

In the Royal Court of Jersey

9th June, 1989

Before: The Deputy Bailiff and
Jurats Coutanche and Vint

Her Majesty's Attorney General

- v -

John William Savage
and
Daniel Joseph McGorian

Conspiracy to steal; larceny (4 counts);
receiving stolen property

The Attorney General for the Crown
Advocate A.D. Robinson for Savage
Advocate N.F. Journeaux for McGorian.

JUDGMENT

DEPUTY BAILIFF: The Court has no hesitation at all in granting the conclusions. The sentences would undoubtedly have been longer if it were not for the mistake made with regard to Frith, so both accused should regard themselves as fortunate.

The Court does have judicial knowledge that shoplifting is prevalent in this Island and those who come before us can expect severe sentences.

Savage, you are sentenced on Count 1 to nine months' imprisonment; on Count 5 to three months' imprisonment concurrent; on Count 6 three months' imprisonment concurrent, making a total of nine months' imprisonment.

McGorian, you are sentenced on Count 1 to six months' imprisonment; on Count 2 to four months' imprisonment concurrent; on Count 3 to three months' imprisonment concurrent; on Count 4 to three months' imprisonment concurrent, making a total of six months' imprisonment.

Authorities cited:

Thomas "Principles of Sentencing" 2nd edition:

pp. 64-73 (disparity)

pp. 155-158 (shoplifting)

pp. 195-196 (age & history of offender)

pp. 220-222 (grievances arising in the course of proceedings)

Current Sentencing Practice:

p. 2300 R -v- Roth (1981) 2 Cr. App. R. (S) 247

p. 2301 R -v- MacLeod (1981) 3 Cr. App. R. (S) 327.