

JERSEY / JUDGMENT

AG v Stevenson [2004]

JRC 121 (09 July 2004)

[2004] JRC 121

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JUDGMENT

THE COMMISSIONER: 1. To discover someone smashing the re-enforced glass of Hettich Jewellers shop in the early hours of the morning must have been a disturbing experience. Nevertheless, the police were called but Stevenson was no longer there. 2. He was found later that day selling 3 valuable stolen watches at the Great Union Hotel. He was a regular customer there. Stevenson was arrested but emphatically denied both incidents. Later his DNA sample tied him ineluctably to the scaffolding pole with which he had smashed the window. 3. He was later arrested for being drunk and it was then that the 249 milligrams of cannabis was found in his possession. He still denied any involvement in the break-in. 4. Some days later he created a disturbance at the General Hospital having been released by the court on a warning. 5. I have to say that you have a bad record and you are clearly not willing to admit to anything even when the evidence against you is overwhelming. You did plead guilty which has some residual benefit, but certainly it must be at the lower end of the concession. Again you have written a letter to Hettich but its lateness - it was only written a few days ago - does not over impress. 6. The best thing that can be said in your defence - and Miss Fogarty has covered all the relevant points most adequately - is that despite your record you were out of prison and out of trouble for 3½ years. The damage to Hettich's window was excessive although, of course, much of the damage will be covered by insurance. 7. Both Counsel have referred us to features of the Probation Report which frankly we find puzzling in its conclusions. We have considered the case of AG -v- Dring & McDonough (25 th October 199) Jersey Unreported [1991/156] and the other cases referred to us. Perhaps this was an opportunist rather than a well planned break in to commercial premises, but unfortunately we cannot take the route suggested by counsel. 8. In the particular circumstances of this case we are going to slightly reduce the Crown's conclusions. You are sentenced to 15 months' imprisonment on the first count, 1 month on the second account, and to 2 months' on the third count, all consecutive, that is a total of 18 months' imprisonment. We order the forfeiture and destruction of the drugs. Authorities Whelan: Aspects of Sentencing in the Superior Courts of Jersey (2 nd Ed'n): pp. 64-7; 182-3. AG -v- Gaffney (5 th June, 1995) Jersey Unreported; [1995/101]. AG -v- Dring & McDonough (25 th October 1991) Jersey Unreported; [1991/156] Page Last Updated: 18 Jun 2015 BAILII: Copyright Policy | Disclaimers | Privacy Policy | Feedback | Donate to BAILII

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Prepared on 26 October 2026 · Esheria