

ROYAL COURT

28th August, 1992

155.

Before: The Bailiff, and
Jurats Vibert and Rumfitt

The Attorney General

- v -

Joseph Michael McMahon

- 1 count of illegal entry and larceny (Count 1 of First Indictment).
 - 1 count of larceny (Count 2 of First Indictment).
 - 1 count of taking and driving away contrary to Article 28(1) of the Road Traffic (Jersey) Law, 1956, as amended. (Count 1 of Second Indictment).
 - 1 count of driving while disqualified, contrary to Article 9(4) of the Road Traffic (Jersey) Law, 1956, as amended (Count 2 of Second Indictment).
 - 1 count of driving without insurance, contrary to Article 2 of the Motor Traffic (Third Party Insurance) (Jersey) Law, 1948, as amended (Count 3 of Second Indictment).
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AGE: 23.

PLEA: Guilty.

DETAILS OF OFFENCE:

First Indictment: Count 1: Illegal entry into staff quarters of restaurant. Room empty at the time. £400 in cash and cheques stolen. Count 2: Same restaurant one week earlier £36 in cash and cigarettes stolen from machine.

Second Indictment: Whilst on bail for First Indictment offences he took and drove away a hire car. Drove while disqualified and uninsured.

DETAILS OF MITIGATION:

Plea of guilty.

PREVIOUS CONVICTIONS:

Several previous for all of these offences.

CONCLUSIONS:

First Indictment: Count 1: 12 months' imprisonment; Count 2: 1 month's imprisonment concurrent.

Second Indictment: Count 1: 6 months' imprisonment; Count 2: 4 months' imprisonment concurrent; Count 3: 6 months' imprisonment concurrent, but consecutive to sentences imposed on First Indictment; making a total of 18 months' imprisonment.

SENTENCING AND OBSERVATIONS OF THE COURT:

Conclusions granted.

C.E. Whelan, Esq., Crown Advocate.
Advocate P. Landick for the accused.

JUDGMENT

THE BAILIFF: The Probation Report is very clear. There is very little that we can do to help you. You have a bad record for previous offences of this nature.

The conclusions cannot be said to be excessive and they are granted.

On the offences in the First Indictment, therefore, you are sentenced on Count 1 in respect of the larceny offences to 12 months' imprisonment; and on Count 2 to one month's imprisonment concurrent, making 12 months' imprisonment in total.

As regards the motoring offences in the Second Indictment, you are sentenced to 6 months' imprisonment on Count 1; to 4 months' imprisonment concurrent on Count 2; and to 6 months'

imprisonment on Count 3. The Second Indictment sentences are to follow consecutively to the First Indictment sentences, making a total of 18 months' imprisonment. The Probation Order is discharged.

Authorities

A.G. -v- Marie (11th June, 1992) Jersey Unreported.

A.G. -v- Mière (5th February, 1990) Jersey Unreported.

A.G. -v- Beedles (19th October, 1990) Jersey Unreported.