

JERSEY / JUDGMENT

AG -v- Moreira [2007] JRC 225 (30 November 2007)

[2007] JRC 225

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JUDGMENT

THE BAILIFF: 1. This defendant has pleaded guilty to a single count of breaking and entering with intent to commit a crime. The offence was committed in broad daylight and the young householder found himself confronted by the defendant in circumstances which must have been extremely frightening. When the police arrived he was still shaking with fear. Moreira expressed no remorse until this morning when his counsel passed up a letter from him. 2. Moreira has a very bad criminal record and has served a number of prison terms, non-custodial sentences have been tried and are not recommended in this case. The Alcohol and Drugs Service Report states that he shows a worrying indifference to the charge which he faces. He is a heroin addict and much of his criminal history relates to the feeding of this drug habit or attempts to settle drug debts. 3. In mitigation he has pleaded guilty to the offence although only after being confronted with incontrovertible evidence of his guilt. He has had in some respects a difficult up-bringing although his mother and sisters are still supportive of him. 4. Moreira, you understand I am sure that we have to punish you for what is a serious offence. The Court has looked to see if there is some other way of dealing with you but frankly we do not think that there is. We do want you to know, however, that we do not think that you are a hopeless case. You have talents as your counsel has told us. You can keep a job when you try and we hope that you will take advantage of the help which will be available to you in the prison and that when you come out you will keep out of trouble. 5. Your two daughters, with whom you have a good relationship, will need you and will need you increasingly as they grow older and it is up to you whether you let them down again or whether you keep on the straight and narrow. 6. The Crown Advocate has issued a warning and we have to repeat that. If after your release you do commit further offences you will be at risk of an extended sentence under the Criminal Justice (Jersey) Law 1957 and that would mean that the Court would be able, in order to protect society from offending by you, to impose a sentence of preventative detention of between 5 years and 14 years. We hope very much that it will not come to that and that when you get out of prison you will go straight and that we do not see you again. 7. In the meantime the conclusions are granted and you are sentenced to 3 years' imprisonment. Authorities Criminal Justice (Jersey) Law 1957. Page Last Updated: 26 Jun 2015 BAILII: Copyright Policy | Disclaimers | Privacy Policy | Feedback | Donate to BAILII

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Prepared on 28 October 2026 · Esheria