

**ROYAL COURT**  
**(Samedi Division)**

4th March, 1994

48.

**Before: The Deputy Bailiff, and**  
**Jurats Blampied and Hamon**

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**The Attorney General**

- v -

**Philip Glen Joseph Vincent Hearne**  
**Stuart Mark Peter Hannaford**

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1 count of breaking and entering and larceny.  
1 count of obtaining money by false pretences.

**AGE:** Heame: 23  
Hannaford: 19

**PLEA:** Guilty.

**DETAILS OF OFFENCE:**

Opportunist burglary of private premises. Circa £2,200 worth of property stolen. Re-sold part of the stolen goods (Minolta camera and lenses). Equal partners in the crime.

**DETAILS OF MITIGATION:**

Eventual co-operation and guilty plea.

**PREVIOUS CONVICTIONS:**

**Heame:** 4 previous theft/fraud  
2 possession offensive weapon

**Hannaford:** Numerous juvenile b/e, larceny, motoring, malicious damage, B.O.P. grave and criminal assault and alcohol related offences.

**CONCLUSIONS:**

**Heame:** count 1: 12 months' imprisonment  
count 2: 2 months' imprisonment (concurrent).

**Hannaford:** count 1: 6 months' imprisonment (but for Article 18 of the Children (Jersey) Law, 1969 Hannaford would have received 12 months' imprisonment).  
count 2: 2 months' imprisonment (concurrent).

**SENTENCE:**

Conclusions granted. But for Article 18 of the Children (Jersey) Law, 1969, Hannaford would have received 12 months' imprisonment.

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**S.C.K. Pallot, Crown Advocate.**  
**Advocate P.M. Livingstone for S.M.P. Hannaford.**  
**P.G.J.V. Hearne on his own behalf.**

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**JUDGMENT**

**THE DEPUTY BAILIFF:** Breaking into people's private houses is a serious offence, as submitted by the Crown Advocate, because it is one which causes particular distress to the householders, whether or not they were present at the time when the offence took place.

The Court has given careful consideration to the matters set out in the background reports which it has had the opportunity to read before Court and has taken account of the submissions which you have made, Mr. Livingstone, on behalf of Hannaford and also, Hearne, what you have just said to the Court.

The Court is nevertheless going to grant the conclusions. It sees no reason to differ from them. An offence of breaking into private property of this kind merits a custodial sentence unless there are unusual circumstances. Therefore the Court is going to sentence you, Hearne, to 12 months' imprisonment on count 1, and two months' imprisonment on count 2 concurrent, making a total of 12 months' imprisonment. Hannaford, the Court would, but for the statutory restrictions, have imposed the same penalty upon you, but as you have heard from the Crown Advocate, it cannot do so. The Court therefore sentences you on count 1, to 6 months' imprisonment; and on count 2, to two months' imprisonment concurrent, making a total of 6 months' imprisonment.

No authorities.