

ROYAL COURT

18th May, 1992

85.

**Before:** The Bailiff and Jurats  
Hamon and Herbert

---

**Police Court Appeal: Malcolm John McEwan**

---

Following guilty plea to one charge of a contravention of Article 13A(1)(aa) of the Road Traffic (Jersey) Law, 1956 the appellant was sentenced to a fine of £60 or 14 days imprisonment in default; his licence to be endorsed.  
Appeal against order endorsing licence.

---

Advocate S.C.K. Pallot on behalf of the Attorney General.  
The appellant on his own behalf.

---

**JUDGMENT**

**THE BAILIFF:** Mr. McEwan, the Court has listened to what you have to say, but you were driving at 52 m.p.h. in an area with a 30 m.p.h. speed limit. You live in the area, so you must be taken to know what the situation on the road is. It was dark, the roads were wet, according to the evidence that we have heard so far. You were about to approach closely to a built up area.

We would have to find, if we allowed your appeal, that the magistrate's sentence was manifestly wrong, that he had erred in principle; in other words that he got it completely

wrong. We are not really able to say i t. If we had found that he had got it completely wrong, we would have allowed the appeal, but we don't think he did, so your appeal is dismissed.

**No Authorities**