

ROYAL COURT  
(Samedi Division)

4th July, 1997 124

Before: Sir Philip Bailhache, Bailiff, and  
Jurats Potter and Quérée

The Attorney General

- v -

Ian Leslie Evans

1 count of violently resisting arrest (count 1).

Plea: Guilty.

Age: 33.

Details of Offence:

Whilst on bail the Court ordered his arrest. Police officers found him in "Churchills". After being escorted out, he ran back into the bar, broke a bottle and held it up. A customer grabbed him from behind and he was handcuffed.

Details of Mitigation:

No notice of arrest. Undue pressure. Intended only to injure himself, not the police officers.

Previous Convictions:

Grave and criminal assault November 1996 - 2 years. Approximately eight previous for violence and theft.

Conclusions:

Three months' imprisonment to follow any term of imprisonment at present being served.

Sentence and Observations of the Court: Conclusions granted.

Settling upon his account insofar as it differs from prosecution. Accept intent to hurt himself but must have been a frightening incident.

J.A. Clyde-Smith, Esq., Crown Advocate.....  
The accused on his own behalf.

JUDGMENT

THE BAILIFF: First of all, the Court wishes to make it clear that it is proceeding to sentence this defendant upon the basis of the account given by him insofar as that account differs from the account given by the Attorney General.

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Having said that, Evans, the fact of the matter is that on being approached by the police you sought to evade arrest; you broke a bottle which was in itself a violent act and you resisted arrest in that way. We accept that your intention was to damage yourself, but it seems clear to the Court that your actions must have been extremely frightening, not only to the police officers, but also to any members of the public who witnessed them.

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The conclusions of the Crown Advocate appear to us to be absolutely right and you are accordingly sentenced on count 1 to three months' imprisonment, consecutive to the existing sentence.

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Finally, Mr. Clyde-Smith, as requested by you, we do indeed commend the actions of Mr. Adams for his intervention which undoubtedly prevented further disorder.

Authorities

Evans, Phillips -v- A.G. (9th April, 1997) Jersey Unreported CofA.

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