

ROYAL COURT

1st April, 1987

Before the Bailiff assisted by Jurats Perrée and Bonn

Her Majesty's Attorney General

-v-

David John Mandel

Judgment

**BAILIFF:** We have no reason to interfere with the Magistrates sentence in both cases, or in both offences. So far as the assault is concerned it sprang from a relationship which was terminated - which was not accepted apparently by the accused, or by the appellant. He had himself voluntarily consumed, (where he got it from I do not know, it is said from a site), some valium and was suffering therefore from a feeling of ill health after that, but that is no excuse for hitting a young girl or even slapping her. He was older than she was and we cannot see that the Magistrate exercised his discretion wrongly. So far as that part of the plea was concerned it is dismissed, and as regards the malicious damage, because you are provoked in some respect and you are annoyed that somebody's spoken to you and you have been drinking, that is no reason to vent your bad temper on somebody else's property by throwing a dustbin at it. This plea is dismissed. (indistinct) your legal aid costs.

Authority referred to :-

Police Court Appeal; D. J. Lelliott - Jersey Judgments 23<sup>rd</sup> April, 1985  
- as yet unreported