

ROYAL COURT

5th August, 1988

Before: The Deputy Bailiff and  
Jurats Baker and Bonn

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Her Majesty's Attorney General

- v -

Thomas Lionel Prisk

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Two counts of fraudulent conversion. The accused, who had previously been a man of impeccable character, had been employed in a senior position of trust by the bank which he defrauded. He had found himself under severe financial and mental pressure following his transfer to Jersey to further his career within the bank. He had attempted suicide whilst awaiting trial. Full restitution had been made and, in addition, he had agreed to a commercial rate of interest being charged to the monies owing to the bank

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Advocate S.C. Nicolle for the Crown  
Advocate P. de C. Mourant for T.L. Prisk

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**JUDGMENT**

DEPUTY BAILIFF: As will be appreciated from the length of time which we have taken, we have given very anxious consideration to this sad case and we have read every word of the documentation which was handed up. The sentencing policy of the Royal Court in breach of trust cases has been made abundantly clear by the Superior Number in the past and it is not for the Inferior Number to change that policy. We have therefore had to consider whether there are those very exceptional circumstances present which would enable us to depart from the normal policy that there shall be a deterrent custodial sentence.

Against the many mitigating factors that are undoubtedly present, and Mr Mourant put them forward very ably indeed in an excellent address, we have to weigh the special position of responsibility, authority and trust which the accused held. In the same way as thrift club managers were regarded as holding a special form of trust, so in our view are persons in managerial positions in the finance industry. The integrity of the finance industry requires people of the highest probity in managerial positions. So we are, after anxious consideration, going to impose a custodial sentence. However, having regard to the weight of the mitigating factors, we feel able to reduce somewhat the sentence which was moved for. Therefore, Prisk, in respect of both count 1 and count 2, you are sentenced concurrently to eighteen months' imprisonment.

Authorities referred to:-

Stationery Office Handbook for the Courts on the treatment of Offenders,  
at p.43

A.G. -v- A.E. Talibard J.J. 25th September, 1987, - as yet unreported.

A.G. -v- D.J. Lloyd J.J. 3rd July, 1986, - as yet unreported.