

COURT OF APPEAL

6th April, 1990

48.

Before: Sir Godfray Le Quesne, Q.C., (President)
D.C. Calcutt, Esq., Q.C., and
L.J. Blom-Cooper, Esq., Q.C.,

The Attorney General

- v -

Denis Jeffrey Godwin

Application for leave to appeal against
the sentence of two and a half years'
imprisonment, imposed by the Royal
Court (Superior Number) on the
4th December, 1989.

Advocate S.C. Nicolle, the Crown Advocate,
Advocate W.A.M. Bridgeford, for the Applicant.

JUDGMENT

THE PRESIDENT: We are indebted to counsel for the help we have received in this case, particularly to Mr. Bridgeford who has put effectively before us everything which could properly be said on his client's behalf.

We have considered the submissions carefully and we have come to the conclusion that no criticism can be made of the sentence imposed by

the Royal Court. In particular, we see no ground for thinking that the Court did not give consideration to the mitigating factors which have been urged upon us, and the fact that the conclusions presented on behalf of the Crown were, in fact, reduced by the Court appears to us to confirm the view that these mitigating factors were indeed considered.

This application must therefore be dismissed.

Authorities:

Thomas: "Principles of Sentencing" (2nd Ed'n):

- p.p. 189-199: Mitigation: Alcoholism.
- p.p. 20-22: The Intermediate Recidivist.
- p.p. 22-25: The Inadequate Recidivist.

Current Sentencing Practice:

- p.4029: R. -v- Bradley
- p.4029-30: R. -v- Adamson
- Bradley (1983) 5 Cr. App. R. (S) 363
- Adamson (1988) 10 Cr. App. R. (S) 305.

- Bloomfield -v- A.G. (1985-86) JLR N.10.
- A.G. -v- Bloomfield, (15th April'85) Jersey Unreported.
- Nozedar -v- A.G., (1985-86) JLR N.20.
- A.G. -v- Nozedar, (25th October'85) Jersey Unreported.
- Langford -v- A.G., (1985-86) JLR N.20.
- A.G. -v- Langford, (10th April'85) Jersey Unreported.
- Encyclopedia of Current Sentencing Practice, Thomas, p.3018,
C3.2(b), R -v- Law.
- A.G. -v- Maguire (1967) 1 C.A. 31.
- Encyclopedia of Current Sentencing Practice, Thomas, p.p. 3014-3014/1,
C2.2(f), R -v- Rackley.
- A.G. -v- Heuze, (25th October'88) Jersey Unreported.
- A.G. -v- Crossan, (12th September'88) Jersey Unreported.
- A.G. -v- Lelliott, (23rd April'85) Jersey Unreported.
- A.G. -v- Foster, (22nd December'88) Jersey Unreported.
- A.G. -v- Kerr, (16th June'89) Jersey Unreported.
- A.G. -v- Hamon, (8th January'90) Jersey Unreported.
- A.G. -v- Edwards, (16th February'90) Jersey Unreported.
- A.G. -v- Campbell, (7th September'87) Jersey Unreported.