

6th June, 1986.

Attorney General -v- Ernest Farley and Son Limited.
Before the Deputy Bailiff and Jurats Perree and Misson.

The Deputy Bailiff: The Court is unanimously of the opinion, that the fine asked for, which is only two fifths of the maximum, is the proper fine for the offence having regard too, to the fact that the Company is a substantial one. Whether the Defendent Company has any recourse against it s structural Engineer is of course a matter for them on a Civil basis, but the Court cannot help but think that expediency did enter into the considerations, shoring would have prevented the use of the 'JCB' and would have enlarged both the time taken and the cost. On the other hand, the guide is very clear, and in figure 11. only shoring is shown, and the Defendent Company should not have permitted it s Engineer to divert it from that necessary course. The Company is fined two thousand pounds, and will pay costs of two hundred and fifty pounds.