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ROYAL COURT

24th June, 1988

Before the Deputy Bailiff assisted by Jurats P.G. Baker and J.J.M. Orchard.

Her Majesty's Attorney General

-v-

Nicholas Paul Kerrell.

Sentence in respect of numerous parking infractions.

A. P. Begg - for defendant

Her Majesty's Solicitor General for Crown

**DEPUTY BAILIFF:** The defendant is an example of persons who create an absolute nightmare to the parochial authorities in their attempts to administer the parking problems of the town. It is persons such as the defendant who convert a difficult parking problem into a state of chaos, and in the opinion of the Court, the defendant has displayed a cavalier attitude. If the Solicitor General had moved for the maximum fine of twenty pounds for each and every one of the offences the Court would not have demured, but we recognise the correct legal principles applied by the Solicitor General in creating bench marks or guide lines and we approve them. And therefore the conclusions with regard to the fines which we regard as the absolute minimum - are granted, that is to say that, on counts 1 and 5, the defendant is fined twenty pounds on each, or in default of payment is sentenced to ten days imprisonment consecutive on each, on counts 2, 6, 7, 12, 13, 19, 22, 24, 25. 26 and 36 the defendant is fined fifteen pounds on each of those counts, or in default of payment is sentenced to seven days imprisonment on each

consecutive and on counts 16, 17, 18, 20, 21, 28, 29, 30, 31, 32 and 33 the defendant is fined a sum of ten pounds on each count, or in default of payment is sentenced to five days imprisonment consecutive, thus making total fines of three hundred and fifteen pounds, or in default twenty-one weeks and five days imprisonment.

Now as to the question of costs, the Solicitor General arguments are perfectly valid and the amount asked for is fully justified, but there is in the view of the Court another side to this problem, and we consider that the parochial authorities have been too lenient. Now we accept that they acted in every sense from the best of motives, but if the parochial authorities instead of writing letters and having meetings and so forth had sent out periodical summonses requiring the appearance of the defendant before the Police Court, he might have been dealt with perhaps ten or twelve times for the number of offences that he had obviously has committed. But nevertheless, certainly we think that after the four or five offences the parish should without hesitation summon an offender to the Police Court and we want to recognise that, because we think that indirectly the present defendant although the author of his own misfortunes has been put to greater cost as a result of the leniency of the parish. And therefore we are going to impose costs in the sum of five hundred pounds, and finally payment will be at the rate of forty pounds per week starting one week from today.