

17th January, 1986

R. -v- Reynolds & Carey

Infraction of Housing (Jersey) Law, 1949

Judgment

The Bailiff: As far as Reynolds was concerned, this was a transaction out of keeping with his normal use of his property, where he was scrupulous to maintain the Law - and it was a combination of his generosity and his stupidity which led him into this. It is right to distinguish between what he should pay and what Mr. Carey should pay, because Carey came to the Island not knowing anything about the Island. He therefore was not told by Mr. Reynolds of the difficulties, and to that extent Mr. Reynolds was responsible; on the other hand, we cannot think that, during the course of Carey's employment, he did not soon find out from his fellow employees of the housing difficulties, or, by reading "The Jersey Evening Post", that he would not have found out for himself, and therefore over a period of time he must have become aware of the problem, nevertheless, we are prepared to treat the transaction, so far as the lettings are concerned as one, and we therefore fine the parties as follows:-

Reynolds, you are fined on charge 1, £400 or 2 months; on charge 3, £400 or 2 months (consecutive); on charge 5, £300 or 1 month; making a total of £1,100 or 5 months, and costs of £100.

Carey, you are fined on charge 2, £250, and on charge 4, £250, or in default 6 weeks on each (consecutive); a total of £500 or 3 months and £100 costs, and you will pay your fines at the rate of £ 20. a week.

Reynolds, you have 1 week to pay.