

ROYAL COURT

10th July, 1992

123.

Before: The Bailiff, and  
Jurats Vint and Rumfitt

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H.M. Attorney General

- v -

Sally Anne Lenton

and

Joseph Michael Fannon

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1 count each of attempting to pervert the course of  
justice (Lenton: count 1; Fannon: count 2 of the  
indictment).

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Fannon

AGE: 34

PLEA: Guilty.

**DETAILS OF OFFENCE:**

Supplying a false statement to the Police to support an alibi given by one Savan (see also Lenton conviction). The accused maintained his story overnight and resiled from it after second interview and three hours at Police Headquarters the following day.

**DETAILS OF MITIGATION:**

No gain from the offence. There was a substantial gap in the previous convictions of the accused who was now remorseful and sorry for what he had done. Most of the defendants in the main action had received non-custodial sentences and it would be harsh to give this defendant a custodial sentence. Probation Report suggested community service.

**PREVIOUS CONVICTIONS:**

Various convictions between 1983 and 1989 including dishonesty, driving offences and obstruction of the Police.

**CONCLUSIONS:**

Three months' imprisonment.

**SENTENCE AND OBSERVATIONS OF THE COURT:**

Conclusions granted. An offence of attempting to pervert the course of justice struck at the very root of the judicial system.

**Lenton**

**AGE:** 32.

**PLEA:** Guilty.

**OFFENCE:**

Attempting to pervert the course of justice.

**DETAILS OF OFFENCE:**

The accused corroborated a statement of her co-accused Fannon by which she falsely supported his alibi of one Savan charged with breaking and entering and larceny. The false statement was resiled from some five hours later.

**DETAILS OF MITIGATION:**

Accused gained nothing from the offence and committed the offence only to support her boyfriend. She showed remorse and made a guilty plea.

**PREVIOUS CONVICTIONS:**

Shoplifting (October, 1990).

**CONCLUSIONS:**

One year's probation coupled with 50 hours' community service.

**SENTENCE AND OBSERVATIONS OF THE COURT:**

Conclusions granted. Usually attempting to pervert the course of justice will merit a custodial sentence.

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**W.J. Bailhache, Esq., Crown Advocate.**

**Advocate D.C. Sowden for Fannon.**

**Advocate S.E. Fitz for Lenton.**

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**JUDGMENT**

**THE BAILIFF:** An offence of attempting to pervert the course of justice is a very serious offence. It strikes at the root of the legal system and prevents the police from carrying out their proper duties. It is linked - as we have seen by looking at Thomas: "Principles of Sentencing" - to the offence of perjury, which again is a very serious offence because it disrupts and distorts the course of justice.

Therefore, this offence should normally carry with it a sentence of imprisonment unless there are particular circumstances which allow the Court not to impose one.

In your case, Lenton, we are satisfied that you were a very foolish young woman to listen to your boyfriend. He was quite prepared to put this story to you and involve you (I will come back to that in a moment). Under the circumstances we accept the conclusions of the Crown Advocate and you are placed on probation for one year and you will carry out 50 hours' of community service.

Fannon, so far as you are concerned, you were quite foolish to enter into this agreement, but you knew what it was; you knew it was an illegal operation. It was conducted not with a friend but with an acquaintance in a public house. In addition to concocting this false story, you persisted with it for some time, and what is more you involved your innocent girlfriend in it, for which she is now paying the penalty.

Under the circumstances we cannot find, in your case, that there are circumstances which entitle us not to impose a custodial

sentence and therefore you are sentenced to three months' imprisonment.

## Authorities

Thomas: "Principles of Sentencing" (2nd Ed'n) pp.175-6.