

R v Day

BACKGROUND

On 27 February 2012, Jason Jon Garrels, a general labourer, was

In reaching her decision, Magistrate Baldwin took into account mitigating factors, which included a lack of previous recorded prosecutions for any electrical or workplace health and safety breach, cooperation with investigative authorities, and an early guilty plea.

CROWN SUBMISSIONS - R V DAY SENTENCING

At the sentencing of Mr Day, Todd Fuller QC, counsel for the prosecution, sec9n2 68drr Fin



longer sentence would have on the client. This involved written testimony regarding Mr Day's previous depression and suicidal attempts due to his parents' death in a motor vehicle accident in 2008 that went to inquest. Mr Day displayed remorse and shame for perjuring in an inquest. The defence used Mr Day's previous experiences as an aggrieved party in an inquest to evidence this. Additionally, it was submitted that Mr Day was given advice by his solicitor to be honest and consistent with his testimony. The defence claimed that Mr Day had no clear understanding of this advice as he