

ROYAL COURT

7th July, 1989

Before: The Deputy Bailiff and
Jurats Orchard and Le Ruez

Her Majesty's Attorney General

- v -

Christian Victor François Louis Berhault

Accused sentenced in respect of
one count of robbery with violence.

Miss S.C. Nicolle, Crown Advocate
Advocate A.D. Robinson for the accused.

JUDGMENT

THE DEPUTY BAILIFF: In cases of robbery the Court has to consider not only the offender but also the victim and the need to deter others. This was a 'mugging' and it was unpleasant. This was an attack, on the public highway, on a perfectly inoffensive lady going about her own business, snatching her handbag and leaving her injured and we are sure, very frightened indeed. She was deprived of her watches and her keys to her own home.

This sort of behaviour must be met by severe penalties and this means an immediate custodial sentence, ruling out both probation and community service.

As to the length of the sentence, we have examined the authorities and have no doubt that the proper sentence for the offence would be imprisonment for three years. This means that Crown Advocate Nicolle has halved the proper sentence to make allowance for all the mitigation. We agree that there is exceptional mitigation in this case, but we also agree that the allowance of one half is correct, rather than the two-thirds asked for by the defence. Accordingly, the conclusions are granted. Berhault, you are sentenced to eighteen months' imprisonment.

Authorities cited:

Thomas: Principles of Sentencing (2nd edition) pp. 144 - 146.

Thomas: Current Sentencing Practice pp. 2320-1, 2320-4.