

ROYAL COURT
(Poursuites Criminelles)

11th August, 1989

Before: The Bailiff and
Jurats Mrs. Myles and Mrs. Le Ruez

Her Majesty's Attorney General

- v -

John Oliver McGurk

Breaking and entering and larceny
(1 count); obtaining or attempting
to obtain goods by false pretences
(3 counts); larceny (1 count).

The Attorney General
Advocate S.J. Habin for the accused.

JUDGMENT

THE BAILIFF: If you go in for a life of crime, as the Attorney General has said, you must accept the consequences. You used your knowledge to repay someone who had given you employment by stealing from them. It is a breach of trust not quite in the same category, of course, as people who alter the books when they are dealing with, for example, Christmas funds, but nevertheless it is a breach of trust to use the knowledge acquired as an employee to break in. It is no defence, and your counsel rightly accepted it,

that there might have been, perhaps, better security, but that is not for us to say. We cannot find the conclusions asked for by the Attorney General are wrong in any way and therefore you are sentenced as asked for by the Attorney General to 12 months on count 1; 3 months concurrent with each other on each of counts 2 to 5, but consecutive to count 1; a total of 15 months.

Authority

A.G. -v- Henry (5th June, 1989) Jersey Unreported.