

REX

-V-

'EMILE LONGANI

BEFORE THE HON. MR. JUSTICE SHUSTER

HAVING HEARD - Crown Counsel and from the defendant in person. The defendant appears for sentencing, from custody. The court records indicate the defendant pleaded guilty on 04th March 2011 to a single count indictment alleging a single offence of abetment to armed robbery. The Crown alleges the defendant committed this crime with another person on 29th May 2010 whilst armed with a firearm which was subsequently used to hit the victim on his head with the rifle butt.

The indictment avers \$15,000.00 was taken by the defendant and co-accused, the court was informed nothing has been recovered to date. On arraignment the defendant admitted his part in this serious offence to both the police and this court, however – the court also takes note of the fact that the offence was planned and it was premeditated and that nothing was recovered from the armed robbery.

HISTORY

1. On 04th March 2011 the facts were opened and agreed and the defendant was remanded in custody because of the nature and the seriousness of the offence and the fact that a firearm was used to injure someone and a substantial sum of money was involved.
2. On 04th March 2011 the defendant was ordered to see the probation office and co-operate in the making of a PSR
3. The case was adjourned to 20th April 2011 for sentencing and the defendant was remanded in custody

4. On 20th April having read the PSR, the case was further adjourned to 08th June 2011 for medical and psychiatric reports, which were subsequently prepared by Doctor Mapa

On 08th June 2011 - having considered all the facts of the case I told the defendant my starting point for a person - who with another plans and premeditates an armed robbery and who pleads not guilty to that offence was a starting point of **FIFTEEN** years imprisonment - on a NOT GUILTY plea.

This court appreciates however the defendant fully admitted his part in his involvement in this case. Further the defendant admits in 2003 he was sentenced to three years imprisonment for drugs offences, which by their very nature are serious offences. I give him full credit for his apology and remorse that said I reduce my starting point of fifteen years, by three years to twelve years imprisonment.

Count 1 – The defendant is sentenced to TWELVE YEARS – imprisonment

THE COURT ORDERS – that because of the defendant's apology and the fact he shows remorse the last **TWO YEARS** of his sentence of twelve years can be suspended. That suspension is to be on strict **CONDITION** that the defendant co-operates with prison authorities, and that he commits no further offences during the next twelve years.

- Accordingly the defendant is sentenced to serve TWELVE YEARS imprisonment.
- The last two years of that sentence is suspended on good behaviour.
- The date the sentence is to run - will be the date of the defendants first remand - which was 04th March 2011

This is to be a deterrent sentence applying *Crown v Cunningham*

DATED 08TH JUNE 2011


JUDGE