5,7: £75/2 weeks' imprisonment in default, on each charge.
Charges 2,4,6,8: £300/4 weeks' imprisonment in default, on each charge.
£100 Costs.
All default sentences of imprisonment to run consecutively to each other.

SENTENCE: Charges 1,3,5,7: £25/1 week's imprisonment in default on each charge.
Charges 2,4,6,8: £100/2 week's imprisonment in default on each charge.
£100 costs.
All default sentences of imprisonment to run consecutively to each other, fines to be paid at rate of £10 per week.

A.J. Dessain, Esq., Crown Advocate
Advocate D.M.C.Sowden for the accused.

JUDGMENT

THE BAILIFF: It is obvious to us that events got on top of you. You should really have kept in close touch with the Social Security Department who would have helped you if you had let them.

Under the circumstances you have to be fined but in view of your financial position and general background, we are going to reduce the conclusions, not that we think the conclusions were necessarily wrong, but as practical move in a way. Accordingly you are fined in respect of charges 1,3,5, and 7, £25 on each, or one week consecutive on each; and on 2,4,6, and 8, £100 or 2 weeks consecutive, making a total of £500, and a £100 costs and you will pay it off at a rate of £10 a week which means that if you do not do so the Viscount can impose the prison sentence. We advise you to keep in close touch with the Social Security Department.

No Authorities