

ROYAL COURT
19th October, 1987

Before the Deputy Bailiff, assisted by Jurats Le Boutillier and Orchard

Her Majesty's Attorney General

-v-

Stephen Robert Bailey

Sentenced in respect of 2 counts of larceny as bailee and 2 counts of false pretences.

Advocate C.E. Whelan for the Crown.

Advocate A. Messervy for the defendant.

DEPUTY BAILIFF....The Court has some reservations about the final paragraph of the Consultant Psychologist's report, which describes prison as an almost ideal environment for the further development of gambling. It may well not stop the compulsive gambler, but we think to say that further development is available, is an unfair indictment of the prison service. We cannot ignore the fact that the offences were committed over a period of six months and involved over two thousand pounds. The Courts have a duty to society as well as to the individual, and what the defence plea really amounts to, is that the Court should itself gamble on the chance that Bailey would really involve himself in self help if released.

We think that the prosecution has already given full weight to all the mitigation, indeed a case could be made for the sentences on counts 3 and 4 being consecutive to those on counts 1 and 2. In our judgment the total sentence of nine months fully reflects all the mitigation and we grant the conclusions. Accordingly, Bailey you are sentenced on Count 1 to nine months imprisonment, on Count 2 to

nine months imprisonment concurrent, on Count 3 to six months imprisonment concurrent, on Count 4 to six months imprisonment concurrent, thus making a total of nine months imprisonment.

Authorities cited:

A.G. -v- David Jarman Lloyd. C. of A. 1986, Unreported JJ.

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