

ROYAL COURT

20th June, 1988

Before: the Bailiff,
assisted by
Jurats Hamon and Gruchy

Her Majesty's Attorney General

- v -

M. A. Gallichan

Appeal against a four week sentence
of imprisonment imposed in respect
of one count of larceny

Advocate S.C. Nicolle for the Crown
Advocate M.S.D. Yates for the Appellant

JUDGMENT

BAILIFF: The Magistrate applied his mind to the particular problems of the case; that is quite clear at the bottom of page 11 and 12 of the transcript. He thought that it was a series of mean thefts by one in a position of trust; and that does describe it completely; he took into account the circumstances, decided that a prison sentence was necessary and imposed a smaller prison sentence than he might otherwise have done. He read the mitigating factors in the Probation Report (and there were some mitigating factors), but it doesn't entitle your client who is a nurse and a professional woman

entrusted with the care of elderly people who are, as the Magistrate said, or can be, difficult and rude as well to ~~behave as she did.~~ We cannot find that the Magistrate erred in principle in sentencing your client. The appeal is dismissed.