

14th July, 1986.

Jose de Jesus Goncalves - Appeal

A

DEPUTY BAILIFF: In the unanimous opinion of the Court, there is no merit in this appeal at all. Self-induced intoxication is an aggravating factor; this was a breaking-in by night, it was home-breaking by night, however humble the home, and it was a particularly mean theft to steal monies belonging to friends with whom the appellant took wine from time to time. Moreover, although he eventually admitted the crime and made full restitution, he, at first, fabricated a false story involving allegedly other men that he had seen running away.

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C

As in the case of Norris quoted to us by Advocate Miss Nicolle, the sentence was neither manifestly excessive nor wrong in principle; indeed, the sentence could well have been longer. Norris had two months for stealing a handbag from a stranger. The sentence for home-breaking by night should have been longer than that two months.

D

The appeal is dismissed and Mr Richardson will have his legal aid costs.

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