

ROYAL COURT

14th August, 1992

150.

**Before: The Bailiff, and
Jurats Coutanche and Hamon**

The Attorney General

- v -

SG

DC

NM

DL

DD

SB

and

JP

SG

2 Counts of taking a motor vehicle without owner's consent or other lawful authority, contrary to Article 28 of the Road Traffic (Jersey) Law, 1956.

1 Count of tampering with mechanism of motor vehicle, contrary to Article 29(2) of the said Law.

1 Count of driving a motor vehicle whilst disqualified for holding or obtaining a licence to drive, contrary to Article 13(1) of the said Law.

1 Count of driving at a speed dangerous to the public, contrary to Article 14(1) of the said Law.

1 Count of using a motor vehicle uninsured against third party risks, contrary to Article 2(1) of the Motor Traffic (Third Party Insurance) (Jersey) Law, 1948.

1 Count of aiding, assisting or participating in breaking and entry and larceny.

2 Counts of aiding, assisting or participating in illegal entry and larceny.

1 Count of larceny.

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

DC

1 Count of taking a motor vehicle without owner's consent or other lawful authority, contrary to Article 28 of the Traffic (Jersey) Law, 1956.

1 Count of driving a motor vehicle whilst disqualified for holding or obtaining a licence to drive, contrary to Article 13 of the said Law.

1 Count of driving a vehicle at speed dangerous to public, contrary to Article 14(1) of the said Law.

1 Count of using a motor vehicle uninsured against third party risks, contrary to Article 2(1) of the Motor Traffic (Third Party Insurance) (Jersey) Law, 1948.

1 Count of aiding, assisting or participating in breaking and entry and larceny.

NM

2 Counts of taking a motor vehicle without owner's consent or other lawful authority, contrary to Article 28 of the Traffic (Jersey) Law, 1956.

1 Count of driving a motor vehicle whilst disqualified for holding or obtaining a licence to drive, contrary to Article 13 of the said Law.

1 Count of using a motor vehicle uninsured against third party risks, contrary to Article 2(1) of the Motor Traffic (Third Party Insurance) (Jersey) Law, 1948.

1 Count of breaking and entry and larceny.

1 Count of malicious damage.

DL

1 Count of taking a motor vehicle without owner's consent or other lawful authority, contrary to Article 28 of the Traffic (Jersey) Law, 1956.

1 Count of driving a motor vehicle without being the holder of a licence authorising him to do so, contrary to Article 9 of the said Law.

1 Count of using a motor vehicle uninsured against third party risks, contrary to Article 2(1) of the Motor Traffic (Third Party Insurance) (Jersey) Law, 1948.

2 Counts of illegal entry and larceny.

DD

1 Count of taking a motor vehicle without owner's consent or other lawful authority, contrary to Article 28 of the Traffic (Jersey) Law, 1956.

1 Count of driving a motor vehicle whilst disqualified for holding or obtaining a licence to drive, contrary to Article 13 of the said Law.

1 Count of receiving stolen goods.

1 Count of failing to comply with provisions of Part III of Motor Vehicle (Construction and Use) (Jersey) Order, 1958, contrary to Article 80 of the said Order.

SB

1 Count of taking a motor vehicle without owner's consent or other lawful authority, contrary to Article 28 of the Road Traffic (Jersey) Law, 1958.

1 Count of driving a motor vehicle whilst disqualified for holding or obtaining a licence to drive, contrary to Article 13(1) of the said Law.

1 Count of using a motor vehicle uninsured against third party risks, contrary to Article 2(1) of the Motor Traffic (Third Party Insurance) (Jersey) Law, 1948.

1 Count of aiding, assisting or participating in illegal entry and larceny.

1 Count of breaking and entry and larceny.

JP

1 Count of taking a motor vehicle without owner's consent or other lawful authority, contrary to Article 28 of the Road Traffic (Jersey) Law, 1958.

1 Count of driving a motor vehicle whilst disqualified for holding or obtaining a licence to drive, contrary to Article 13(1) of the said Law.

1 Count of using a motor vehicle uninsured against third party risks, contrary to Article 2(1) of the Motor Traffic (Third Party Insurance) (Jersey) Law, 1948.

2 Counts of breaking and entry and larceny, or of aiding, assisting or participating in the said offences.

AGE:

SG, DC, NM, DD, SB and JP : 18.
DL : 17.

PLEA:

Guilty.

DETAILS OF OFFENCES:

The accused committed a large number of offences (approximately 170) during the period July 1991 - April, 1992.

In the Police Court:

SG _ faced approximately 37 charges for motoring, 8 for dishonesty, and 1 for drugs.

DC faced approximately 25 motoring charges, and 1 for dishonesty.

- NM : faced approximately 20 motoring charges, 7 for dishonesty, and 1 for malicious damage.
- DL : faced approximately 7 motoring charges, and 6 for dishonesty.
- DD : faced approximately 13 motoring charges and 3 for dishonesty.
- SB : faced approximately 7 motoring charges and 5 for dishonesty.
- JP : faced approximately 5 motoring charges and 4 for dishonesty.

DETAILS OF MITIGATION:

SG, DL, DD, SB, JP

At the suggestion of the Bailiff, counsel did not address the Court; the psychologist's report shows SG to be disturbed.

DC : : Learning difficulties.

PREVIOUS CONVICTIONS:

SG : malicious damage to motor vehicle; driving without due care and attention; drove whilst unfit; breach of Binding Over order of 12th February, 1992;

DC, DL, DD : none.

NM : March 1991 bound over for taking and driving away motor vehicle whilst disqualified by age and driving uninsured.

SB : minor offences.

JP : 2 motoring offences.

CONCLUSIONS:

SG : 2 years' Probation, on each count, concurrent, with condition he attends Offending Behaviour Group, as directed by Probation Officer.

DC : 3 years' Probation (no attendance centre, because of asthma).

NM : 2 years' Probation and 12 hours at attendance centre.

DL : ditto - as NM

DD : ditto - as NM

SB : ditto - as NM

JP : 2 years' Probation, with condition he attend Offending Behaviour Group as directed by Probation Officer.

SENTENCING AND OBSERVATIONS OF THE COURT:

Conclusions granted.

Miss S.C. Nicolle, Crown Advocate.
Advocate D.C. Sowden for SG
Advocate S.E. Fitz for DC and JP
Advocate S.J. Crane for NM
Advocate J. Melis for DD
Advocate P. Landick for DL
Advocate A. Messervy for SB

NO RECORDED JUDGMENT.

No Authorities.

