

ROYAL COURT  
(Samedi Division)

115

10th June, 1994.

Before: The Deputy Bailiff and  
Jurats Myles and Bonn

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Her Majesty's Attorney General

-v-

Jeremy Hilton Cole;  
Andrew Ernest Louis.

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Cole

- 1 count of aiding/assisting/participating in illegal entry and larceny (count 1A of the indictment laid against him and his co-accused).
- 3 counts of illegal entry and larceny (counts 2,3,4).
- 4 counts of larceny (counts 5,7,8,9.)
- 1 count of attempted larceny (count 6).

Louis

- 3 counts of illegal entry & larceny (counts 1,4,10).
- 2 counts of aiding/assisting/participating in illegal entry & larceny (2A,3A).
- 3 counts of larceny (counts 5,12,13).
- 1 count of aiding/assisting/participating in larceny (11A).
- 1 count of attempted larceny (count 6).

Cole

AGE: 27

PLEA: Guilty

**DETAILS OF OFFENCE:**

Entering commercial premises and taking cash from public telephones. Shoplifting and theft of coal and logs.

**DETAILS OF MITIGATION:**

Too much spare time - own admissions for 7 counts. Needed money and coal, etc to provide for family. No-one disturbed or put in fear. Commercial premises. Now in work. Settled relationship. Probation recommended by report.

**PREVIOUS CONVICTIONS:**

1983 to 1992 - 19 separate Court appearances involving many offences involving cars including dishonesty, falsifying documents to obtain licences, etc.

**CONCLUSIONS:**

4 months imprisonment.

**SENTENCE AND OBSERVATIONS OF THE COURT:**

Very anti-social offences. Deplorable record. 18 months Probation and 100 hours Community Service.

**Louis**

**AGE:** 22

**PLEA:** Guilty

**DETAILS OF OFFENCE:**

Entering commercial premises and taking cash from public telephones. Shoplifting (2 Charges) involving £1,000 in value over a period of time.

**DETAILS OF MITIGATION:**

Difficult background. Own admission for charges. No-one disturbed or put in fear. In prison for 2 years for other offences.

**PREVIOUS CONVICTIONS:**

1983 to 1994 - Court appearances for numerous larceny related offences and taking and driving away and malicious damage.

**CONCLUSIONS:**

6 months imprisonment consecutive with sentence presently serving.

**SENTENCE AND OBSERVATIONS OF THE COURT:**

6 months imprisonment concurrent with existing sentence. Very anti-social offences. Deplorable record. Conclusions understandable but Court decided to make sentence concurrent.

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**A.J. Dessain, Esq., Crown Advocate.  
Advocate J. Melia for Cole.  
Advocate S.J. Willing for Louis.**

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## JUDGMENT

**THE DEPUTY BAILIFF:** These were very anti-social offences, as I am sure you both realise, and with the deplorable records which you both have we consider that the conclusions are entirely understandable and would generally have been granted. We are, however, going to vary the conclusions for these reasons:

Cole, so far as you are concerned the Court has noted that you have made a clean breast of things and that some of the charges resulted from your own admissions. We wish to say that when people commit offences they inevitably cause hurt and hardship to those who are close to them. The effect of a prison sentence on your wife and family is not a matter which would have persuaded the Court not to pass a non-custodial sentence. Nevertheless, we consider from the probation report which we have had, and from the submissions made by your Counsel, that you have reached a stage in your life where you are ready to turn over a new leaf and to reform yourself. We hope that that conclusion is correct and it is on that basis that we are going to give you the last chance for which your Counsel asked; we are going to place you on probation.

So, you will be placed on probation on each of the counts to which you have pleaded guilty for a period of 18 months subject to the usual conditions that you live and work as directed by your probation officer, and subject to the condition that you be of good behaviour during that time and if you fail to be of good behaviour you will be liable to be brought back before this Court and sentenced again for these offences. It is also the order of this Court that you will perform to the satisfaction of the Community Service organiser 100 hours of community service.

Louis, so far as you are concerned the Court has taken account of the matters which have been submitted by your Counsel. We want to encourage you in the intentions which you have expressed of reforming yourself and of making something more of your life than you have made in recent years. We want you to have the glimmer of light at the end of the tunnel to which your counsel referred. We are, therefore, going to make the prison sentences which we are about to impose concurrent so that you will, if you behave yourself in prison, be released on 9th April, 1995. We hope that when you come out of prison you will indeed live up to the expectations which have been expressed by your Counsel upon your behalf.

So, on the counts to which you have pleaded guilty the Court formally sentences you on count 1 to 4 months imprisonment; on count 2A to 4 months imprisonment, concurrent; on count 3A to 4 months imprisonment, concurrent; on count 4 to 4 months imprisonment, concurrent; counts 5 and 6 to 1 months imprisonment, concurrent; count 10 to 4 months; count 11A to 6 months; count 12 to 4 months; count 13 to 6 months, imprisonment. Those sentences

will run concurrently with each other and concurrently with the sentence which you are already serving.

No Authorities