

COURT OF APPEAL

25th October, 1988

Before: J.M. Chadwick, Esq., Q.C., (President)
R.D. Harman, Esq., Q.C., and
E.A. Machin, Esq., Q.C.

The Attorney General

- v -

David Aubert

Appeal against conviction on the 4th July
and sentence on the 25th July, 1988, by
the Royal Court (Criminal Assize) on
1 Count of Grave and Criminal Assault.

Advocate C.E. Whelan, the Crown Advocate
Advocate C.J. Scholefield, for the Appellant.

Decision on Appeal against Conviction
(Reasoned Judgment to follow).

THE PRESIDENT: We have before us an appeal by David Aubert against his conviction on the 25th July, 1988, on the charge of grave and criminal assault. We have considered all the matters urged upon us during the hearing of this appeal and we are not satisfied that there are any grounds under Article 25 (1) of the Court of Appeal (Jersey) Law, 1961, upon which this appeal could be allowed. Accordingly we dismiss it. We will hand down

a judgment setting out our reasons in detail in due course.

We will now deal with the appeal against sentence.

Decision on Appeal against Sentence.

There are no grounds on which we could interfere with the sentence passed by the Royal Court. Indeed, we are wholly in agreement with it. We do not regard it as excessive. We do not think that any lesser sentence could properly have been imposed in this case.