

ROYAL COURT
(Samedi Division)

209A.

21st November, 1997

Before: The Bailiff and Jurats
Le Ruez and Le Brocq

A.G.

-v-

Paulo Sergio Gouveia da Silva

25 counts of breaking and entering and larceny (count 1,2,3,4,5,6,7,8,9,10,12,13,14,15,16,17,18,19,20,21,22,23, 24,26,27.).

1 count of possession of a controlled drug contrary to Article 6(1) of the Misuse of Drugs (Jersey) Law 1978.
Count 11: diamorphine.

1 count of larceny (count 25).

Age: 22

Plea: Guilty.

Details of Offence:

Defendant came to Jersey in March, 1997. Between March and June 1997 he committed 25 offences of breaking and entry and larceny of residential premises, many of which were rooms in lodging houses. In some cases the premises were occupied and the victims came into contact with the accused. Over £9,000 of cash and property was stolen of which approximately £1,000 worth was recovered.

Details of Mitigation:

Relative youth; in effect a first offender; his time on remand in June had been a salutary experience; a very difficult and troubled background; he had shown considerable co-operation and had volunteered information so that some of the counts would not have been brought but for such co-operation; a plea of guilty; the offences were carried out in daytime rather than at night.

Previous Convictions:

One for breach of the peace.

Conclusions:

Count 1 : 2 ½ years imprisonment
Count 2 : 2 ½ years imprisonment
Count 3 : 2 ½ years imprisonment
Count 4 : 2 ½ years imprisonment
Count 5 : 2 ½ years imprisonment
Count 6 : 2 ½ years imprisonment
Count 7 : 2 ½ years imprisonment
Count 8 : 2 ½ years imprisonment
Count 9 : 2 ½ years imprisonment
Count 10 : 2 ½ years imprisonment
Count 11 : 4 months imprisonment
Count 12 : 2 ½ years imprisonment

Count 15 : 2 ½ years imprisonment
Count 16 : 2 ½ years imprisonment
Count 17 : 2 ½ years imprisonment
Count 18 : 2 ½ years imprisonment
Count 19 : 2 ½ years imprisonment
Count 20 : 2 ½ years imprisonment
Count 21 : 2 ½ years imprisonment
Count 22 : 2 ½ years imprisonment
Count 23 : 2 ½ years imprisonment
Count 24 : 2 ½ years imprisonment
Count 25 : 12 months imprisonment
Count 26 : 2 ½ years imprisonment

Count 13 : 2 ½ years imprisonment
Count 14 : 2 ½ years imprisonment

Count 27 : 2 ½ years imprisonment
All concurrent

Sentence and Observations
of the Court:

Reasons to be given later but conclusions increased in respect of those offences where the householder was inside or immediately adjacent. On Counts 5,8,12,13,14,15,16 - 3 years' imprisonment concurrent. On all other counts conclusions granted. Total: 3 years' imprisonment..

The Attorney General.
Advocate S.E. Fitz for the accused.

NO RECORDED JUDGMENT

Authorities

Whelan: Aspects of Sentencing in the Supreme Court of Jersey: Noter Up May 1996-1997:
pp.25-29.

Allo, Collins -v- A.G. (1983) JJ 85 Cof A.

A.G. -v- Aubin (14th May 1987) Jersey Unreported.

A.G. -v- Gaffrey (5th June, 1995) Jersey Unreported.

R. -v- Edwards, Brandy (9th May, 1996) Unreported Judgment of Court of Appeal of England.

R. -v- Brewster & Ors. (27th June, 1997) Unreported Judgment of Court of Appeal of
England.