

JERSEY / JUDGMENT

AG -v- Pallot [2010] JRC 122 (02 July 2010)

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JUDGMENT

THE DEPUTY BAILIFF: 1. Miss Pallot, you are to be sentenced on an Indictment which contains 2 counts of larceny as a servant. In respect of the first count the circumstances are that you admit over a 9 month period having stolen a total of £7,000 from your employer, by stealing seven separate amounts of £1,000; in two of the months covered by this period you didn't steal anything. The monies were, it is said, stolen and used for the purposes of attempting to pay your debts and the Crown has accepted that basis for the purposes of its conclusions. On Count 2 you are charged with and admit stealing a quantity of jewellery, which has a wholesale value of £1,988.67 from your employer. 2. The Court has, for a long time, had a policy of treating offences of this kind, larceny in breach of trust, seriously and meting out as a result a custodial sentence and it has been said many times that there needs to be exceptional circumstances to depart from that policy. I have to say straight away that the Court does not think there are exceptional circumstances in this case. 3. We have noted that you worked in a small shop, that you were a shop assistant rather than a manageress, and that you have regarded your employer as a good employer. The Court has no doubt at all that you were in a position of trust in that shop and, in terms of the nature of the thefts, it may have been of an opportunistic theft of one kind but the fact that you were prepared to take some of the money and buy goods from a local retail store and then trade them back later on to get cash back, shows that you did not approach this matter in an entirely simplistic way. 4. We have taken account of all the factors which your counsel has very eloquently put to us. Unfortunately in cases like this very often the accused person has many of the mitigating factors which have been mentioned and we recognise you have them; we recognise your guilty plea and give you full credit for that; we recognise that you have been co-operative from the outset and we certainly recognise that you are very sorry now for what you have done. We accept all that. We give you credit for your good character and for the support from the family; we take into account your excellent work history and all the matters which are contained in the social enquiry report. 5. However we have reached the conclusion that a custodial sentence is appropriate. For one reason only we are going to reduce the conclusions of the Crown. The reduction is going to be because of the special circumstances within your family; the fact that your father will continue to need your care notwithstanding the support that he will get from other members of your family while you are in custody. 6. Taking those matters into account, the decision of the Court is that you should go to prison for 12 months on each count, concurrent. Authorities Whelan on Aspects of Sentencing in the Superior Court of Jersey. Barrick

(1985) 7 Cr. App. R. (S) 142 @ 145. Page Last Updated: 26 May 2015 BAILII: Copyright Policy |
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