

ROYAL COURT
(Samedi Division)

168.

19th August, 1994

Before: The Hon. J.A.G. Coutanche, Lieutenant Bailiff
and Jurats Blampied and Hamon

Attorney General

-v-

John Thomas Graham
William Mark Burnsen-Hicks

Graham

1 count of Larceny (count 1 of the Indictment)
3 counts of receiving stolen property (counts 2,3,4)

Burnsen Hicks

3 counts of Larceny (count 5,6,7)
1 count of aiding & abetting larceny (count 8)

AGE: Graham: 25.
Burnsen-Hicks: 25

PLEA: Guilty

DETAILS OF OFFENCE:

4 Counts. Count 1: stole a Rolex watch valued at £7,350.00. Accused came from Wolverhampton shortly before incidents giving rise to the charge. Crown regarded the offences as joint exercise.

DETAILS OF MITIGATION:

Claim as to lack of premeditation, denied by Crown. No violence, no damage, all items recovered. Claimed that accused did not know the value of the watch. BURNSEN-HICKS claimed that there should be disparity between the sentences on the different accused.

PREVIOUS CONVICTIONS:

Both accused had very bad records including many convictions for dishonesty, and had served previous prison sentences.

CONCLUSIONS:

18 months imprisonment on Counts involving Rolex watch. (Counts 1 and 8).

SENTENCE AND OBSERVATIONS OF THE COURT:

W.J. Bailhache, Esq., Crown Advocate
Advocate D.C. Sowden for Graham
Advocate P.C. Harris for Burnsen Hicks

JUDGMENT

5 THE LIEUTENANT BAILIFF: The Court is unanimous in its decision. You came to Jersey and within a short time you embarked upon a criminal spree. This is a joint venture. On the first day, both of you went to the shop and both returned on the second day. We can see no difference and grant the conclusions of the Crown Advocate.

10 Graham you are sentenced on count 1 to eighteen months' imprisonment, on count 2, to one month, on count 3 to six months', and on count 4 to one month, all concurrent, making a total of 18 months' imprisonment.

15 Burnsen-Hicks, on count 5, you are sentenced to one month's imprisonment, on count 6, to six months', on count 7 to one month, which will all run concurrent with the sentence imposed on count 8, which will be 18 months' imprisonment, making a total of 18 months' imprisonment.

Authorities

A.G. -v- Lynch, Barclay (24th May, 1991) Jersey Unreported.

A.G. -v- Fegan, Pender (29th October, 1993) Jersey Unreported.

A.G. -v- McLean, Lochhead (18th March 1994) Jersey Unreported.

A.G. -v- Reid (25th June, 1992) Jersey Unreported.